



MARIPOSA COUNTY

P.O. Box 784 Mariposa, CA 95338 (209) 966-3222
5100 Bullion Street
<http://www.mariposacounty.org/>



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

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

April 3, 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.

Chair Bibby advised that item 1 has been withdrawn and will be rescheduled if necessary.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

1. 1205 pulled from Consent

CA2. **Administration -2012-157**

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

CA3. **Administration -2012-158**

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

CA4. **Planning (ID # 1217)**

Appoint Robert Bassett to the Fish Camp Town Planning Advisory Council for a Term Expiring February 28, 2013 (Supervisor Allen)

CA5. **Public Works -2012-159**

Adopt a Resolution Verifying the County-Maintained Road Mileage

CA6. **Sheriff's Office -2012-160**

Approve an Agreement with 35-A District Agricultural Association for Security at the 2012 County Fair, and Authorize the Board of Supervisors Chair to Sign the Agreement

E. Items removed from Consent Agenda

Public Works (ID # 1205)

Approve and Authorize the Board to Revoke Resolution of Intention No. 08-418 Adopted August 26, 2008 and Resolution No. 08-484 Adopted October 14, 2008 to Form a Zone of Benefit for Granite Springs Estates.

This item was withdrawn.

RESULT: WITHDRAWN

F. Minutes Approval

1. **Tuesday, March 27, 2012**

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)

Mike McCreary, member of the Association of California Health Care Districts, urged the Board's support of AB 2096 (Perez) which would allow District Hospitals to access funds that are available to other hospitals. Supervisor Cann asked that a list be provided of where the letter should be sent. Chair Bibby asked the County Administrative Officer to prepare an agenda item for the Board to take action to support this legislation.

Kathy McCorry, Executive Director of the Mariposa County Chamber of Commerce, advised of the April 12th/District 5 and April 17th/District 2 supervisory candidates' nights they are hosting; April 27th Branding Party to celebrate the remodel of the Mariposa Visitor Center; and of the April 24th business after hours mixer. She asked about a letter from the Butterfly Festival concerning the status of 7th Street, and noted that the event is to promote the community and to bring business to the downtown area. Rick Benson/County Administrative Officer, advised that this matter was brought to his attention on Monday and he checked with the affected departments and as far as he knows, that no one from the County asked that 7th Street be kept open. The Board previously approved the request from the Butterfly Festival to close 7th Street for the event.

Bob Kirchner, 2012 President of the Mariposa County Chamber of Commerce, invited everyone to see the remodeled Visitor Center; and he advised that a film crew of graduate students from San Diego State University will be in the County on April 13-16.

Lester Bridges, Mariposa County Chamber of Commerce, advised of the status of visitation at the Visitor Centers; and he noted that there are a lot of events scheduled in the County during April. He advised that the Chamber's website had 2.2 million hits last year. He advised of the upcoming candidates' night; and thanked the Board for its continued support of the Chamber.

Marvin Wells commented on his visit with his grandchildren over the weekend; and he wished everyone a Happy Easter and to remember why we celebrate Easter.

Eleanor Keuning, as a member of the Mental Health Board, expressed concern with the Mental Health Board meeting being moved from Thursday to Friday, which is "Good Friday" this week. She referred to the film crew coming to Mariposa and commented on the events scheduled for those days. She referred to the Chamber's Branding Party and noted there is a display at the History Center, along with barbed wire.

Ray Westmoreland, representing the Mariposa Patriots, stated he would like to have the DVDs on Agenda 21 that he distributed to the Board members at a previous meeting returned.

Jeff Hentz, Yosemite/Mariposa County Tourism Bureau Executive Director, thanked the Board for its support, and advised that he was present for the item on the sign at the County line.

I. Board Information

Supervisor Turpin advised that he met with the Public Works Director and staff after the Board meeting last week on the 8.5 million dollar road grant; and they met with Maggie Dowd and Mike Bradshaw, United States Forest Service, on Wednesday, along with the Business Development Coordinator. They may meet again this afternoon on this project. He referred to a document that he found from 2004 from then Senator Cogdill on the SRA fees issues.

Supervisor Allen noted that in his visits to the departments, he has found that some departments are imposing additional regulations beyond what is required by the Board and he is concerned with this. He met with Rick Holliday/Operations Manager for Total Waste Systems, on Thursday relative to dumpster issues. He plans to attend the EMCC (Emergency Medical Care Committee) meeting on Thursday; the fire station meeting on Friday; and the Fish Camp Town Planning Advisory Committee meeting on Saturday. He wished everyone a Happy Easter. He provided a reminder that property taxes are due by next Tuesday.

Supervisor Stetson advised that he met with the Bear Creek Trails group last Thursday, and they plan to meet again this Thursday. He attended the Yosemite Conservation biennial meeting in Yosemite over the weekend. He attended the YARTS meeting on Monday with Supervisor Cann and Barbara Carrier, and he advised of plans to expand the bus service on Highway 120, and of the addition of four more buses to the system. He noted that the buses will be equipped with AVL (automatic vehicle location) so that riders can track the location of a bus. He plans to attend the El Portal Town Planning Advisory Committee meeting next Tuesday evening.

Supervisor Cann thanked Supervisor Allen for working on the dumpster issues in town. He advised that he met with the Building Director last Wednesday, and then with the sign designer for the wayfinding and County line signs. He met with the Summit Prep Charter School students out of the East Bay on Thursday relative to gateway/federal area interactions. He met with a business owner looking to expand relative to frustration issues with the County and with CalTrans on Thursday; and he met with another business owner with similar concerns on Monday. He feels the Board needs to give clear direction on issues that arise. He attended the YARTS meeting on Monday and commented on the AVL system and the early delivery of the additional buses. Over the next couple of days, he plans to work on reviewing the Merced River Plan alternatives to draft an agenda item for the Board.

Supervisor Bibby advised that she plans to attend the Mother Lode Job Training budget committee meeting on funding issues on April 5th; a meeting on April 6th with the Public Works Director on wayfinding signs and noted they are looking for funding sources; the Mental Health Board meeting on April 6th and they will be discussing their 5-year plan; and the First 5 meeting on April 9th.

J. Regular Agenda Items

1. Board of Supervisors -2012-161

Select and Approve a Design for the Highway 140 Welcome Sign (Supervisor Cann)

Supervisor Cann initiated discussion relative to this matter, and he thanked everyone that has been involved, especially the Tourism Bureau, the Chamber of Commerce and Kathy McCorry, and Larry Vilott for voluntarily preparing the designs. Kathy McCorry thanked the Board and Larry Vilott for working on this project; and she noted that the preference is the option with the waterfall. Bob Kirchner thanked the Tourism Bureau and Larry Vilott and the Board; and he advised that the Chamber will be taking action to move forward on this project at their meeting on Thursday. Jeff Hentz thanked the Chamber and Larry Vilott for their work on this project; and he provided input on the options that were presented and advised of consideration of installing another billboard in the future at another location advertising what is available in the County.

Eleanor Keuning suggested that less detail on the sign is better for highway travelers; and she thanked everyone involved in this project and is happy that it is getting done.

Supervisor Cann commented on the review of the options at the Tourism Bureau meeting and of discussion relative to adding wording at the bottom of the sign to “stay, play, dine, and shop.” Kathy McCorry advised that the bottom strip is called a “snipe” and she advised of their work on this and of their work with CalTrans on the permit, and of the estimated costs and changes to vinyl versus a painted sign. Bob Kirchner provided input on the permit process.

Input from the public was provided by the following:

Ruth Catalan provided input and stated she likes all three options.

Marvin Wells asked why there is advertising on the other side of the sign; and he stated he likes the idea of a butterfly on the sign.

Discussion was held. Supervisor Turpin suggested that consideration be given to addressing signage for the other entrances into the County. Supervisor Cann advised that they are working on the draft sign ordinance to allow this type of signage, and he noted that this billboard is

located on privately owned property.

Additional input from the public was provided by the following:

Marvin Wells noted the shrink-wrap signage used on the YARTS buses is what is being proposed for this sign.

Lester Bridges provided input on the history of this sign.

Further discussion was held. The Board accepted the design with the Yosemite Falls on the right side and the miner on the left, with the request that there be a bottom sign with language for shop, play and dine.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

K. Closed Session

2. Administration (ID # 1232)

CLOSED SESSION: Public Employee Discipline/Dismissal/Release (Government Code Section 54954.5)

The Board convened in closed session at 10:27 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

11:34 a.m. Report from Closed Session

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

L. Adjournment

The Board adjourned at 11:35 a.m.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY

Chair, Board of Supervisors



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DISTRICT III
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DISTRICT V

MINUTES

April 10, 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 community members who have recently lost their lives and for their friends, family and the community.

C. Introductions

Chair Bibby welcomed Mike Troxell/CHP Lieutenant back.

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

Supervisor Turpin initiated discussion with Pete Rei/Public Works Director, on items 5 and 10.

All of the 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-2012-162

Approve a Five-Year Agreement with the United States Department of the Interior, National Park Service, Yosemite National Park for Radio Equipment Maintenance and Repair Services; Authorize the Board of Supervisors Chair to Sign the Agreement

CA2. Agricultural Commissioner RES-2012-163

Approve Budget Action Transferring Funding in the Agricultural Commissioner Budget to Cover Increased Cost of Travel Mileage Expenses (\$850)

CA3. Administration RES-2012-164

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

CA4. Administration RES-2012-165

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

CA5. Public Works RES-2012-166

Approve a Professional Services Agreement with Kleinfelder West, Inc. for Material Testing and Observation/Engineering Services for the Permanent Restoration Work on the Ben Hur Road Slide in the Not to Exceed Amount of \$70,597; Authorize the Board of Supervisors Chair to Sign the Agreement

CA6. Public Works RES-2012-167

Approve the First Amendment with Keith and Associates in the Amount of \$3,002.50 to Provide Design and Engineering Services for the Midpines Fire Station; and Authorize the Public Works Director to Sign the Amendment

CA7. Fire (ID # 1225)

Fish Camp Fire Station Groundbreaking Ceremony - April 21, 2012

CA8. Public Works RES-2012-168

Authorize Public Works to Waive Encroachment Fee of \$140.00 for the Closure of Jessie Street to Hold the Annual Open House Event at the Mariposa Museum and History Center to be Held on May 5, 2012 from 7:00 A.M. to 5:00 P.M.

CA9. Planning (ID # 1230)

Appoint Cindy Carson to the Historic Sites and Records Preservation Commission as an at Large Member

CA10. Public Works RES-2012-169

Approve a Memorandum of Understanding (MOU) Between Mariposa County and the Department of Agriculture Forest Service for Maintenance of County Roads, and Authorize the Board of Supervisors Chair to Sign the MOU

CA11. Board of Supervisors (ID # 1236)

Accept the Resignation of Don Pucilowski from the Assessment Appeals Board (Supervisor Turpin)

CA12. Treasurer-Tax Collector-County Clerk RES-2012-170

Request Approval to Sell 5-Year Tax Defaulted Parcels at the Annual Auction Scheduled for August 10, 2012.

E. Presentations

1. Community Services (ID # 1188)

Proclaim the Week of April 15 - 21, 2012, as National Volunteer Week

The Proclamation was presented to Terri Haworth/Community Services Director, and she thanked and noted the importance of all of the volunteers in the County.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Board of Supervisors (ID # 1246)

Proclaim the Month of April 2012, as "Child Abuse Prevention Month" (Cinnamon Fleener, Mariposa Safe Families)

The Proclamation was presented to Cinnamon Fleener, representing the Child Abuse Prevention Council and Mariposa Safe Families. Chair Bibby noted the "just-in-case" program.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

F. Minutes Approval

3. Tuesday, April 03, 2012

G. Departmental Presentation

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

Pete Rei advised of the tire amnesty days at the landfill - April 14 and 21st. Supervisor Turpin asked about the status of scheduling an event at the Don Pedro transfer station.

Jim Rydingsword/Human Services Director, advised of his discussion with the Chair of the Mental Health Board this morning and announced that the meeting has been moved from April 11th to April 19th at 12 noon at the Human Services building; and he further advised that will delay the Mental Health Plan's schedule for coming to the Board to May 8th.

Jim Wilson/Fire Chief, advised of progress on the 9-11 Memorial and of the fundraising raffle event currently in progress - the grand prize is a houseboat trip through Forever Resorts Lake Don Pedro donated by the Lake Don Pedro Marina.

H. Public Presentation

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

Kathy McCorry/Executive Director of the Mariposa County Chamber of Commerce, advised that this Thursday is the Candidate Night for Supervisorial District 5 at the Ponderosa Fire Station; next Tuesday is the Candidate Night for Supervisorial District 2 at the old schoolhouse in Coulterville; and she advised that the Visitor Center has been very busy with tourists during Spring Break.

Eleanor Keuning advised that the Historical Sites and Records Preservation Commission met on Monday; she presented information on the "Historic Preservation Conference Keeping Time V" scheduled for June 22nd in Sonora; and she stated she feels there should be a survey of the types of jobs that are available so that training is geared toward those needs.

I. Board Information

Supervisor Allen advised that property taxes are due today. He attended the EMCC (Emergency Medical Care Committee) meeting last week - there will be a drill on April 28th in the Coulterville area, and he advised of a change in the procedures for the dispatch of ambulances - dispatch will occur when the call comes in versus when emergency services personnel is on scene. He commented on the "safe program" operated through the Health Department. He attended the fire station meeting on Friday and the Fire Chief is working on an extension for the grant funds. He attended the Fish Camp Planning Advisory Committee meeting on Saturday at the Tenaya Lodge, and he noted that they will be holding a special meeting in May to consider the time extension request for the SilverTip project. He plans to attend the Mountain Valley Emergency Medical Care Committee meeting on Wednesday; the Wawona Area Property Owners Association meeting on Saturday; and he noted that the groundbreaking for the Fish Camp Fire Station is scheduled for April 21st.

Supervisor Stetson advised that he plans to attend the El Portal Planning Advisory Committee meeting this evening, and he noted that

Dick Whittington/YARTS will be present for discussion relative to transportation options in El Portal. He plans to attend the Airport Advisory Committee meeting on Wednesday; a meeting on the Merced River Plan in El Portal and the Midpines Bear Creek Trail committee meeting on Thursday; the Sierra Nevada Conservancy meeting on Monday and they will discuss grant options available under the Forest Initiative Act; and he plans to attend the Midpines Planning Advisory Committee meeting next Tuesday evening.

Supervisor Cann commented on the Merced River Plan and concerns with alternatives that would remove rooms and he stated input needs to be provided on the Plan. He commended the Sheriff for the cooperative agreement in the Consent Agenda with the National Park Service for radio maintenance. He attended the downtown merchants meeting on Thursday and various issues were discussed. He talked with PG&E on Monday about replacing the light poles in town. He attended the Historic Sites and Records Preservation Commission meeting on Monday. He plans to attend a meeting on Wednesday with Supervisor Bibby and Public Works to coordinate signage with the Mariposa Creek Parkway. He plans to attend the Central Sierra Economic Development District meeting in Angels Camp on Thursday, and he asked that another Board member attend the Gateway Partners meeting scheduled for Thursday. He plans to attend the Candidates Forum on Thursday evening. He commented on his trip to Tahoe over the weekend and taxes that are added to the hotel stay.

Supervisor Turpin advised that he met with County Fire on a project in Buck Meadows last Tuesday. He had a phone conversation with the Road Department on Wednesday relative to the 8.5 million dollar road grant project and they plan to meet this afternoon. He thanked Sharon Tucker for her service on the Greeley Hill Advisory Board, and Don Pucilowski for his service on the Commission on Aging and Assessment Appeals Board. He commented on his concern with the problems investors are having with departments. He noted the scenic beauty of traveling in the County with the spring flowers. He attended the District 2 Candidates' Night in Greeley Hill on Wednesday. He thanked Raymond Westmoreland for the historic photographs. He thanked the National Park Service for quickly addressing the Highway 120 slide project.

Supervisor Bibby advised that Rick Benson/County Administrative Officer, is in Sacramento today. She noted that a request has been received for a letter of support for SB 1294 (Berryhill)/Mariposa County annuitant legislation for next Monday's hearing - she asked the County Administrative Officer to prepare a letter for the hearing and a Board item for a formal resolution or letter supporting this legislation. She plans to attend the Mother Lode Job Training meeting on April 16th, and she attended the finance meeting last week. She noted that the American Association of University Women is holding a finance fitness workshop on April 21st. She noted that

comments are due by noon on May 4th to the State Water Board on their draft septic system policy. She noted that property taxes are due. She urged citizens to comment on the Merced River Plan. She extended congratulations to Cara Goger on becoming the new Executive Director for the Mariposa Arts Council. She noted that Mary Hodson/Deputy County Administrative Officer, is filling in today for the County Administrative Officer.

J. Regular Agenda Items

Public Works RES-2012-171

Approve the Mariposa County Parks and Recreation Summer Day Camp Scholarship Program, Guidelines and Application and Approve the Budget Action Adjusting Revenue to Recognize the Anticipated Scholarship Contributions. (\$5,000)

Discussion was held with Shannon Hansen/PWD-Parks and Recreation Manager, relative to the program, and she advised that \$500 was received from the Soroptimists for this program; in addition to \$3,500 from the Calaveras-Mariposa Community Action Agency. Supervisor Cann advised that he will sponsor a request for a donation to Rotary. Jim Rydingsword provided input on the value of the program to the children.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Administration RES-2012-172

Remove the Identified Unfunded Positions from the Allocation Schedule.

Discussion was held with Mary Hodson relative to the request. Pete Rei provided input on their review of the position in Parks and Recreation.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Personnel/Risk Management RES-2012-173

Approve the Elimination of One Social Worker Supervisor II Position in the Behavioral Health Division Effective May 13, 2012 Which Will Result in the Lay-Off of the Incumbent Employee

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

K. LOCAL TRANSPORTATION COMMISSION

(Chair - Commissioner Lyle Turpin, Vice-Chair - Lee Stetson)

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

Public Works LTC-2012-4

Approve the Program Agreement with Caltrans for the Safe Routes to School -Mariposa Elementary School Sidewalks, and Authorize the Director of Public Works to Sign the Agreement; Approve Budget Action Increasing Revenue and Appropriations (\$25,000) (4/5Ths Vote Required)

Commissioner Stetson advised that he has a potential conflict with this item as he owns property next to the Mariposa Elementary School; and he excused himself from the meeting at 10:08 a.m.

Discussion was held with Pete Rei and Barbara Carrier/Assistant Director of Public Works - Support Services, relative to the request.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Kevin Cann, District IV Supervisor

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

EXCUSED: Lee Stetson

L. BOARD OF SUPERVISORS

10:15 a.m. Reconvened as the Board of Supervisors with all members present.

M. Items removed from Consent Agenda

None

N. Closed Session

1. **Administration/Risk Management (ID # 1219)**

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

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Administration (ID # 1254)

**CLOSED SESSION: Public Employee Discipline/Dismissal/Release
(Government Code Section 54954.5)**

The Board convened in closed session at 10:28 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

11:45 a.m. Report from Closed Session

Chair Bibby announced that no action was taken on item 8/public employee discipline/dismissal/release; and that information was received from special counsel on item 9/anticipated litigation.

O. Adjournment

The Board adjourned at 11:46 a.m. in memory of Betty Crisp and Cheryle Rutherford-Kelley/former Human Services Director.

Respectfully submitted,

MARGIE WILLIAMS

Clerk of the Board

JANET BIBBY

Chair, Board of Supervisors



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MINUTES

April 17, 2012

A. Call to Order and Roll Call

9:07 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:07 AM
Lyle Turpin	District II Supervisor	Present	9:07 AM
Janet Bibby	District III Supervisor	Present	9:07 AM
Kevin Cann	District IV Supervisor	Present	9:07 AM
Jim Allen	District V Supervisor	Present	9:07 AM

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for Robert Paris/Stanslaus County Sheriff's Deputy, and the other officers that have lost their lives this week; and she noted that our hearts go out to their families.

C. Introductions

Chair Bibby introduced Cara Goger, the new Executive Director of the Mariposa County Arts Council; and she announced that Kevin Smith was promoted to the Assistant Chief position for CalFIRE.

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 announced that item 14 was withdrawn at the request of the County Administrative Officer. The balance of the items was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Community Services (ID # 1202)

Accept the Resignation of Staci Mallard from the Mariposa County Commission on Aging.

CA2. Administration RES-2012-176

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

CA3. Administration RES-2012-177

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

CA4. Human Services (ID # 1222)

Appoint Cinnamon Fleener to the Alcohol and Drug Abuse Advisory Board for a Term Expiring April 17, 2015

CA5. Fire RES-2012-178

Authorize Parking Fire Apparatus Outside the Bootjack Fire Station #37 Overnight on April 27, 2012.

CA6. Administration/Risk Management RES-2012-179

Recommend the Rejection of Claim No. C12-2 Filed by Danielle L. Grate for \$1,200,000.00 and Authorize the Board of Supervisors Chair to Sign the Notice of Rejection.

CA7. Agricultural Commissioner RES-2012-180

Approve the Statewide Exotic Pest Detection Contract No. 11-0170-1 Amendment for FY 2011/2012 with the California Department of Food and Agriculture (CDFA), and Authorize the Board of Supervisors Chair to Sign the Amendment.

CA8. Fire RES-2012-181

Approve Road Use Permit with Sierra National Forest for Fish Camp Fire Station, and Authorize the Fire Chief to Sign the Road Use Permit

CA9. Personnel/Risk Management RES-2012-182

Allocate a Senior Agricultural/Standards Inspector and Unallocate a Deputy Agricultural Commissioner/Sealer in the Agricultural Commissioner Budget Effective Immediately.

CA10. Agricultural Commissioner RES-2012-183

Approve the Combined County Petroleum Products Compliance and Weighmaster Enforcement Program Cooperative Agreement Number 12-0021-SA for Fiscal Year 2012-13 with the California Department of Food and Agriculture (CDFA), and Authorize the Board of Supervisors Chair to Sign the Agreement

CA11. Human Services RES-2012-184

Approve the Alcohol and Drug Abuse Advisory Board By-Laws Revision

CA12. Administration RES-2012-185

Authorize the Chairman of the Board of Supervisors to Sign a Letter Supporting Assembly Bill (AB) 2096 - District Hospitals: Uncompensated Care Federal Funding

CA13. Fire RES-2012-186

Approve a One Year Lease Agreement Renewal with Robert E. Bondshu for Fire Department Office Space, and Authorize the Board of Supervisors Chair to Sign the Agreement

14. 1276 pulled from Consent

CA15. Health RES-2012-187

Approve a Variance from Statutory Setback Distance of 100 Feet Between Well and Septic Leach Field in APN 006-160-035, Gallery-Snyder.

CA16. Administration RES-2012-188

Adopt a Resolution Supporting Senate Bill 1294 Amending Section 21570 and Adding Section 22900 to the California Government Code and Including Mariposa County as a Sponsor; Ratify the County Administrative Officer's Letter Supporting Senate Bill 1294

E. Presentations

1. Board of Supervisors (ID # 1259)

Proclaim the Month of April 2012 as "Sexual Assault Awareness Month" and April 25, 2012, as "Denim Day" (Alison Tudor, Mountain Crisis Services)

The Proclamation was presented to Alison Tudor/Mountain Crisis Services, and she advised of the "start by believing" campaign.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Human Services (ID # 1251)

Approve and Present Certificates of Recognition to Jeannine Andre, Preschool Teacher – Kiwanis Preschool; Gussie Kidd, Volunteer; Anita Petrich and Sherry Peters, Smart Start Nurses, in Recognition of Their Nomination as “Hands on Heroes of Mariposa County” as Recommended by Mariposa County First 5 Commission (Jeane Hetland, First 5 Director)

Jeane Hetland/First 5 Director, assisted with presenting the Certificates of Recognition.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

3. Board of Supervisors RES-2012-174

Adopt a Resolution Recognizing Donna Brownell Upon Her Retirement as Mariposa County Arts Council Director

Dan Warsinger presented Donna Brownell with a photograph taken in Yosemite. The resolution was presented to Donna Brownell, and Board members commended her for her service.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. Board of Supervisors RES-2012-175

Adopt a Resolution Recognizing Jeff Hentz for His Outstanding Contributions to the Yosemite/Mariposa County Tourism Bureau

The resolution was presented to Jeff Hentz and Board members commended him for his service.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

9:54 a.m. Recess for Refreshment Break

10:17 a.m. Reconvened

F. Minutes Approval

1. **Tuesday, April 10, 2012**

G. Departmental Presentation

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

Terri Haworth/Community Services Director, reminded everyone that this is National Volunteer Week” and to thank all of the volunteers. She announced that Area 12 Agency on Aging is holding its second family caregiver lunch on Wednesday with a session on Understanding Alzheimer’s Disease & Behaviors. She noted that the artwork has changed in the Green Room at the Senior Center for the spring.

Pete Rei/Public Works Director, advised that the tire amnesty event will be held at the landfill again on April 21st.

Rick Benson/County Administrative Officer, advised that he was in Sacramento last Tuesday to attend the committee meeting on AB 1973 (Olsen) which would allow the incidental take of salamander to fix the Ferguson Rockslide. He advised that he plans to attend the first hearing on SB 1294/special legislation for the County relative to retiree health benefits on Wednesday in Sacramento.

H. Public Presentation

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

Pete Judy, District 4 citizen, advised that the twelve and under girls softball teams have games scheduled for this weekend.

Kathy McCorry, Executive Director of the Mariposa County Chamber of Commerce, advised of the increase in the spring break visitor statistics; the District 2 Candidates Night is scheduled for this evening in Coulterville; the mixer is scheduled for next Tuesday at Manzanita Estates; and the branding iron and BBQ party is scheduled for April 27th at the Chamber.

Eleanor Keuning thanked the Chamber for setting up the District 5 Candidates Night, and noted there is another event for the candidates on April 25th; advised that the High School Music Department is holding a fundraiser this Friday; and that the Mariposa Symphony will perform at the High School Auditorium on Saturday and at the Ahwahnee Hotel on Sunday.

I. Board Information

Supervisor Stetson advised that he attended the El Portal Town Planning Advisory Committee meeting last Tuesday evening; and he plans

to attend the Midpines Planning Advisory Committee meeting this evening. He met with the Bear Creek Trail group on Thursday; and he attended, via telephone conference call, a meeting on Monday with the Sierra Nevada Conservancy. He plans to attend the fire station meeting on Friday.

Supervisor Cann noted that the AAUW is holding a candidates forum here on April 25th, and he thanked the Chamber for holding the event at Ponderosa Basin. He met with Public Works on signage for the Mariposa Creek Parkway on Wednesday; attended a meeting on Thursday relative to the MID contract; on Thursday afternoon he went to Angels Camp for the CSED (Central Sierra Economic Development) District meeting; and he met with Public Works staff last week on solid waste issues since he will be unable to attend the Solid Waste Task Force meeting this week. He thanked Charles Phillips for the National Geographic Sierra Nevada map. He plans to attend the RCRC (Regional Council of Rural Counties) meeting this week.

Supervisor Stetson advised that he attended the afternoon session on the Merced River Plan in El Portal on Thursday, and they toured the trailer park and he commented on the potential impacts.

Supervisor Turpin advised that he met with Public Works staff after the Board meeting last week on future road improvements and other issues. He worked on the following issues: the amount of storage required for the fire sprinklers, infrastructure issues in Coulterville, and CalFIRE's removal of the dozer in Coulterville. He noted that the District 2 Candidates Night is scheduled for this evening in Coulterville. He plans to have a meeting with the Forest Service on road issues.

Supervisor Allen advised that he attend the Mountain Valley Emergency Medical Services Agency meeting last week via telephone conference call. He was advised on Thursday that First West Bank assumed ownership of the PacificUS/SilverTip property. He attended the Wawona Area Property Owners Association meeting on Saturday. He plans to attend the fire station meeting and the Community Corrections Partnership meeting on Friday. He reminded everyone of the ground breaking ceremony for the Fish Camp Fire Station on Saturday. He commended Kevin Smith on his promotion with CalFIRE. He extended his sympathy to the families of the fallen officers.

Supervisor Bibby advised that she attended the Mother Lode Job Training meeting on Monday. She plans to attend the sign committee meeting later today, and the Mental Health Board meeting on April 19th. She noted that Dr. Mosher and staff are watching the proposed septic tank regulations, and she urged citizens to submit comments. She advised that there is a vacancy on the Commission on Aging representing District 3. She commented on the importance of the Hornitos Post Office. She commented on the challenges facing law enforcement with drugs.

Supervisor Cann referred to the discussions on signs and advised that the Planning Department has been charged with scheduling this

matter for Board discussion.

Supervisor Bibby urged citizens to comply with sign regulations and building permit requirements.

J. Regular Agenda Items

2. Probation (ID # 1233)

Chief Probation Officer Presentation on Status of Assembly Bill (AB) 109 Implementation

Pete Judy/Chief Probation Officer, gave the presentation; and he commended Ryan Oliphant/Assistant Chief Probation Officer, for his work with implementation of AB 109; and he thanked the safety partners and the Board and members of the community, including Heritage House and Mountain Crisis Services for their work on this. Discussion was held. Chevon Kothari/Executive Director of the Mountain Crisis Services, provided input on their plans for community correction center services.

11:36 a.m. Recess

11:45 a.m. Reconvened

3. District Attorney RES-2012-189

Approve Filling the Senior Office Assistant Position in the District Attorney's Budget Effective June 1, 2012

Discussion was held with Bob Brown/District Attorney relative to the request.

Input from the public was provided by the following:

Ron Iudice urged the Board to support this request.

Rick Benson/County Administrative Officer, provided input relative to the request and the budget. Further discussion was held.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. Health RES-2012-190

Approve a Ten-Year Agreement with Mercy Medical Transportation Incorporated for Ambulance Service in Mariposa County, and Authorize the Board of Supervisors Chair to Sign the Agreement; Allow the Health Officer to Make Technical Service Adjustments to the Agreement

Supervisor Allen was excused from the meeting at 11:56 a.m. for this item due to a potential conflict of interest as he owns a building with the owner of Mercy Ambulance, but noted that he does not own any part of Mercy Ambulance. Dr. Mosher/Health Officer reviewed the history of ambulance service in the County

and discussion was held relative to the request to approve the agreement. Rick Roesch/owner of Mercy Ambulance provided input, and Jesse Figueroa/Merced Ambulance Manager was present.

Supervisor Allen returned to the meeting at 12:10 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

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

EXCUSED: Jim Allen

5. **Health RES-2012-191**

Approve Budget Action Reducing General Contingency and Increasing Appropriations in the Health Budget to Refund the Applicant of the Vallecito Project (\$4,111) (4/5Ths Vote Required)

Discussion was held with Dr. Mosher.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

6. **Health RES-2012-192**

Authorize the Health Officer to Implement a Program Called “Mariposa Tooth Fairy” to Solicit Donations to be Used Exclusively for Dental Care Provided to Children Under Age 6

Discussion was held with Dr. Mosher. Supervisor Turpin asked about donations being tax deductible, and Dr. Mosher advised that he will review.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

7. **Health RES-2012-193**

Adopt a Resolution Authorizing Specific Exemptions to the Hazardous Materials Business Plan Program

Discussion was held with Dr. Mosher.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

8. **Administration RES-2012-194**

Approve the Proposed Budget Development Guidelines for Fiscal Year 2012-2013

Rick Benson reviewed the proposed budget development guidelines; and discussion was held. Supervisor Cann asked that information be brought back on the Unfunded Liability Fund and consideration of paying PERS for unfunded liability for the safety members. Supervisor Bibby asked that information be brought back on the status of the EDUs for Yosemite West that the County owns and relative to the repayment of the costs for setting up the assessment district. She asked the County Administrative Officer to work with Building and the Assessor on being able to assess the unpermitted structures that are pending code enforcement completion. Further discussion was held relative to furloughs and the transient occupancy tax.

Input from the public was provided by the following:

Marvin Wells agreed with Supervisor Allen that furloughs should not be considered; and he stated he feels that the Board members need to set the example by reducing expenses.

Doug Binnewies/Sheriff shared his thoughts on the budget and noted the importance of maintaining public safety. He asked that law enforcement services not be minimized at this time in the County.

Bob Brown agreed with Sheriff Binnewies; and he stated he does not feel that he can prepare a budget based on the proposed guidelines and he commented on the anticipated grant funds.

Pete Judy, speaking as a citizen, respectfully disagreed with Marvin Wells and stated he feels that the Board has shown leadership and noted that the salaries are low for the Board members and the department heads.

Rick Benson commented on the work the Board members do; and he noted that some Board members have given up compensation; and he feels the Board has shown leadership.

Marvin Wells suggested that the sacrifices that are being made be made public; and he stated he supports an increase in the transient occupancy tax.

The proposed budget guidelines were approved with the following amendments to the recommendation:

- Item 2 - make this "2a" and clarify that all General Fund departmental budgets are "requested" to be submitted without any additional position requests;
- Add item 2b - to invite the departments to provide a supplemental document containing their most pressing needs; and
- Add item 5 - to delete consideration of furloughs.

Further discussion was held. Rick Benson expressed concern with deleting the furlough option.

RESULT: ADOPTED AS AMENDED [4 TO 1]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

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

NAYS: Janet Bibby

9. **Public Works RES-2012-195**

Reject the Fish Camp and Midpines Fire Station Bids

Discussion was held with Pete Rei relative to the status of the bids that were received and he advised of his revised recommendation after meeting with staff to consider awarding the bid for the Fish Camp station and to rebid the Midpines station. Rick Benson reviewed the status of the budget for these projects, and discussion was held. Steve Dahlem/County Counsel provided input on the action that is scheduled for this meeting and options to give direction. Jim Wilson/Fire Chief provided input on the status of the request to FEMA to extend the grant deadline.

Input from the public was provided by the following:

Donn Harter, Chair of the Fish Camp Fire and Rescue Association, advised of the status of funds that they have available to help with the shortfall for the Fish Camp station.

Gary Taylor/Assistant Director of Public Works-Operations, provided input relative to rebidding the projects.

Donn Harter provided input relative to consideration of rebidding the Fish Camp station.

The Board recessed at 2:32 p.m. and reconvened at 2:39 p.m.

Supervisor Allen suggested that following his discussion with Donn Harter, the Fire Chief, and the Public Works Director, that the Fish Camp station be rebid. The recommended action to reject the Fish Camp and Midpines fire station bids was approved. Direction was given to schedule an item on the April 24th agenda to rebid these projects; and County Counsel noted action could be taken subject to receiving the written extension from FEMA; and the Public Works Director concurred.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

K. Items removed from Consent Agenda

Administration (ID # 1276)

Approve Budget Action Reducing General Contingency to Facilitate the National Park Service Move into the Stroming Building (\$5,000) and Authorize Payment to Yosemite Motels (4/5Ths Vote Required)

RESULT: WITHDRAWN

L. Adjournment

The Board adjourned at 2:52 p.m. in memory of the ninth anniversary of the passing of Melanie Kiana Dahlem.

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

April 24, 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 all of the victims of crime and for the older Americans going through difficult times.

Chair Bibby advised that the public hearing scheduled for 2:00 p.m. to approve submission of the MHSA WET Plan to the State will be rescheduled and renoticed.

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 that item CA 20/re-bid of the Fish Camp and Midpines Fire Station projects is being pulled for discussion. She advised that action on item CA 2/Amendment to Professional Services Agreement with John LaLonde includes ratification of the original term of the agreement; that action on item CA 4/adoption of the Sierra Foothill Charter School Conflict of Interest Code includes a change that the Statements are to be filed with the County Clerk versus the Board of Supervisors; and she clarified that action on CA 14/budget action for Wawona Service Area and Don Pedro Sewer to correct a depositing error is for a total amount of \$8,380.

Input from the public was provided by the following:

Ruth Catalan referred to CA 5 and stated she does not feel that the County should be paying anything for the UPS system as the building is less than a year old.

Supervisor Turpin pulled items 17 and 19. Supervisor Cann referred to item 4 and asked whether there are other responsibilities that the County has for the Charter School - Steve Dahlem/County Counsel advised that he will research this question. Supervisor Cann referred to item 5 and asked about the ramification of taking \$6,000 from the facility maintenance account. Supervisor Allen pulled item 13. Supervisor Stetson pulled item 18. Pete Rei/Public Works Director, responded to a question from Supervisor Cann on item 12 relative to the funding. 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. Sheriff's Office RES-2012-196

Approve Lease Agreement Between William Freeman and the County of Mariposa for the Property Located at 5012 Fairgrounds Drive, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA2. Human Services RES-2012-197

Approve an Amendment to the Professional Services Agreement with John LaLonde to Provide Legal Services, and Authorize the Board of Supervisors Chair to Sign the Amendment; Approve Budget Action Transferring Funds Within the Social Services Budget to Cover the Amendment (\$6,000)

CA3. Sheriff's Office RES-2012-198

Approve Filling a Sheriff's Dispatcher Position Effective May 16, 2012

CA4. Treasurer-Tax Collector-County Clerk RES-2012-199

Adopt the Sierra Foothill Charter School Conflict of Interest Code Pursuant to Government Code 87303. Designate the County Clerk as the Filing Officer Pursuant to Government Code 82027.

CA5. Human Services RES-2012-200

Approve Budget Action Increasing Revenue and Appropriations to Purchase an Uninterruptible Power Supply (UPS) System for the Boiler at the Human Services Building (\$12,000) (4/5Ths Vote Required)

CA6. Public Works (ID # 1284)

Appoint Perca Dahlem and Amber Chambers to the Parks and Recreation Commission for Terms Expiring April 24, 2016

CA7. County Counsel RES-2012-201

Approve an Agreement with Yosemite Area Regional Transportation System (YARTS) Joint Powers Authority (JPA) to Continue Providing Public Transit Services, and Authorize the Board of Supervisors Chair to Sign the Agreement.

CA8. Sheriff's Office RES-2012-202

Approve Five Year Cooperative Agreement No. 12-LE-11051360-002 with the United States Department of Agriculture (Sierra and Stanislaus National Forest) to Assist in Providing Law Enforcement Services on National Forest Lands, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA9. Administration RES-2012-203

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

CA10. Administration RES-2012-204

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

CA11. Public Works RES-2012-205

Authorize Fleet Services to Solicit Requests for Proposals for Auction Services for Vehicles and Equipment.

CA12. Public Works RES-2012-206

Approve a Program Agreement with Caltrans for Ben Hur Rd Project No. ER-18D1(001), and Authorize the Public Works Director to Sign the Program Agreement; Approve Budget Action Increasing Revenue and Appropriations and Transferring Funds in the Roads Special Projects Fund (\$485,857) (4/5Ths Vote Required)

13. RES-2012-207 pulled from Consent

CA14. Public Works RES-2012-208

Approve Budget Action Transferring Funds into Fund 321, Wawona Service Area, from Fund 316, Don Pedro Sewer, to Correct a Depositing Error that Occured During Fiscal Year 2010/11 (\$16,857) (4/5Ths Vote)

CA15. Sheriff's Office RES-2012-209

Approve Filling Anticipated Vacant Sheriff's Deputy Position Effective June 1, 2012

CA16. Sheriff's Office RES-2012-210

Approve an Agreement with Vigilant Canine Services International, LLC., for Two Mariposa County Sheriff's Office Law Enforcement Canine Replacements and Basic Training, and Authorize the Board of Supervisors Chair to Sign the Agreement

17. 1309 pulled from Consent
18. Motion To: **RES-2012-211 pulled from Consent**
19. 1311 pulled from Consent
20. 1317 pulled from Consent

E. Presentations

1. Community Services (ID # 1196)

Proclaim the Month of May, 2012, as Older Americans Month and Extend an Invitation to the Board of Supervisors and Administrative Staff to Participate in the Annual Senior Lunch Service Day, May 1, 2012, at 12:00 PM

The Proclamation was presented to Terri Haworth/Community Services Director.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Victim Witness (ID # 1282)

Proclaim the Week of April 22 - 28, 2012, as "Mariposa County Crime Victims' Rights Week" (District Attorney/Victim Witness)

The Proclamation was presented to Meghan Kehoe/Victim Witness Services Supervisor.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

3. Public Works (ID # 1304)

Present Certificates of Appreciation to "Earth Day" Essay Contest Winners (Public Works, Solid Waste & Recycling Division)

Greg Ollivier/PWD-Solid Waste/Recycling Manager, assisted with presenting Certificates of Recognition and awards to the following "Earth Day" essay contest winners: Aidyn Monroy/K-2nd grade class; Elinor Phillips/6-8th grade class; and Syndie Edwards/9-12th grade class and grand prize award.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

9:34 a.m. Recess

9:44 a.m. Reconvened**4. Public Works (ID # 1253)****Presentation on the Newly Mandated Commercial Recycling Program**

Greg Ollivier gave the presentation on AB 341/newly mandated commercial recycling program. Discussion was held. Pete Rei provided input.

5. Board of Supervisors (ID # 1315)**Kassandra Hardy, National Park Service, Presentation on Activities and Projects Scheduled for Yosemite National Park Between 2013 - 2016**

Kassandra Hardy gave the presentation, and discussion was held. Supervisor Stetson suggested that the 1913 Raker Act decision to construct a reservoir in the Hetch Hetchy Valley to provide water to San Francisco be included.

F. Minutes Approval**6. Tuesday, April 17, 2012****G. Departmental Presentation**

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

Doug Binnewies/Sheriff announced the second annual Search and Rescue fundraiser scheduled for May 5th; and he thanked the Lions Club for assisting with and supporting this event.

Chair Bibby thanked the Sheriff's Department for the Code Red messages and all of the emergency responders and the community that assisted during the Highway 41/Fish Camp hazardous materials spill incident. Jim Wilson/Fire Chief advised that this incident was handled with multi-agency cooperation, and discussion was held.

Jim Wilson advised of the following events: representatives of the Contractors Association met with the 9-11 memorial committee on Thursday, and he thanked them for assisting with the construction and Outback Materials for donating the concrete and Floyd Davis for the engineering work on the memorial; they provided coverage at the Civil War Reenactment on Saturday and Sunday; the groundbreaking for the new Fish Camp fire station was held on Saturday; they held a "fill the boot" fundraiser for Relay for Life; and the "battle of the blood" drive is scheduled for May 12th.

Dr. Mosher/Health Officer, provided input on his department's response to the hazardous materials spill incident and thanked Dave Conway for his assistance.

Greg Ollivier advised of the tire amnesty events that were held at the landfill that were made possible by a grant from the State, and he thanked CDC and the Fire Camp for assisting; and he advised that they will hold another event on May 19th at the Don Pedro Transfer Station.

H. Public Presentation

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

Marvin Wells referred to the hazardous materials spill incident and asked whether the materials were considered hazardous waste and whether the County has any responsibility for the clean-up costs. Jim Wilson responded to his questions. Marvin continued with providing input on the Regional Counties and State water issues; Older American month; and he recognized Meghan Kehoe and Eleanor Keuning for the work they do on the Juvenile Justice Commission, along with the Chief Probation Officer and the Sheriff.

Candy O'Donel-Browne, Chair of the recruitment committee for the Executive Director of the Yosemite/Mariposa County Tourism Bureau, advised that thirty applications were received.

Kathy McCorry, Executive Director of the Mariposa County Chamber of Commerce, advised that they have been very busy with tourists and calls; reminded everyone that the meet and greet is scheduled for this evening at the Manzanita Estates and that the Branding Iron party is scheduled for Friday.

Eleanor Keuning expressed concern with the sound system in the Chambers; referred to Marvin Wells' comments about the Juvenile Justice Commission; referred to the Mariposa Symphony event at the Ahwahnee and expressed concern with the bus schedule and highway signage for the hazardous materials spill. She referred to the Proclamation for Older Americans Month and noted that elder abuse is also a concern.

I. Board Information

Supervisor Cann addressed the highway signage concerns that Eleanor Keuning referred to; and he commented on the number of applications received for the Tourism Bureau Executive Director. He advised that he attended the Regional Council of Rural Counties (RCRC) meeting on Wednesday and Thursday - advised that the Executive Committee agreed with changing the name of the organization to Rural Council Representatives of California, that updated information is available on the SRA (State Responsibility Area) fees, and advised that they received an update on the septic system regulations. He advised that he spoke to the Tea Party Patriots on Saturday; attended the groundbreaking for the Fish Camp fire station on Saturday; met with the owner of the Best Western Hotel and the Super 8 (will become the Monarch Motel) on Monday; and he advised that they continued with the sign ordinance discussion on Monday and that matter will be coming to the Board for discussion - they are targeting May 15th.

Supervisor Turpin advised that he attended the Solid Waste Task Force committee meeting on Thursday. He thanked PG&E for addressing the

hazardous trees on J-132; and he thanked Public Works for working on the fire hydrants and for the crack/chip seal in Coulterville. He attended the Candidates Night on Monday. He thanked the Solid Waste Division for bringing the tire amnesty event to Lake Don Pedro.

Supervisor Allen advised that he received a call from a Buck Meadows resident on Wednesday relative to operating a B&B. He spoke to Planning about cancelling Planning Commission meetings and concerns with delaying projects for applicants; and he noted that their May 4th meeting will be held. He met with Public Works staff on Thursday relative to the budget for Wawona; he attended the fire station meeting on Friday; and he attended the groundbreaking ceremony for the Fish Camp fire station on Saturday. He advised that the Ashworth Road/Highway 49 turn-lane project started today. He reminded everyone of the need to post their street address for emergency services.

Supervisor Stetson advised that he attended the Midpines Planning Advisory Committee meeting last Tuesday evening; met with the Bear Creek Trail group on Thursday; met with the Business Development Coordinator on Wednesday relative to the Bear Creek Trail; attended the fire station meeting on Friday; and he announced that the Spring Fling will be held in El Portal on Saturday.

Supervisor Bibby noted that the FFA (Future Farmers of America) students will be returning from the State Conference that was held in Fresno today; and she noted that the 17th annual FFA Boosters dinner event is scheduled for Saturday. She extended special thanks to those who attended the groundbreaking ceremony for the Fish Camp fire station. She plans to attend the Mother Lode Job Training Finance Committee meeting on April 26th; commented on the Ashworth Road/Highway 49 construction and on highway litter clean up (Adopt a Highway) program.

J. Regular Agenda Items

7. Administration/Economic Development (ID # 1265)

Discussion and Direction Regarding Submitting a Grant Application to Pacific Gas and Electric Company in the Amount of \$5,000.

Rick Benson presented the staff report, and discussion was held. Marilyn Lidyoff/Business Development Coordinator, responded to questions.

Input from the public was provided by the following:

Arlene Yaley, representing the tennis group, advised that the players consist of children through senior citizens from throughout the whole County; and she read a letter from their President, advising of the need for lights at the tennis courts.

Gene Dalton, North County, supports the senior wood project.

Eleanor Keuning referred to the sound system for the

amphitheater and is not opposed to the senior wood program; and she suggested that the funds be used for a one-time project.

Discussion was held. Pete Rei responded to questions from the Board relative to providing cost estimates for projects. Supervisor Turpin suggested that the list of projects be publicized so that the organizations would be aware of the needs.

Action was taken to approve submitting the grant for the senior citizen fire wood program on a countywide basis in the amount of \$4,500 with the remaining \$500 to be allocated for \$400/grant administration and \$100/Great River Cleanup 2012 (Mariposa Creek Parkway).

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

11:36 a.m. Recess

11:45 a.m. Reconvened

K. Items removed from Consent Agenda

H. Agricultural Commissioner RES-2012-207

Ratify the Agricultural Commissioner's Primary United States Department of Agriculture (USDA) Secretarial Disaster Declaration Request for Rangeland Forage Losses in Mariposa County Due to Drought Conditions

Discussion was held with Cathi Boze/Agricultural Commissioner.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

I. Public Works RES-2012-212

Approve Budget Action Allocating \$571,750 of Disaster Recovery Initiative (DRI) Funding for In-County and Professional Services into Fund 515 (4/5 Vote Required)

Discussion was held with Pete Rei and Barbara Carrier/PWD-Assistant Director-Support Services.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

J. Sheriff's Office RES-2012-211

Approve an Agreement with Vigilant Canine Services International, LLC., for Mariposa County Sheriff's Office Canine Training and Maintenance, and Authorize the Board of Supervisors Chair to Sign the Agreement

Discussion was held.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

K. Administration RES-2012-213

Tentatively Approve Continued Funding of the Mariposa County Fire Safe Council with Title III Funding from the Secure Rural Schools and Community Self-Determination Act of 2000 with Direction to Staff to Notice the Proposal and Begin the 45-Day Comment Period.

Discussion was held. Bob Bartholomew/Chair of the Fire Safe Council, provided input.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

L. Public Works RES-2012-214

Authorize Public Works to Re-Bid the Fish Camp and Mipines Fire Station Projects; Authorize the Public Works Director to Solicit Bids and Award the Projects to the Lowest Responsible Bidders; Authorize the Public Works Director to Sign the Agreements (Subject to Review and Approval as to Form by County Counsel).

Pete Rei reviewed the options that were discussed at the fire station meeting on Friday; and he advised of the recommendation to rebid the projects with minor changes to reflect new bid dates and with the list of items to be broken down for the bids. He advised that an agenda item will be submitted for May 1st to authorize a contract amendment with Keith and Associates to redesign and shrink the footprint - a new set of plans and specifications will be available before the bids are advertised. Chair Bibby clarified that if additional funds are needed, that an item will be brought back to the Board before the bids are awarded. Jim Wilson advised of the status of receiving an extension of the grant.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

L. 12:11 P. M. Lunch

M. 2:00 P. M. LAFCo Convened

Planning (ID # 1303)

**LOCAL AGENCY FORMATION COMMISSION (LAFCo) Meeting
(See Separate Agenda)**

See separate minutes.

N. 3:02 P. M. Reconvened as Board of Supervisors

Supervisor Stetson was excused.

Human Services (ID # 1324)

PUBLIC HEARING to 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; Authorize the Human Services Director to Implement the Activities Within the Revised MHSA WET Plan (Continued from March 27, 2012) * NOTE: Hearing is Being Continued to May 15, 2012 at 2:00 P.M. or as Soon There After as it May be Heard .

Jim Rydingsword/Human Services Director, advised that the WET Plan will go before the Mental Health Board on May 3rd and if they take action at that meeting, they plan to bring it to the Board on May 22nd. He advised that the hearing will be renoticed and rescheduled, so there is no need to continue this hearing at this time. He advised that they have put together more detail for the Board at Supervisor Bibby's request.

This hearing was cancelled, and is to be renoticed and rescheduled.

O. Adjournment

The Board adjourned at 3:04 p.m. in memory of Jane M. Brown.

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

May 1, 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 announced that the Board plans to recess around 11:45 a.m. to serve lunch at the Senior Activity Center. She advised that the draft letter for item J-4/AB 885 - State Wide Sewage Disposal Regulations was distributed to the Board and is available for the public.

Chair Bibby called for a moment of silence following the Pledge of Allegiance for our men and women who are serving or have served 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 Turpin referred to item 7 and he thanked Public Works for completing this project.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Sheriff's Office RES-2012-215

Approve an Agreement with J.K. Mortuary Services for Removal of Deceased Bodies, and Authorize the Board of Supervisors Chair to Sign the Agreement.

CA2. Administration/Economic Development RES-2012-216

Approve a Sub-Recipient Agreement with Community Service Employment Training (CSET) in the Amount of \$81,350 to Assist the County with the Business Assistance Program; Authorize the County Administrative Officer to Sign the Agreement

CA3. Administration RES-2012-217

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

CA4. Administration RES-2012-218

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

CA5. Human Services RES-2012-219

Approve Budget Actions 1) Transferring Funding Within the Alcohol Program Fund (\$14,680) and 2) Increasing Revenue and Appropriations in the Alcohol and Drug Budget and Transferring Funding Between Line Items (\$3,528) in Order to Fund the Primary Prevention Contract for a Full Federal Fiscal Year 4/5ths Vote Required

CA6. Human Services RES-2012-220

Authorize the Human Services Department to Fill One Senior Office Assistant Position in the Human Services Social Services Budget Effective Immediately

CA7. Public Works RES-2012-221

Accept the Greeley Hill Sidewalks Project as Complete and Authorize the Public Works Director to Record the Notice of Completion and Release the Retention

CA8. Personnel/Risk Management RES-2012-222

Approve the Activities Occurring in the Coulterville Park and Surrounding Town Area as Part of the Annual John Muir Festival on June 9, 2012, as County-Sponsored

CA9. Personnel/Risk Management RES-2012-223

Adopt the Merit System Services Child Support Assistant I/II Job Description as a County Job Description and Align the Salary with the County's Office Assistant I/II Position (I=\$1,735.90-\$2,109.95 Month / II=\$1,918.42-\$2,331.64 Month)

CA10. Sheriff's Office RES-2012-224

Approve an Agreement with the United States Drug Enforcement Administration for Reimbursement for Marijuana / Drug Investigations, and Authorize the Sheriff to Sign the Agreement.

CA11. Health RES-2012-225

Approve an Agreement with John C. Fremont Hospital for the Hospital Portion of the Public Health Emergency Preparedness Grant, and Authorize the Health Officer to Sign the Agreement

E. Presentations**1. Board of Supervisors (ID # 1257)**

Proclaim the Month of May 2012 as "National Military Appreciation Month" (Connie Waldron and Andrea Summerlin, Merced River Chapter of National Society Daughters of the American Revolution)

The Proclamation was presented to Andrea Summerlin and Jon Turner/representing the VFW; and they invited everyone to the Memorial Day Parade and ceremony and to the 9-11 fundraising event.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

F. Minutes Approval**2. Tuesday, April 24, 2012****G. Departmental Presentation**

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

Terri Haworth/Community Services Director, reminded everyone that May is "Older Americans' Month" and that today is the annual Board/County Administration Senior Services Day; advised of the Community Wellness program scheduled for May 3rd and the annual Senior Exposition scheduled for May 4th; advised that the Mari-Go will provide transportation for the Butterfly Festival; and advised that Mariposa FFA will BBQ on May 10th for lunch.

H. Public Presentation

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

Eleanor Keuning presented registration information on the Historic Preservation Conference scheduled for June 22nd in Sonora; and she presented a copy of the resolution from the Republican National Committee exposing United Nations Agenda 21.

Kathy McCorry, Executive Director of the Mariposa County Chamber of Commerce, advised of record setting visitor statistics for April; advised that the Chamber is the private sector lead agency for the Amgen Tour and that it is scheduled to go through Mariposa on May 16th - they are taking signups for volunteers to help and they will be hosting a VIP event.

Marvin Wells referred to the earlier recognition of May as “National Military Appreciation Month” and commented on his and his classmates’ service in the Korean War.

Pete Judy, District 4 constituent, noted that his father was a Korean War veteran and he stated he appreciates all that the veterans have done. He advised that he has tickets available for the Woodland Elementary School BBQ that is scheduled for Friday, and that Mariposa Lions is cooking.

Supervisor Cann asked about the Branding Iron party; and Kathy McCorry advised of the success of the event.

I. Board Information

Supervisor Turpin referred to the recognition of May as “National Military Appreciation Month” and commented on his son’s military service. He advised that Coulterville was full of visitors over the weekend. The Coulterville Community Club is holding its monthly meeting this evening. He commented on the problems with noxious weeds that he observed along the highway on his trip to the meeting this morning; and he noted the water level is up at Lake McClure. He commented on the challenge they are having with the fire hydrant in Coulterville - Public Works is working on this. He advised that he is trying to coordinate a meeting with the Stanislaus National Forest Service to resolve issues that have been pending for a long time.

Supervisor Allen advised that he attended the Candidates Night hosted by the AAUW last Wednesday; he is working with communications with CalTrans on the Highway closures (for the Highway 49/Ashworth Road left turn lane project) and projected delays; he met on Mountain Valley Emergency Services Agency issues on Thursday; attended the Branding Iron party on Friday; attended the breakfast at the Bootjack Fire Station on Saturday; will serve lunch at the Senior Activity Center today; plans to attend the read and

write program awards ceremony at Woodland Elementary School which is sponsored by County Fire and SierraTel; plans to attend the Student Loan Association meeting on Thursday evening; plans to attend the Butterfly Festival events during the weekend; and he plans to attend the Search and Rescue fundraiser dinner on Saturday.

Supervisor Stetson advised that he attended the Bear Creek Trail committee meeting on Thursday; plans to attend the El Portal Planning Advisory Committee meeting next Tuesday evening and the fire station meeting on Thursday; and he attended the spring fling in El Portal on Saturday.

Supervisor Cann commented on his father's service in the military. He stated he is looking forward to the closed session relative to filling the Planning Director position. He attended the Economic Development Committee meeting, a sign meeting, and the Candidates Forum on Wednesday. He thanked the Chamber for doing the Branding Iron celebration. He attended the following on Saturday: Bootjack Fire Station breakfast; cemetery cleanup sponsored by Rotary and he commended the adopt-a-plot group for their work; and the FFA dinner. He met with the wayfinding sign contractor on Monday, and in the afternoon he met with the team reviewing applications for the Tourism Bureau Executive Director. He plans to attend the Merchant/Mariposa Business Association meeting on Wednesday; attend the Taste of Mariposa on Friday night and other Butterfly Festival activities throughout the weekend.

Supervisor Bibby expressed her regrets for missing the Branding Iron party. She attended the FFA dinner and commended the students and everyone involved in this successful event. She advised that the 4-H bike-a-thon fundraiser for multiple sclerosis was held on April 29th. She plans to attend the Mental Health governing board meeting on May 3rd and the reading program ceremony at Woodland Elementary School. She noted the History Center and Manna House are holding open houses on May 5th, and the Search and Rescue fundraising dinner is scheduled for Saturday; and the Butterfly Festival is scheduled for this weekend. She plans to attend the sign meeting. She extended her compliments and encouragement to the candidates at all levels.

J. Regular Agenda Items

3. Administration RES-2012-226

Reconsider Potential Pacific Gas & Electric Co. Grant and Direct Staff to Apply for Funding for the Following Projects: 1) Repairs and Upgrades to Tennis Court Lights; 2) Wood Delivery for Senior Citizens; 3) Material for Great River Cleanup.

Discussion was held with Rick Benson/County Administrative Officer relative to reconsideration of the grant application and he advised of additional

information that was received. Pete Rei/Public Works Director provided input on the cost estimates for the tennis court lighting and for resurfacing. Supervisor Allen advised of his discussion with the Community Services Director and the Fire Chief relative to the low income senior wood delivery program and the suggestion that the volunteer fire fighters assist with the wood delivery.

Input from the public was provided by the following:

Eleanor Keuning referred to the Board information on meals at the various events and noted that people are going hungry. She stated she feels that the amphitheater sound and lighting improvements should be considered.

Irwin Iida, representing a group of tennis enthusiasts spoke in support of the light project for the tennis courts.

The Board approved submitted a grant application to fund the tennis court lights, the senior wood delivery program, Mariposa Creek Clean-up, and administration. The motion was amended, agreeable with the maker and second to include clarification of the dollar amounts: \$2,500/tennis court lights; \$2,000/senior wood delivery; \$100/Mariposa Creek Clean-up; and \$400/administration. Following suggestion of Steve Dahlem/County Counsel the motion was further amended, agreeable with the maker and second, to include rescission of the April 24, 2012, action on this matter.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

10:21 a.m. Recess

10:32 a.m. Reconvened

4. **Health RES-2012-227**

Authorize the Chairman of the Board of Supervisors to Sign a Letter Regarding Assembly Bill 885 - State Wide Sewage Disposal Regulations.

Discussion was held with Dr. Mosher/Health Officer and Dave Conway/Environmental Health Manager.

The Board approved the letter regarding AB 885 with the deletion of "project specific environmental review" to leave decisions to the local review in section 7.8.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

5. Public Works RES-2012-228

Approve Amendment No. 1 with Keith and Associates for Design of the Fish Camp Fire Station, and Authorize the Public Works Director to Sign the Amendment

Discussion was held with Pete Rei.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

6. Public Works RES-2012-229

Approve Amendment No. Two with Keith and Associates for Design of the Midpines Fire Station, and Authorize the Public Works Director to Sign the Amendment

Discussion was held with Pete Rei.

Input from the public was provided by the following:

Ken Willey asked for clarification of the costs.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

K. Items removed from Consent Agenda

None

L. Closed Session

7. Administration (ID # 1334)

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

The Board convened in closed session at 11:14 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

11:41 a.m. Report from Closed Session

Chair Bibby reported that direction was given to staff as a result of the closed session for the Planning Director recruitment.

M. 11:42 AM Lunch

N. 2:01 P.M. Reconvened

1. Planning RES-2012-230

PUBLIC HEARING to Consider Appeal No. 2012-029, an Appeal of the Planning Director's Determination Regarding the Denial of Plastic, Internally-Lit Signage Proposed for the Best Western Hotel in Historic Design Review Application No. 2012-019. This Same Signage Had Also Been Denied in Historic Design Review Application No. 2010-001. Appellant: Pramod (Paul) Patel.

Chair Bibby reviewed the hearing procedures. Karen Peneschi/Assistant Planner presented the staff report, and she advised of a telephone call that was received after the agenda packages were distributed supporting the Director's decision.

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

Jeff Miller asked to speak on behalf of the Historic Sites and Records Preservation Commission. Chair Bibby responded that input would be received during the public portion after the appellant's presentation.

Appellant's Presentation:

Paul Patel reviewed his appeal; stating he feels that he is being discriminated against because of his nationality; advised of his attempts to work with Best Western and the Planning Department on the sign, and he expressed concern with the restriction on an internally lit sign; and he questioned why there is enforcement for his sign and not others in the Historic District. Mr. Patel responded to questions from the Board relative to internal and external lighting for the sign; relative to Best Western's review and enforcement.

Persons Speaking in Support of the Appellant:

Ruth Sellers, member of the Historic Sites and Records Preservation Commission, expressed sympathy with Mr. Patel - she feels the business people that support the transient occupancy tax should be given

careful consideration; and she noted that there are other signs in town that are illegal and are being allowed.

Jeff Miller, member of the Historic Sites and Records Preservation Commission, explained the Commission's action to approve the design. He advised that the Commission questioned whether the sign ordinance is being enforced for everyone and whether it would be changed. It is felt that decisions need to be made. He responded to questions from the Board relative to the Commission's stance on plastic and internally lit signs in the Historic District Overlay; and relative to the Commission's understanding of the existing regulations and their obligation to uphold those regulations.

Steve Dahlem/County Counsel responded to questions from the Board relative to oath requirements for the members of the Commission and their duty to uphold the codes and regulations; and clarifying that the existing Ordinance is law until a new Ordinance is adopted and becomes effective.

Eleanor Keuning, member of the Historic Sites and Records Preservation Commission, spoke in defense of Mr. Patel, providing input on his location and traffic. She commented on his renovation of the Super 8 Motel and noted that their sign is internally lit. Speaking as an individual, she supports the appeal. She responded to a question from the Board as to whether the Commission wants plastic signs in the Historic District.

Ruth Sellers stated that Mr. Miller did not speak on her behalf, and she does not have any record of his authorization to speak on behalf of the Commission - but she does not downgrade what he said. She is in sympathy with Mr. Patel. She noted that the Commission is only advisory and does not make decisions; however, she feels that they lack support in many areas and that a Supervisor should attend their meetings and that they should be furnished with a secretary to take their minutes so that there would be a record.

Speakers in Opposition to the Appellant: none

Speakers with General Comments: none

Rebuttal: none.

Staff responded to questions from the Board relative to allowance for composite materials for the signs and relative to the internal lighting issues.

Paul Patel responded to questions from the Board relative to the sign materials.

Supervisor Cann provided input on the allowance of non-natural materials and showed an example of a sign that looks like wood.

Paul Patel stated he is opposed to externally lighting the sign because people will not be able to read it as they drive by. He asked whether he would receive an answer today on his appeal; and he advised of the May 17th deadline he received from Best Western to install a sign or lose the franchise - that his business depends on getting the sign installed.

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

Motion by Turpin to continue the hearing until the new sign Ordinance is finalized, was held for further deliberations. County Counsel advised that there are two options from a procedural standpoint: take action on the current appeal; or the appellant could withdraw the appeal without prejudice.

The Board recessed at 3:28 p.m. and reconvened at 3:42 p.m.

Paul Patel provided input on his May 17th deadline with Best Western and the options for the Board; and expressed concern with withdrawing the appeal without prejudice.

County Counsel responded to a question from the Board as to whether the hearing could be continued.

Paul Patel stated he would like to see the Board take action today unless a positive action could be taken on May 15th for his sign. He noted that the Planning Director offered to assist him with writing a letter to Best Western explaining the sign ordinance. He referred to the plastic, internally lit sign that was allowed in 2009 and asked that he be allowed to do the same.

Further discussion was held.

Paul Patel stated that if the County would write a letter to Best Western as discussed, he would withdraw his appeal. He responded to questions from the Board and clarified that if the County will send a letter to Best Western asking for more time for the installation of the new sign, that he will withdraw his appeal.

Supervisor Turpin restated his motion, based on his understanding that the appellant is withdrawing his appeal, that there would be consideration of refunding the appeal fees and that the Planning Department would prepare a letter to Best Western taking into consideration the issues discussed during the hearing and advising that a new final version of the sign Ordinance is being considered for adoption in the near future; seconded by Supervisor Allen. Supervisor Allen clarified that the appeal is being withdrawn without prejudice, agreeable with the maker. County Counsel advised that the Board should accept withdrawal of the appeal without prejudice, and subject to staff communicating with Best Western consideration of this appeal and the potential for future amendment to the sign Ordinance - the motion was amended accordingly by the maker, and agreeable with the second. Resolution No. 12-230 was adopted/Ayes: Unanimous.

County Counsel responded to a question relative to the procedure for considering a refund of the appeal filing fee; and he recommended that the Board hear the request from the appellant, staff comments, public comments, and deliberate, and take action. He advised that if a new appeal is filed, that appeal fees would need to be paid for that appeal.

Paul Patel requested a full refund of the appeal filing fees for

this appeal.

There was no input from the public.

Following discussion, (M)Cann, (S)Allen, the Board authorized a full refund of the appeal fees for this appeal/Ayes: Unanimous.

O. Adjournment

The Board adjourned at 4:02 p.m. in memory of Donald Brown, Needra Blew Dulcich, and Sue Rader.

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

May 8, 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 advised that the road name items for Quail Lane and Anderson Valley Road will be considered at 2:00 p.m. because that was the time given on the public notices for these items.

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

Supervisor Allen advised of a correction on item 6 to reflect \$25,874 for the Title III B-Transportation program. Supervisor Turpin referred to item 7 and thanked Public Works for working with the contractor. All of the items were approved, including the correction on item 6 to reflect \$25,874.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration RES-2012-231

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

CA2. Administration RES-2012-232

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

CA3. Sheriff's Office RES-2012-233

Approve a Law Enforcement Agreement Between Mariposa County Sheriff and the United States National Park Service Yosemite National Park; Authorize the Board of Supervisors Chair and the Sheriff to Sign the Agreement

CA4. County Counsel RES-2012-234

Approve a Lease Agreement with Lamerna Mari for Office Space Occupied by the Grand Jury for a One Year Term Commencing July 1, 2012; Authorize the Board of Supervisors Chair to Sign the Lease Agreement

CA5. Technical Services RES-2012-235

Approve Budget Action Transferring Funds Within the Technical Services Budget to Properly Account for Server Purchase that was Under Fixed Asset Threshold (\$9,815)

CA6. Community Services RES-2012-236

Approve the Area 12 Agency on Aging Contract Extension Proposal for Senior Meals and Transportation Programs for Fiscal Year 2012-13, and Authorize the Board of Supervisors Chair to Sign the Proposal and Designate the Community Services Director as the Designee

CA7. Public Works RES-2012-237

Accept the Old Toll Road Project as Complete, and Authorize the Public Works Director to Record the Notice of Completion and Release the Retention

CA8. Administration (ID # 1348)

Receive the List of Contracts Entered into by the County Administrative Officer Pursuant to Ordinance 3.08 for the Months of July, September, October, November 2011 and January, February, March, May, and July 2012.

CA9. Public Works RES-2012-238

Approve Plans and Specification and Agreement for the Mt. Bullion Cut-Off Road Reconstruction, Phase 1, Project No. 07-16(A) for 1.11 Miles from PM 12.00 to PM 13.11; Authorize the Public Works Director to Solicit Bid Proposals, Award the Agreement to the Lowest Responsible Bidder; and Sign the Agreement (Subject to Review and Approval as to Form by County Counsel)

CA10. Personnel/Risk Management RES-2012-239

Approve an Agreement with the TALX Corporation for Unemployment Compensation Administration Services Effective May 1, 2012; Authorize the Board of Supervisors Chair to Sign the Agreement

CA11. Administration RES-2012-240

Approve Amendment Number One to the Cooperative Agreement with the National Park Service Increasing the Financial Assistance Amount by \$46,358; Authorize the Chairman of the Board of Supervisors to Sign the Amendment; Approve Budget Action Increasing Revenue and Appropriations in the Administration Budget (\$46,358) 4/5ths Vote Required

E. Presentations

1. Board of Supervisors (ID # 1247)

Proclaim the Week of May 7 - 13, 2012 as "Distracted and Impaired Driving Awareness Week" (Cinnamon Fleener, Mariposa Safe Families)

The Proclamation was presented to Cinnamon Fleener and students.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Board of Supervisors (ID # 1354)

Proclaim May 11, 2012, as "Child Care Provider Appreciation Day" (Amber Chambers, Mariposa Local Child Care Planning Council Coordinator)

The proclamation was presented to Amber Chambers and Maria Woolf/child care provider and the children that were present.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

F. Minutes Approval

3. Tuesday, May 01, 2012

G. Departmental Presentation

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

Doug Binnewies/Sheriff thanked the Board members for their support of the second annual Search and Rescue dinner fundraiser; he thanked the Lions' Club for their assistance with the event, Paul Oldale for his handcrafted donations, and Supervisor Allen for auctioneering.

H. Public Presentation

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

Jeanetta Phillips thanked the Board for supporting the Butterfly Festival, and she expressed appreciation for everyone that helped with the successful event. She presented copies of the new Sierra Nevada Geotourism map, and advised that sites are still being accepted for posting to the web.

Kathy McCorry, Executive Director of the Mariposa County Chamber of Commerce, advised that the Park Service rangers are back assisting in the Visitor Center; and they are increasing their hours for the summer season. She thanked all of the volunteers for the Butterfly Festival.

Eleanor Keuning advised that the Bed and Breakfast Association is sponsoring a meeting with the supervisorial candidates this evening; and she thanked Public Works for grading the other end of Leonard Road.

I. Board Information

Supervisor Allen advised that he met last week with the CEO of the Hospital on various issues. He attended the fire station meeting, the Read and Ride ceremony at Woodland Elementary School with Supervisor Bibby, and the Student Loan Association meeting on Thursday. He worked last week on home improvement issues that were done without permits and he met with various departments on these matters, and he plans to coordinate a meeting with all of the affected departments to begin assessing for property taxes on these situations and to go after the contractors that are doing the work without obtaining the permits. He attended the Senior Expo on Friday; the Butterfly Festival events, including the Taste of Mariposa and the parade over the weekend. He attended the Search and Rescue dinner on Saturday, and he thanked the Lions Club for their assistance with this and the other events over the weekend - Senior Expo and the Woodland Elementary School BBQ. He attended the Northern County Ambulance Association dinner on Monday. He noted the Chowchilla Mountain Women's Club is having the annual spaghetti and meatball dinner on Saturday.

Supervisor Stetson advised that he attended the fire station meeting and the Bear Creek Trail meeting on Thursday. He attended a meeting

on Monday with Friends of the River relative to the Merced River legislation. He attended the Butterfly Festival on Sunday. He met with staff from the Health Department on Monday. He plans to attend the El Portal Planning Advisory Committee meeting this evening.

Supervisor Cann advised that he helped with interviewing eight candidates for the Executive Director of the Yosemite/Mariposa County Tourism Bureau on Wednesday and Thursday, and they will re-interview the top three candidates. He had interviews on Thursday relative to staffing the Water Agency and he commented on the various issues that are pending - a recommendation will be given to the Water Agency Advisory Board and then the matter will be brought to the Water Agency. He attended the Merchant/Mariposa Business Association meeting on Thursday; and in the afternoon he attended a meeting with a local business that is looking to expand and he will coordinate a meeting with the affected departments on this so that the business will know what conditions to expect. He attended the Senior Expo on Friday. He thanked Jeanetta Phillips and all of the Butterfly Festival volunteers, and he noted that the Taste of Mariposa was excellent, that Supervisor Allen and his wife were the grand marshals of the parade, and he commented on the good attendance for the entire weekend. He plans to attend the Bed and Breakfast Association candidates' night this evening. He plans to attend the Central Sierra Economic Development meeting in Angels Camp on Thursday. He plans to participate in a telephone call meeting on Friday with the Superintendent and Deputy Superintendent of Yosemite National Park on the Merced River Plan preferred options.

Supervisor Turpin wished the ladies a happy Mother's Day. He advised that he attended the Greeley Hill Club breakfast on Sunday. He was unable to attend the Northern Mariposa County Ambulance Association meeting, but he commended them on their work. He appreciates the comments from Supervisors Allen and Cann and their work on permit/development issues; and he commented on his work with the Fire Chief on a development in Buck Meadows. He expressed concern with a wide load/trailer that was unable to navigate Highway 49 North and the issuance of permits by CHP.

Becky Hagen/CHP Sergeant, speaking from the audience, advised that there were no permits issued by CHP for this load, but there were permits issued by Merced and Mariposa Counties. Supervisor Turpin asked that information be provided to the Board on this matter.

Supervisor Turpin continued with his report and advised of his communications with CalFire expressing concern with the removal of the dozer in Coulterville at the end of this fiscal year. He plans to meet with Maggie Dowd/Groveland District Ranger on Wednesday relative to road issues. He advised that the Northern Mariposa County History Center breakfast fundraiser is scheduled for Sunday.

Chair Bibby asked Becky Hagen if she wanted to provide

input at the microphone on the trailer that was unable to navigate Highway 49 North. Becky Hagen advised that CHP is investigating the permit issues for this load; she advised that they had permits from Mariposa and Merced Counties; but no permits from CHP. Discussion was held. Pete Rei/Public Works Director, provided input on the permit process for wide loads, advising that CalTrans issues permits for the highways and then the counties approve the route once a load leaves the State highway. He advised that he will review the process in this situation.

Supervisor Bibby provided input on meetings relative to code compliance violations and permits not being obtained - she urged citizens to obtain permits when applicable. She extended her congratulations on the successful Butterfly Festival; and the Search and Rescue dinner - with special thanks to the Lions Club for cooking and Paul Oldale for his donations and contributions as a SCOPE member. She plans to attend the following: May 9/steering committee meeting with Central Sierra Connect; May 14/Mother Lode Job Training and First 5; and she advised that the Energy Summit is scheduled for May 15. She extended special thanks to Woodland and Mariposa County Unified School District, and the children and parents for participating in the Read and Ride program; and she thanked Sierra Telephone and County Fire for sponsoring this event.

J. Regular Agenda Items

Public Works (ID # 1329)

Discussion and Direction to Staff Concerning Which Financial Assurance Mechanism the Board Wishes to Report to the California Regional Water Quality Control Board for Future Corrective Action at the Mariposa Landfill.

Supervisor Cann recognized the presence of Mary Pitto/Regional Council of Rural Counties Environmental Services Joint Powers Authority.

Pete Rei reviewed the item; and he advised that Greg Ollivier/Solid Waste and Recycling Manager and Kirk Fujii/Fujii Civil Engineering - County's consultant for solid waste matters, were present. Kirk Fujii reviewed options for providing financial assurance. Discussion was held. Mary Pitto responded to questions as to how other counties are providing the assurance. Rick Benson/County Administrative Officer responded to questions relative to the option of using the General Fund pledge of revenues. Board members concurred with staff bringing back a resolution for formal action to pledge General Fund revenues for the financial assurance.

Board of Supervisors (ID # 1339)

Discussion and Possible Direction Regarding Board Meeting Schedules (Supervisor Stetson)

Supervisor Stetson initiated discussion relative to the Board meeting schedule and consideration of reducing the number of meetings to help the departments be more productive and to save costs. Supervisor Cann suggested that consideration be given to holding workshop sessions and he cited various pending issues that the Board could work on. Pete Rei responded to a question from the Board relative to timeframes for bringing back an item on the Courthouse maintenance; and he provided input on the Board's meeting schedule.

Input from the public was provided by the following:

Marvin Wells commented on his previous situation and of the need to prioritize issues and solve them - he stated the Board should not divorce itself from the public.

Gene Dalton, North County resident, stated he likes Supervisor Cann's thoughts on holding workshops on issues. He believes the Board should be here every Tuesday.

Pete Rei commented on his experience with Tuolumne County's change to a bi-weekly meeting schedule and the challenges with projects.

Terri Haworth/Community Services provided input and noted that meeting deadlines could be a challenge.

Rick Benson suggested that there could be consideration of holding a workshop session on the third Tuesday of each month in the afternoon, with the issues to be set up in advance. Further discussion was held. Supervisor Bibby suggested that input be solicited from the departments and the public and that an agenda item be scheduled to further discuss this. Supervisor Stetson asked the County Administrative Officer to come back with an agenda item to hold workshops. Supervisor Allen asked that this item come back within two weeks - May 22nd.

K. 11:03 a.m. LOCAL TRANSPORTATION COMMISSION

(Chair - Commissioner Lyle Turpin, Vice-Chair - Lee Stetson)

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

Public Works LTC-2012-5

Adopt a Resolution for the Authorization and Execution of the Certifications and Assurances, Approve the Submission of an Allocation Request in the Amount of \$218,000 for Improvements to the Midpines Park, and Authorize the Executive Director to Sign All Documents

Discussion was held with Pete Rei and Barbara Carrier/Assistant Director of Public Works - Support Services, and she advised of a correction to delete the \$2.00 for right-of-way. Pete Rei provided input on the request.

The request was approved with the correction to delete the \$2.00.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

L. 11:15 a.m. BOARD OF SUPERVISORS

Reconvened as the Board of Supervisors

M. Items removed from Consent Agenda

None

N. Closed Session

Administration (ID # 1360)

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

The Board convened in closed session at 11:28 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

12:25 p.m. Report from Closed Session

Chair Bibby announced that information was received and direction was provided to staff as a result of the closed session/Planning Director recruitment.

12:26 p.m. Lunch

2:00 p.m. The Board Reconvened

Continued Regular Agenda Items

Planning RES-2012-241

Approve the Proposed Road Name "Quail Lane" for the Subject Easement

Eileen Collins/Planning Technician presented the staff report.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Planning RES-2012-242

Approve the Proposed Road Name Amendment “Anderson Valley Road” for the Subject Easement

Eileen Collins/Planning Technician presented the staff report, and discussion was held.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

O. Adjournment

The Board adjourned at 2:09 p.m. in memory of Philip "Bub" Alonzo Wright.

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

May 15, 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 all of the tragedy that Mariposa experienced over the weekend with the fire (businesses on 5th Street) and the loss of life (a child drowning and a bicyclist).

C. Introductions

Nancy Koerperich/Cal FIRE Unit Chief for Madera-Mariposa-Merced welcomed Kevin Smith as the new Deputy Chief. Kevin Smith provided input on his work in the County. Nancy Koerperich provided an update on the SRA fees - emergency regulations have been posted on the Board of Forestry website and they are anticipating the first billings to be out the first week of August; and she advised of the process and of CalFIRE's work on an educational piece to go out with the billings. Discussion was held. Nancy provided an update on the status of the dozer that is stationed in Coulterville.

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: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration RES-2012-243

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

CA2. Administration RES-2012-244

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

CA3. Victim Witness RES-2012-245

Approve Budget Action Transferring Funding Within the Victim Witness Budget to Reflect Anticipated Expenses through the Remainder of the Fiscal Year (\$10,673); Ratify the District Attorney Signing the Grant Modification Reallocating These Funds.

CA4. Human Services RES-2012-246

Approve a Sub-Lease Agreement Between Mariposa County Human Services (Lessee) and Mariposa County Child Support Services (Sub-Lessee) for the Mariposa County Human Services Center Located at 5362 Lemee Lane, Mariposa CA; and Authorize the Department Head to Sign the Sub-Lease Agreement

CA5. Human Services (ID # 1340)

Accept the Resignation of Betty Corradi from the Mental Health Board and Approve the Reappointment's of Lori Ritter and Jennifer Gamble for Terms Expiring May 15, 2015

CA6. County Counsel RES-2012-247

Approve a Small Claims Legal Advisor Agreement for Fiscal Year 2012/2013, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA7. Administration RES-2012-248

Approve Budget Action Transferring Funding Within the County Administration Budget to Account for Unanticipated Travel Expense (\$100).

CA8. County Counsel RES-2012-249

Approve the Annual Mariposa County Pioneer Wagon Train Event and the Pioneer Wagon Train Appreciation Dinner as County Sponsored Activities and Authorize the Board of Supervisors Chair to Sign an Agreement Between the Van Ness Ranch (Steve Allison) and the Mariposa County Pioneer Wagon Train, Inc., to Acknowledge the Use of the Van Ness Ranch

CA9. Human Services RES-2012-250

Authorize the Human Services Department to Fill One Eligibility Worker I/II Vacancy in the Human Services Social Services Budget Effective June 1, 2012.

CA10. Fire RES-2012-251

Approve Budget Action Transferring Funds from the Fire Budget to Fire Vehicle Replacement Fund to Allow for the Replacement FD 11 (\$5,000). 4/5ths Vote Required

CA11. Public Works RES-2012-252

Eliminate the Maintenance Shop Worker Position and Allocate a Senior Office Assistant Position in the Facilities Maintenance Budget; Authorize the Department to Fill the Senior Office Assistant Position Effective June 1, 2012; Approve Budget Action Transferring Funding Within the Facilities Maintenance Budget to Accommodate This Request (\$2,098).

CA12. Human Services RES-2012-253

Approve the FY 2011-2012 First 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 for Fiscal Year 2011-2012, and Authorize the Board of Supervisors Chair to Sign the Amendment

E. Minutes Approval

1. **Tuesday, May 08, 2012**

F. Departmental Presentation

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

The following provided information on the 5th Street Fire (that burned the Pizza Factory, Arts Council, and the other businesses):

Jim Wilson/Fire Chief commented on the incident.

Jim Dulcich/MPUD Fire Chief provided information on their fire fighting efforts and commented on the wonderful cooperation between agencies - mutual aid was received from Merced and Madera Counties; CalFIRE and County Fire responded. He noted the use of Allison's excavator to keep the fire from spreading.

Kevin Smith/CalFIRE Deputy Chief provided input on the structure of the building and their fire fighting efforts.

Jim Wilson advised of their contact with the County Health Officer and Fish and Game relative to environmental concerns; and he advised that Red Cross helped five individuals who were displaced from a duplex.

Jim Dulcich thanked the Sheriff's Department and SCOPE and the CHP for crowd and traffic control.

Dr. Mosher/Health Officer provided input on the environmental issues to the creek and the air and mitigation measures.

Jim Dulcich thanked Mark Rowney/MPUD District Manager for his work with the water and wastewater treatment plant during this emergency.

Jim Wilson provided input relative to the suppression costs.

Board members expressed appreciation for everyone involved in this incident

Dr. Mosher advised of a planned 850-acre control burn Northeast of Wawona.

Mike Troxell/CHP Commander responded to Supervisor Turpin's questions from May 8th relative to the incident with the wide load/trailer that was unable to navigate Highway 49 North, and he advised of their investigation of the incident and the permits - the problem was a pull hitch that malfunctioned. He commented on the team coordination of agencies for the weekend events; and he thanked Sheriff Binnewies for his communication on events. He noted that 45 CHP personnel will be here for the Amgen Tour on Wednesday.

Doug Binnewies/Sheriff echoed the comments made about public safety and the community volunteers. He thanked the citizens that assisted with events over the weekend - drowning at Dawn Lake, first aid response to a car accident near Cunningham Road, and the fatal bicycle accident on Darrah Road.

Rick Benson/County Administrative Officer advised of the Governor's issuance of the May revise to the State budget.

G. Public Presentation

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

Marilyn Rudzik/President of the Arts Council, thanked the fire fighters and SCOPE and everyone involved with the fire. She advised that the Council's programs are still in tact and thanked the community for the tremendous support. They will be located at the Mariposa Gazette for a couple of weeks and then they will move to Chocolate Soup.

Eleanor Keuning referred to a recent letter to the Editor in the *Mariposa Gazette* relative to the need for recycling at the Post Office.

Kathy McCorry/Executive Director of the Mariposa County Chamber of Commerce thanked the emergency responders to the fire over the weekend.

She advised that Grace Note Chimes plans to reopen in a new location on June 1st; Pony Espresso is selling coffee from their car this morning; Pizza Factory said they will come back “bigger and better than ever;” and she advised of an emergency fund the Chamber set up at Yosemite Bank for the employees that have lost their jobs because of the fire. The Visitor Center new hours for the summer season begin today in Mariposa and tomorrow in Coulterville; and she noted that they are still looking for volunteers for the Amgen Tour.

H. Board Information

Supervisor Stetson advised that he attended the El Portal Planning Advisory Committee meeting last Tuesday evening. He plans to attend the fire station meeting on Thursday; a meeting this afternoon with the Child Support Services Director and Supervisor Turpin; and a meeting this evening with Jim Branham/Sierra Nevada Conservancy - they are planning to hold their meeting here on September 5 and 6, 2012. He advised that the Midpines Planning Advisory Committee meeting has been canceled for this evening. He plans to meet with Supervisor Bibby and the Human Services Director on Monday relative to issues related to the department.

Supervisor Cann noted that the press has been of value during the fire. He received a call from the CSED (Central Sierra Economic Development) Director, who had already made contacts with various agencies, relative to providing support and assistance to the businesses that were affected. He advised that since the Business Development Coordinator is unavailable, that Karen Smith/citizen alternate to the CSED, is working with the County Administrative Officer to contact the affected businesses to advise of available assistance. He advised of his contact with PG&E and their quick restoration of power to the Gold Coin restaurant. He has received calls from Assemblywoman Olsen and Senator Berryhill relative to the incident, and he plans to meet with Senator Berryhill next Wednesday in Sacramento. He received a call from Delaware North Human Resources Coordinator offering a job to any of the displaced employees. He plans to go to Albuquerque, New Mexico this evening to speak at the Western Counties NACO meeting on the MOU between counties and federal agencies on communications on behalf of RCRC. He will participate in the interviews on May 30th of the three finalists for the Executive Director of the Yosemite/Mariposa County Tourism Bureau.

Supervisor Turpin commended all of the volunteers and commented on the training they have, and the community support of their many fundraisers. He advised that he met with the Groveland District Ranger on Wednesday relative to fire prevention and staffing. He commented on changing times - he observed a gooseneck trailer with a 4-wheeler being unloaded. He advised that they are working on infrastructure issues in Coulterville; noted the Amgen Tour will go through Coulterville and Mariposa on its way from Sonora to Clovis. The Coyote Howl is scheduled for this Saturday.

He plans to attend the Red Cloud Park meeting on Wednesday. He thanked all of the department heads and volunteers for their work.

Supervisor Allen advised that he met last week with the Building Director, Assessor, and with County Counsel relative to assessing improvements that were done without permits; and he noted the need for enforcement. He met with Donn Harter relative to the Fish Camp fire station and the Fish Camp Town Planning Advisory Committee meeting that was held. He met with Supervisor Cann and the Human Services Director, and with the Child Support Services Director on Monday relative to items they have scheduled for the May 22nd agenda. If the Board meeting permits, he plans to attend the PERS Retiree meeting at noon today. He plans to attend the fire station meeting on Thursday. He noted that blasting is planned for the Highway 49 South/Ashworth left-turn lane project on Friday. He plans to attend the Area 12 Agency on Aging meeting in Sonora on Monday.

Supervisor Bibby advised that she attended the Mother Lode Job Training meeting in Sonora on Monday and discussion was held on funding changes, and she plans to attend the next meeting on Thursday. She plans to meet with the Child Support Services Director on Wednesday relative to the audit; with the Human Services Director on May 21st relative to the Mental Health Act Funds; and she plans to meet with County Fire. She referred to the request for the County Administrative Officer to bring forward information on pending issues and coordination with the departments; and she asked that the item be scheduled as discussion and possible action. She noted the County Administrative Officer will be speaking at the Energy Summit at lunch today.

I. 10:37 a.m. LOCAL TRANSPORTATION COMMISSION

(Chair - Commissioner Lyle Turpin, Vice-Chair - Lee Stetson)

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

1. Public Works LTC-2012-6

Approve the Amended Transportation Planning Overall Work Program (OWP) for FY 2011/2012 and Authorize the Executive Director to Sign the Amendment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

J. 10:40 a.m. BOARD OF SUPERVISORS

Reconvene as the Board of Supervisors

K. Regular Agenda Items

1. Fire RES-2012-254

Review and Approve the Mariposa Community Wildfire Protection Plan (CWPP) Revision And Community Conservation Wildfire Protection Plan (CCWPP) Updates

Discussion was held with Jim Wilson and he advised of suggested changes provided by Supervisor Allen to the Mariposa Countywide Wildfire Protection Plan. Patrick Tierney/project manager provided input on the Plans. Supervisor Turpin advised that he has changes to the Countywide Plan. Direction was given to staff to make the suggested revisions to the Countywide Plan and to bring that Plan back to the Board for adoption. The Board approved the Midpines and Jerseydale Plans.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Administration (ID # 1372)

Discussion and Direction Regarding Department Head Evaluation Process

Discussion was held with Rick Benson. Supervisor Cann emphasized the need for the department heads to provide goals and work plans and asked that the Board receive them two weeks in advance; and he stated he feels it would be good to schedule an evaluation of the new Planning Director after that person has been in the position for thirty days to review the work plan. Supervisor Bibby advised of suggestions she received from department heads, and she asked that the closed sessions be held with just the Board members and each department head. Further discussion was held.

(M)Allen, (S)Turpin, the Board approved the recommended department head evaluation process, requested that the work plans be submitted two weeks in advance of the meeting; and with the change that the County Administrative Officer is to only be present during the evaluations when requested by the Board/Ayes: Unanimous.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

L. Items removed from Consent Agenda

None

M. Closed Session

1. Administration (ID # 1386)

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

The Board convened in closed session at 11:26 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

11:49 a.m. Report from Closed Session

Chair Bibby announced that information was received and direction was given as a result of the closed session/Planning Director recruitment.

N. 11:50 a.m. Lunch

O. 2:03 P. M. Reconvene

1. Planning (ID # 1374)

Public Workshop to Discuss County Sign Ordinances, Enforcement and Related Issues.

Damon Golubics/Senior Planner presented the staff report and reviewed the issues and options; and he advised of correspondence that was received on this matter. Kris Schenk/Planning Director and Sarah Williams/Deputy Planning Director, were present. Supervisors Cann and Bibby provided input on the previous ad hoc committee meetings that were held. Discussion was held.

Input from the public was provided by the following:

Karen Peneschi, speaking as a private citizen, stated she doesn't have any issue with the signage for the inner-area of the schools, such as for the ballfields, but feels regulations should be applied to the outer-area signage.

Miriam Costello suggested that there should be direction

signage for the tourists.

Trace Higton, Sierra Custom Graphics, expressed concern with the amount of the permit fees; expressed concern with the size of the signs that is allowed outside of the town areas and the reduced visibility with the traffic higher speeds; asked about the status of the “freedom of speech” signs on Highway 140; suggested that consideration be given to having car signs comply with a historic design standard; and stated he does not feel it would be fair for everyone else if the School District is exempt from the sign standards. Supervisor Cann clarified that the “freedom of speech” signs are exempt. Sarah Williams clarified the sign sizes for areas outside the towns.

Jeanetta Phillips advised of the Historic Sites and Records Preservation Commission discussion of these issues on Monday. She reviewed a few of their recommendations - the Commission wants a clear definition of flags and banners; they are not in favor of more than one free-standing sign per parcel; and they feel there needs to be regulations for school signs.

Dieter Dubberke, local businessman, stated he feels that signs are tied to advertising and sales bring in tax revenues - he credited the sales at the Yosemite Mini Mart to the signage. He feels that the Ordinance needs to be looked at carefully; and he is concerned with “open” sign size. He agrees with having some limitations; but also feels that if the County supports the businesses, that the businesses will support the County.

Patti Radanovich, owner of 5th Street Inn and Sierra Foothill Homes, provided input on her use of sandwich advertising boards for providing reservation and location information, and with being able to display the signs after 5 p.m. She feels there should be guidelines on the appearance and they should be kept out of the way.

Susan Posey stated she feels that the Ordinance needs to go out to all of the landlords, as some live out of town and rent their properties out.

Phillip Stepp clarified that the State controls the fairgrounds.

John Turner, interim General Manager of the Lake Don Pedro Community Services District, referred to their sign - they want to be able to advertise Board meetings and community events. Discussion was held relative to the regulations in relation to this sign.

Vickie Lorenzi, River Rock Inn, questioned the status of her sign that was established in 1941; and she provided input on her use of the sandwich board. She expressed concern with people exceeding the time limitation on the parking spaces. She likes Dubberke’s covered chuck wagon, but feels the commercial flyers should be deleted.

Paul Patel, Best Western, stated he feels that the businesses should be allowed small, free-standing signs until there are directional signs. He noted that the businesses bring in revenue to the County and that there is

no one to enforce the standards now.

John DiArsie, Mariposa Sign Company, referred to his history with the sign business; noted the importance of individual's rights; and he stated he feels that a lot of problems are because people can not get their message out and he feels that people try to get creative with the sign ordinances. He feels that people need to have another way to advertise what they have for sale and do away with the banners. He suggested that the permit fees be waived for those who are trying to comply by doing new signs.

Ron Iudice commended Supervisors Cann and Bibby for their work on this issue. He encouraged robust enforcement and asked that off-site car signs be addressed, especially in the historic district.

Eleanor Keuning referred to issues discussed by the Historic Sites and Records Preservation Commission at their meeting on Monday. Discussion was held relative to the Commission's recommendation for one sign per parcel. Karen Peneschi clarified that the recommendation is for free-standing signs.

Trace Higton suggested that the standards include a description for a great sign; and he asked that all sign businesses be contacted with any changes in the rules.

Dieter Dubberke stated he feels that effective and well-kept signage increases the profits for retailers and that results in revenue for the County.

Kathleen Love, Coldwell Banker in North County, referred to the size of signage in the outlying areas and the need to consider that faster rate of speed for the traffic. She urged consideration of the Lake Don Pedro Community Services District sign as a community interest sign. She referred to the signage for her business and noted that people tell her that they can't find her location.

John DiArsie referred to his electric signs and stated he agrees with being able to use natural materials that are aesthetic to the historic district; but he has a hard time telling existing businesses to change their signs.

Miriam Costello stated the sign ordinance needs to be moved forward.

Ron Iudice asked about the process for making changes in the future to the sign ordinance if this is adopted. Steve Dahlem/County Counsel and Sarah Williams responded relative to the process.

Discussion was held, and Board members noted the importance of filling the code enforcement position. Supervisor Cann commented on the work with CalTrans on wayfinding signs and on the design. Supervisor Turpin stated he feels that businesses have the right to have lit "open/closed" signs. Supervisor Cann asked that the percentage of window space that a lit sign can take be

further reviewed. He suggested that following the Board's input, that the ad hoc committee meet with Planning to bring back a final draft ordinance before sending this matter to the Planning Commission.

Todd Layton/Yosemite Gifts asked for clarification of the status of their sign, which was worked on in 2002. Sarah Williams responded, and discussion was held.

Kathleen Love asked for clarification on the banners and whether it includes those for events and the timeframes; and whether this is countywide or just for the town of Mariposa. Sarah Williams responded. Kathleen Love asked for further clarification of window signs and whether flyers are included. Sarah Williams responded.

(M)Cann, (S)Allen, the Board agreed with the ad hoc committee meeting with Planning staff to finalize the sign ordinance based on the input that has been received and with the proposed changes; and that the draft ordinance come back to the Board on June 12, 2012. Supervisor Turpin asked that the existing ordinance be included in the agenda package; and that signage be addressed on a countywide basis. 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 4:06 p.m. in memory of Shirley E. Kimbro, Barbara Blevins, Anita Kerkling, Charles Ray Moore, and Amy Rhoan.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

P.O. Box 784 Mariposa, CA 95338 (209) 966-3222
5100 Bullion Street
<http://www.mariposacounty.org/>



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

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

May 22, 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 all of our military personnel, past and present; and for all of our peace officers that have been lost in the line of duty.

C. Introductions

Chair Bibby introduced Mrs. Terri (Haworth) Peresan/Community Services Director, and extended congratulations to Terri and Rick Peresan/Technical Services Director on their recent wedding.

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 following corrections: item 3/change the termination date to June 30, 2013,

on pages 13 and 19; and items 9 and 10/change the budget action to reflect 4/5ths vote required.

Input from the public was provided by the following:

Eleanor Keuning referred to item 6 and asked whether consideration has been given to Frank Long's request to name the fire station as Buckeye versus Bridgeport. Supervisor Bibby advised that consideration will be given to the comments that are received on officially naming the station when it is built. Eleanor Keuning referred to item 4 and asked for clarification of the training; and Rick Benson/County Administrative Officer responded.

Supervisor Cann pulled item 5. The balance of the items was approved with the noted corrections.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration RES-2012-256

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

CA2. Administration RES-2012-257

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

CA3. Sheriff's Office RES-2012-258

Approve a Professional Services Agreement with John C. Fremont Healthcare District to Provide Medical Services to the Mariposa Adult Detention Facility and Authorize the Board of Supervisors Chair to Sign the Agreement.

CA4. Administration/Economic Development RES-2012-259

Approve Budget Action Increasing Revenue and Appropriations in the Economic Development Budget for Training in the Development of Federal Grant Applications (\$1,000) 4/5ths Vote Required

5. 1370 pulled from Consent

CA6. Public Works RES-2012-260

Approve the First Amendment with Swift Lee Offices Inc. in the Amount of \$9,400 Bringing the Total Compensation to \$57,900 to Provide Additional Design and Engineering Services for the Bridgeport Fire Station; and Authorize the Public Works Director to Sign the Amendment

CA7. Sheriff's Office RES-2012-261

Approve Budget Action to Increasing Revenue and Appropriations in the Sheriff Budget to Account for Funding Received for the Inter-Operable Mutual Aid Radio System (\$13,779). 4/5ths Vote Required

CA8. Administration RES-2012-262

Tentatively Approve the Continued Use of Secure Rural Schools and Community Self Determination Act of 2000 (SR 2008) Funds for Funding an Extra-Help Employee to Manage the Master Gardener Program with Direction to Staff to Notice the Proposal and Begin the 45-Day Comment Period.

CA9. Victim Witness RES-2012-263

Approve Budget Action Increasing Revenue and Appropriations in the Vertical Prosecution Grant Budget (\$450); Ratify the District Attorney Signing the Grant Amendment to Accept the Additional Funding. 4/5ths Vote Required

CA10. Administration/Economic Development RES-2012-264

Approve Budget Action Increasing Revenue and Appropriations in the Economic Development Budget to Account for Additional Grant Money from Pacific Gas and Electric (PG&E) (\$700) 4/5ths Vote Required

CA11. Public Works (ID # 1392)

Accept the Resignation of Charlotte Wilson from the Airport Advisory Committee (AAC)

CA12. Personnel/Risk Management RES-2012-265

Approve a Liability Claims Administration Agreement with Freese & Gianelli Claim Service Effective July 1, 2012, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA13. Planning (ID # 1410)

Appoint Glenn Franklin to the Agricultural Advisory Committee as an Alternate for Resource Conservation Department's (RCD) Appointment for a Term Expiring February 28, 2014

CA14. Health RES-2012-266

Approve Budget Action Reducing General Fund Contingency and Increasing Appropriations Within the Health Department Budget to Cover Hepatitis B Vaccine for Selected, at Risk Public Safety Personnel (\$3,575) 4/5ths Vote Required

E. Presentations

1. Health RES-2012-255

Adopt a Resolution Recognizing the Week of May 20 - 26 as "Emergency Medical Services Week" and Recognizing Personnel for Outstanding Professional Performance During the Year.

Dr. Mosher/Health Officer presented plaques recognizing the following for their nomination as Emergency Medical Service professional of the year: first responder Tom Hull/Mariposa County Fire Department; emergency medical technicians Jessica Currier/Mariposa County Fire Department and Amber Outerbridge/John C. Fremont emergency room; paramedic William Leard/Mercy Medical Transport; and Nanette Wardle/John C. Fremont Hospital ER Nurse. Search and rescue team member Jack Hoeflich/Yosemite National

Park was unable to be present. Board members commended the recipients and all emergency medical services personnel, including Dr. Mosher.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

9:31 a.m. Recess

9:48 a.m. Reconvened

F. Minutes Approval

1. **Tuesday, May 15, 2012**

G. Departmental Presentation

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

Jim Wilson/Fire Chief provided input on the use of the fire stations as polling places, and he advised that he has no objection to this use and there is no problem with the current policy. Supervisor Cann clarified that the question is relative to authority to park the engines outside overnight when the stations are used for polling places during elections; and Rick Benson clarified that the Fire Chief has that authority.

H. Public Presentation

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

Kelly Harris/Job Connection Mariposa advised that they are holding a rapid response event on May 29th to help those who are impacted by the 5th Street fire.

Eleanor Keuning expressed concern that the CalTrans signs for the Amgen Tour are still up, and relative to the notification of road closures for the left turn project at Ashworth and Highway 49 South.

I. Board Information

Supervisor Cann thanked everyone who participated in the sign ordinance meeting last Tuesday, and he advised that they plan to have it scheduled back before the Board on June 12th in the morning - the ad hoc team will meet this Thursday and information will be available on the Planning's website. He attended the Western Region NACO meeting in New Mexico last week, and he gave a presentation for CSAC and RCRC on the memorandum of understanding with the Forest Service. He continues to work with the Pizza

Factory owners and they are committed on replacing the building and they are working with the County departments involved in the process. He plans to meet with Senator Berryhill on Wednesday relative to the salamander legislation for the Ferguson Rockslide project; and he advised that he would be happy to relay any issues that citizens have. He advised that the Economic Development Corporation (EDC) is meeting at the Library on Wednesday, and there is a meeting on Thursday with EDC and the Townsend Group. The Kids First dinner is scheduled for June 2nd.

Supervisor Turpin advised that he attended the Coyote Howl on Saturday. He met with several businesses in Coulterville and some are looking at potential improvements. He thanked Public Works for the fire hydrant repairs. He commented on the water levels for Lake McClure and Don Pedro. He noted that BLM has been spraying the Iberian Thistle in the Granite Springs area, and CalTrans has been spraying noxious weeds. He plans to meet with the Public Works Director on a couple of issues.

Supervisor Allen advised that he attended the following: fire station meeting last Thursday, the Planning Commission meeting on Friday for the SilverTip Resort project in Fish Camp - a two-year extension was granted for the project, the Area 12 Agency on Aging meeting in Sonora on Monday, and the Community Correction Partnership meeting. He plans to attend the Read and Ride program at Mariposa Elementary School and the Memorial Day cemetery ceremony on Saturday. He commented on his discussions relative to rebuilding of the Pizza Factory and of the need for communication between all of the affected departments.

Supervisor Stetson advised that he attended the following meetings: last Tuesday evening with Jim Branham of the Sierra Nevada Conservancy, the fire station meeting on Thursday, a meeting with Supervisor Bibby and the Human Services Director and a meeting with the Health Officer on Monday, and a meeting with Public Works and Planning on Yosemite West issues. He plans to be on vacation for the next week, and returning for the department head evaluations. He plans to attend the Sierra Nevada Conservancy meeting on June 6th on the East side.

Supervisor Bibby advised that she attended the following meetings: a meeting with the Child Support Services Director on May 16th relative to the audit, a joint meeting with Mother Lode Job Training and the Workforce Investment Board in Sonora on May 17th, a meeting with County Fire relative to the Hazardous Mitigation Plan and a memorial service at the Human Services Department for former Director Cheryle Rutherford Kelly on May 18th, the Farm Bureau thank you dinner on May 19th, a meeting with the Human Services Director relative to the May Revise budget and State adoption changes and a health committee meeting on May 20th. She plans to attend the Mother Lode Job Training meeting on May 23rd, the Read and Ride program at Mariposa Elementary School on May 25th, and the Memorial Day parade on May

26th - she will miss the ceremony to attend the wedding for Dan Tucker and Marian Casner. She advised of a fundraiser scheduled at the Arts Park on May 26th. She plans to attend a telecommunication broadband meeting on May 30th. She extended congratulations to the class of 2012, wished good luck to those participating in the election and thanked all of the volunteers and workers that help with the election process; and she noted that there is no Board meeting on May 29th as it is a fifth Tuesday.

J. Regular Agenda Items

1. Agricultural Commissioner RES-2012-267

Approve Agreement No. 12-73-06-0260-RA - the Annual Work/Financial Plan and a Letter of Intent for Fiscal Year 2012/2013 with United States Department of Agriculture/Animal and Plant Health Inspection Service/Wildlife Services (USDA/APHIS/WS) and Authorize the Board of Supervisors Chair to Sign the Agreement and the Letter of Intent.

Cathi Boze/Agricultural Commissioner noted that Don Simms/retired Wildlife Services Specialist was present. Wade Carlson/USDA Wildlife Services District Supervisor introduced Brady Smith, the new Wildlife Services Specialist; and he gave a report on their activities.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Health RES-2012-268

Approve Budget Action Transferring Funding from the Health Budget to the Land, Building, Improvements Fund to Allow for Additional Remodel Work of the Health Department Building (\$12,575). 4/5ths Vote Required

Discussion was held with Dr. Mosher and Pete Rei/Public Works Director relative to the request. Chair Bibby clarified that the portion relative to the Arts Council displaying art work is not included in the action - Board members can let Dr. Mosher know if they have any concerns and/or would like to see this scheduled for Board action.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

3. Personnel/Risk Management RES-2012-269

Approve Adjustments to Department Head, Elected Officials and Board Member Compensation

Discussion was held with Rick Benson relative to this matter and the recommendations.

Input from the public was received from the following:

Ruth Sellers, speaking as a taxpayer, expressed concern with raises being given; and she referred to potholes in her road and stated she doesn't feel that services are being provided. She questioned why the Public Works Director is not being included; and she noted that some officials have additional responsibilities.

Eleanor Keuning referred to the employment contract with the Public Works Director; and she stated that unfortunately the public construes the recommendation as raises even with the salary reduction (employees paying for the employee retirement contribution).

Marcia Price stated she does not believe that the contract with the Public Works Director should be changed during its term, and she asked what the term is for the contract. Rick Benson and Pete Rei responded - June 30, 2013. Steve Dahlem/County Counsel advised of his review of being able to make changes to the contract with the Public Works Director, and he noted that the negotiations with MCMCO were contemplated at the time the contract was entered into.

Marvin Wells asked for clarification of the recommended actions given the agenda title; asked what this will cost, whether it will affect retirees; and whether the Board members are considered County employees. He noted the workload the government has placed on the Sheriff, Chief Probation Officer, and the District Attorney.

Ruth Catalan stated she feels that the Public Works Director should be included with the same adjustments; and she does not feel that the raises should be given to offset the costs.

Rick Benson responded to the questions that were raised. Bill Davis/Auditor provided input on the changes and the costs and the savings. Further discussion was held.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

11:45 a.m. Recess

11:56 a.m. Reconvened

K. LOCAL TRANSPORTATION COMMISSION

(Chair - Commissioner Lyle Turpin, Vice-Chair - Lee Stetson)

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

Public Works LTC-2012-7

Adopt a Resolution Approving the Transportation Planning Overall Work Program (OWP) for Fiscal Year 2012-2013 and Authorize the Executive Director to Submit and Sign the OWP Agreement, Planning Process Certification, and the Certifications and Assurances Documents.

Discussion was held with Barbara Carrier/Assistant Public Works Director - Support Services.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

L. 11:59 a.m. BOARD OF SUPERVISORS Reconvened

Reconvene as the Board of Supervisors

M. Items removed from Consent Agenda

Child Support Services RES-2012-270

Approve Budget Action Increasing Revenue and Appropriations in the County Administration Budget (\$1,283); Accept Personal Payment from the Child Support Director to Reimburse General Fund for Audit Findings Owed to the State Department of Child Support Services; Authorize the Auditor to Pay the State Department of Child Support Services 4/5ths Vote Required

Discussion was held with Debbie Walton/Child Support Services Director relative to the audit findings. County Counsel responded to a question from the Board relative to repayment.

(M)Cann, (S)Allen, Res. 12-270 was adopted not accepting the offer of the department head to repay the \$1,000 that was identified in the audit for the American Cancer Society/Relay for Life outreach; and accepting the offer of the department head to pay for the paper products and the microwave. Supervisor Cann restated his motion, agreeable with the second: the County will not accept the department head's proposal to pay \$1,000 to the grant for the American Cancer Society/Relay for Life outreach; that the \$1,000 be paid from General Contingency; and that the County accept the department head's offer to repay the grant for the paper products and the microwave. Following further discussion, the motion was amended, agreeable with the maker and second, to direct that the budget action for these transactions come back to the

Board/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

N. 12:12 p.m. - Lunch

O. 2:05 P.M. Reconvene

Administration (ID # 1429)

Waive the Rules Requiring 72 Hours Agenda Noticing to Consider a Request to Adopt a Resolution for Funding from the United States Department of Agriculture (USDA) for Technical Assistance and Subsequent Full Grant Application to the USDA

Rick Benson presented the request to add the USDA funding for technical assistance for the businesses destroyed in the 5th Street fire to the agenda, advising that this matter was not known about at the time the agenda was prepared and action is necessary prior to the next meeting. County Counsel provided input on the allowance in the Brown Act for this special action based on finding that the matter came to attention after the agenda was posted, requires immediate action, and that a 4/5^{ths} vote is required.

Input from the public was provided by the following:

Eleanor Keuning stated she supports adding this item to the agenda.

(M)Stetson, (S)Allen, the Board finds, that under the Government Code, this matter came to attention after the posting of the agenda and there is a need for immediate action, and the matter was added to the agenda/Ayes: Unanimous. Chair Bibby advised that this matter will be considered later in the meeting.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Human Services (ID # 1387)

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, advised that Michael Geiss/consultant was present; and he advised of the recommendation by the Mental Health Board. He further noted that the Auditor advised him that the numbers are still not balanced and he will work with the Auditor on this; however, the Plan is okay. Discussion was held.

Bill Davis/Auditor suggested that this matter be delayed until accurate numbers are available.

Input from the public was provided by the following:

Ruth Catalan, member of the Mental Health Board and speaking as a citizen, expressed concern with operation of the Human Services Department and with not being able to get correct amounts.

Jim Rydingsword advised that the next meeting of the Mental Health Board is scheduled for June 7th and then the matter could be rescheduled for the Board of Supervisors. County Counsel noted that the by-laws for the Mental Health Board need to be complied with. The Board concurred that this matter should be brought back after the numbers are balanced.

P. Continue Meeting to June 5 and to June 8, 2012, at 8:30 A.M.

Administration (ID # 1405)

Continue the May 22, 2012, Meeting to Tuesday/June 5, 2012, at 8:30 A.M. and to Friday/June 8, 2012, at 8:30 A.M. for Department Head Performance Evaluations

(M)Stetson, (S)Cann, the meeting is to be continued to June 5, 2012, at 8:30 a.m. to hold closed session for department head performance evaluations/Ayes: Unanimous.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Administration (ID # 1405)

Continue the May 22, 2012, Meeting to Tuesday/June 5, 2012, at 8:30 A.M. and to Friday/June 8, 2012, at 8:30 A.M. for Department Head Performance Evaluations

(M)Stetson, (S)Turpin, the meeting is to be continued to June 8, 2012, at 8:30 a.m. to hold closed session for department head performance evaluations/Ayes: Unanimous.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Administration (ID # 1411)

Discussion, Direction and Possible Action Regarding Board Workshops

Discussion was held with Rick Benson regarding Board workshops and the various topics and options for scheduling.

Input from the public was provided by the following:

Ruth Sellers, Airport Advisory Committee member, stated she feels it would be foolish to consider using any of the Airport property for anything other than commercial developments, and she feels that should be encouraged. She suggested that the neighboring ranch area that is restricted for development because of the Airport be considered for a cemetery.

Ruth Catalan agrees with the Board holding workshops and with getting things done; but feels they should be held on Tuesdays, one day a month in the afternoon to save the public from driving in another day. She further suggested that the Board start with one item and continue with it until it is done.

Supervisor Allen suggested that the County Administrative Officer coordinate with the Board members the days they are available to coordinate workshops. Supervisor Bibby suggested that the items be scheduled for discussion, direction, and possible action, so that the Board would have the ability to take action. The Board concurred with the following items being considered: assemblage permits, Title 17, transient occupancy tax, and cemetery. Supervisor Turpin requested that Tuesday afternoons in July be considered given the extra meeting days scheduled for June.

Administration/Economic Development RES-2012-271

Adopt a Resolution for Funding from the United States Department of Agriculture (USDA) for Technical Assistance

Discussion was held with Rick Benson relative to this matter. County Counsel recommended that the action be to authorize the Mariposa County Office of Economic Development to apply for funding from the USDA, and that the formal resolution be subject to clerical corrections by the County Administrative Officer and County Counsel. (M)Cann, (S)Stetson, Res. 12-271 was adopted approving the recommended action as stated by County Counsel/Ayes: Unanimous.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Q. Closed Session

County Counsel (ID # 1383)

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

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

County Counsel (ID # 1389)

CLOSED SESSION: Anticipated Litigation, Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9

The Board convened in closed session at 3:16 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4:01 p.m. Report from Closed Session

Chair Bibby announced that direction was given to staff on the first matter, and information was received on the second matter.

Chair Bibby reminded everyone that there is no Board meeting on May 29th as it is a fifth Tuesday.

4:02 pm. Recess

The Board recessed at 4:02 p.m. in memory of Karen Lee Cochran, Randall Gene Wood, and Jack L. Boyd; and the meeting was continued to June 5, 2012, at 8:30 a.m. and to June 8, 2012, at 8:30 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
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

June 5, 2012

I. Call to Order at 8:45 a.m.

There is no audio of this meeting as the only matters were for closed sessions.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	8:45 AM
Lyle Turpin	District II Supervisor	Present	8:45 AM
Janet Bibby	District III Supervisor	Present	8:45 AM
Kevin Cann	District IV Supervisor	Present	8:45 AM
Jim Allen	District V Supervisor	Present	8:45 AM

II. (Meeting Continued from May 22, 2012)

III. Closed Session

The Board convened in closed session for the following matters:

1. **Administration (ID # 1393)**

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: County Administrative Officer

2. **Administration (ID # 1394)**

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: County Counsel

3. **Administration (ID # 1395)**

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: County Librarian

11:40 a.m. Lunch

1:35 p.m. The Board reconvened in closed session for the following matters:

4. **Administration (ID # 1396)**

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: Agricultural Commissioner

5. **Administration (ID # 1397)**

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: Building Director

The result of the closed sessions was announced at the June 12th meeting.

IV. Continue meeting to June 8, 2012 at 8:30 a.m.

The meeting was recessed at 4:15 p.m. and continued to June 8th.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



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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

June 8, 2012

I. Call to Order at 8:30 a.m.

There is no audio of this meeting as the only matters were for closed sessions.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	8:30 AM
Lyle Turpin	District II Supervisor	Present	8:30 AM
Janet Bibby	District III Supervisor	Present	8:30 AM
Kevin Cann	District IV Supervisor	Present	8:30 AM
Jim Allen	District V Supervisor	Present	8:30 AM

II. (Meeting Continued from May 22, 2012 and June 5, 2012)

III. Closed Session

The Board convened in closed session for the following matters:

1. **Administration (ID # 1398)**

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: Community Services Director

2. **Administration (ID # 1399)**

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: Technical Services Director

3. **Administration (ID # 1400)**

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: Public Works Director

The result of the closed sessions was announced at the June 12th meeting.

IV. 12:40 p.m. Adjourn

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



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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

June 12, 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

Report from Closed Session:

Chair Bibby announced that information was received as a result of the closed sessions held on June 5th and 8th for department head performance evaluations.

B. Pledge of Allegiance

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

Chair Bibby advised that we experienced difficulties with MinuteTraq for this agenda; and she advised that action was taken on the Health Department remodel budget item on May 22nd and that this item was inadvertently duplicated to this agenda.

C. Introductions

Supervisor Bibby introduced Merlin Jones, Supervisor-elect for District 2 to take office in January, 2013; and she congratulated all of the candidates.

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 11 and 12 require a 4/5ths vote.

Supervisor Turpin asked for clarification of the action to be taken on item 26 as three resolutions are included in this item; and Rick Benson/County Administrative Officer responded.

All items were approved, and the following resolution numbers were assigned to item 26/EMPC: Res. 2012-295-a/appointed and elected officials; Res. 2012-295-b/MCMCO; and Res. 2012-295-c/SEIU.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration RES-2012-272

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

CA2. Administration RES-2012-273

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

CA3. Sheriff's Office RES-2012-274

Approve Filling a Sheriff's Animal Control Officer Position Effective June 12, 2012

CA4. Human Services RES-2012-275

Approve 2012 District Fair Booth Rental Agreement 2012-06 For Alcohol and Drug Abuse Advisory Board, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA5. Sheriff's Office RES-2012-276

Approve Two Legal Services Agreements with the Law Offices of Starchman and Bryant and the Mariposa County Sheriff - Coroner - Public Administrator for the Execution of Trust and Probate of Muriel M. Neavin, and Authorize the Public Administrator to Sign the Agreements

CA6. Sheriff's Office RES-2012-277

Approve a Two-Year Agreement with Stanislaus County Sheriff's Office Coroner's Division for Forensic Pathology Services, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA7. Public Works RES-2012-278

Approve an Agreement with Caltrans for 2011/2012 Optional Federal Apportionment Exchange and State Match Program for the Regional Surface Transportation Program (RSTP) Funds, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA8. Human Services RES-2012-279

Authorize the Human Services Department to Fill One Social Worker Supervisor II Vacancy in the Human Services Social Services Budget Effective Immediately

CA9. Board of Supervisors (ID # 1427)

Approve a Certificate of Appreciation to Sierra Telephone for Their Participation in the Mariposa County Fire Department's Read & Ride Incentive Program (Supervisor Bibby)

CA10. Agricultural Commissioner RES-2012-280

Approve the Pierce's Disease Control Program/Glassy-Winged Sharpshooter Agreement No. 12-0121-SF for FY 2012/2013 through 2013/2014 with the California Department of Food and Agriculture (CDFA), and Authorize the Board of Supervisors Chair to Sign the Agreement

CA11. Administration RES-2012-297

Approve Budget Action Reducing General Contingency by \$1,000; Increase Revenue and Appropriations in the County Administration Budget; Accept Personal Payment from the Child Support Director to Partially Reimburse the County General Fund for Audit Findings Owed to the State Department of Child Support Services; Authorize the Auditor to Pay the State Department of Child Support Services (\$1,283) 4/5ths Vote Required

CA12. County Counsel RES-2012-281

Approve a Lease Agreement with Kiwanis Preschool, a California Non-Profit Corporation, for Use of the Darrah Schoolhouse Building for Fiscal Year 2012/2013, and Authorize the Board of Supervisors Chair to Sign the Lease Agreement.

CA13. Sheriff's Office RES-2012-283

Authorize Release of Seized/Unclaimed Property Stored in Mariposa County Sheriff's Evidence/Property Room to the County Purchasing Agent.

CA14. County Counsel RES-2012-282

Approve a Lease Agreement with Mariposa Preschool Cooperative, a California Non-Profit Corporation, for Use of the Woodland Community Building for Fiscal Year 2012/2013 and Authorize the Board of Supervisors Chair to Sign the Lease Agreement

CA15. Community Services RES-2012-284

Approve the Hiring of an Extra-Help Kitchen Assistant at the Step 2 Hourly Rate

CA16. Human Services RES-2012-285

Authorize the Human Services Department to Fill a Vacant Eligibility Worker I/II Position in the Social Services Budget Effective July 1, 2012

CA17. Sheriff's Office RES-2012-286

Approve the Purchase of a Replacement Sheriff's Patrol Vehicle; Approve Budget Action Transferring Funds from the Sheriff Asset Forfeiture Fund to the Vehicle Replacement Fund to Allow the Purchase of the Replacement Patrol Vehicle (\$6,303).

CA18. Public Works RES-2012-287

Approve the Pledge of Revenue Agreement with CalRecycle and Authorize the County Administrative Officer to Sign the Agreement

CA19. Public Works RES-2012-288

Approve the Second Amendment with Analytical Environmental Services to Extend the Term of the Agreement to June 30, 2013 to Perform Archeological Studies for Various Road Projects and Authorize the Public Works Director to Sign the Amendment

CA20. Administration RES-2012-289

Approve Budget Action Transferring Funds Within the Board of Supervisors Budget to Accommodate Reimbursements for Private Vehicle Use (\$500).

CA21. County Counsel RES-2012-290

Approve the Administrative Match Agreement Between County of Mariposa and Area 12 Agency on Aging in the Amount of \$30,046 for Fiscal Year 2012-2013 and Authorize the Chairman of the Board of Supervisors to Sign the Agreement.

CA22. Agricultural Commissioner RES-2012-291

Approve the Organic Program Cooperative Agreement No. 12-0196-SA for Fiscal Year 2012/2013 with the California Department of Food and Agriculture (CDFA,) and Authorize the Board of Supervisors Chair to Sign the Agreement

CA23. Administration RES-2012-292

Approve Agreement Extending the Period Within Which the Board is Required to Act On the Claim of John Anderson, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA24. Board of Supervisors RES-2012-293

Ratify a Letter Supporting the Moving Ahead for Progress in the 21st Century (MAP-21) Provisions Contained in Senate Bill (SB) 1813, Specifically the "Off-Systems" Bridge Funding, and the Year Extension of Secure Rural Schools (SRS) Act and Payment in Lieu of Taxes (PILT).

CA25. Planning RES-2012-294

Approve a Professional Services Agreement with Abbott & Kindermann, LLP, Providing On-Call Legal Consultation, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA26. Personnel/Risk Management RES-2012-295

Adopt Resolutions for Paying and Reporting the Value of Employer Paid Member Contributions (EPMC) to the California Public Employees' Retirement System (CalPERS)

CA27. Human Services RES-2012-296

Approve First Amendment to the Contract with Capacity Consulting Increasing the Compensation Amount and Authorize the Chairman of the Board of Supervisors to Sign the Amendment; Approve Budget Action Transferring Funding Within the Community Programs Fund to Accommodate the Amendment (\$6,642).

E. Minutes Approval

1. **Tuesday, May 22, 2012**

F. Departmental Presentation

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

Barbara Carrier/PWD-Assistant Director-Support Services advised that a public workshop is scheduled for Wednesday on regional transportation planning.

G. Public Presentation

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

Rick Peresan, Vice-President of Mariposa Lions, provided input on the history of the Mariposa Labor Day Parade; and he advised that the Lion's Club no longer has the ability to staff and organize the parade. He thanked CHP, Public Works, and the Board for their cooperation over the years. He stated it is hoped that another organization will step forward to coordinate this event. Discussion was held, and it was noted that the Encroachment Permit application is due to CalTrans by July 5th for this year's event.

MaryAnn Huff, John Muir Geotourism President, thanked the Board for sponsoring the successful John Muir Festival last weekend.

Kathy McCorry, Executive Director of the Mariposa County Chamber of Commerce, provided input on the statistics for the Visitor Centers - she noted the long wait at the Park entrance gate and advised of their "Mariposa Experience passport" program during the weekends for the summer with raffle prize drawings for the visitors; they will attend the ribbon cutting at the Stroming building on Wednesday and the press party for the new welcome sign on Highway 140 on Thursday.

Eleanor Keuning provided input on the recent Mariposa Playhouse

production and of the need for a good sound system at the Amphitheater; advised that the Mariposa Symphony's annual summer concert is scheduled for June 30th; referred to a recent *Fresno Bee* story relative to a merchant integrity test for prospective employees; suggested that "transitionUS" be googled; and she advised of a presentation given by Dan Flaming of Ponderosa Basin relative to Mariposa's economy. Supervisor Cann noted that the presentation was also given to the Economic Development Corporation.

H. Board Information

Supervisor Turpin congratulated Merlin Jones on his election as Supervisor for District II, and Supervisor Cann on his reelection as Supervisor for District IV. He plans to attend the Coulterville Town Planning Advisory Committee meeting on Thursday.

Supervisor Allen noted that he and other Board members had meetings with Senator Berryhill last week. He attended the following: Community Corrections Partnership meeting and they are working on the day reporting center, the read and ride program at Mariposa Elementary School, the Memorial Day ceremony, Kids' First fundraiser, fire station meeting, the Board meetings for department head performance evaluations, he assisted the County Clerk with elections, and he attended the WAPOA (Wawona Area Property Owners' Association) meeting and a dinner in Wawona on Saturday. He plans to chair the Mountain Valley Emergency Medical Services Agency meeting on Wednesday, attend the fire station meeting and the Emergency Medical Care Committee meeting on Thursday, and the Board meeting on Friday for department head performance evaluations.

Supervisor Stetson advised that he went to Lone Pine on Thursday for the Sierra Nevada Conservancy meeting; and he attended the John Muir Festival in Coulterville and the Art and Wine Festival in Mariposa on Saturday. He plans to attend the regional transportation planning workshop on Wednesday. He referred to the Bear Creek group meeting and their brochure for the trail project.

Supervisor Cann advised that "My Yosemite - A Guide for Young Adventurers" is available and that it has been distributed to the High School and Middle School students. He commented on the status of the legislation sponsored by Congressman Denham to allow the Park Service to purchase land in the County for visitor services. He noted that he attended most of the same events that Supervisor Allen mentioned. He thanked all of the departments for pulling together and working closely with the designer and contractor to rebuild the Pizza Factory - the goal is to reopen in one year from the date of the fire. He received word from CalTrans that the Encroachment Permit has been approved for wayfinding signs. He noted that he missed the Mariposa Playhouse performance because he was involved with Rotary's hosting a group of Peruvian professionals. He advised that two of the three finalists for

the Tourism Bureau Executive Director position have been interviewed. He attended the Merchants Association meeting last week; and he worked at the Rotary Fine Art and Wheel Festival on Saturday.

Supervisor Bibby, in the interest of time due to the long agenda today, noted that it has been really busy with meetings, and she commented on AB 109 implementation.

I. LOCAL TRANSPORTATION COMMISSION

(Chair - Commissioner Lyle Turpin, Vice-Chair - Lee Stetson)

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

1. Public Works LTC-2012-8

Approve an Agreement with Caltrans for the 2011/2012 Optional Federal Apportionment Exchange and State Match Program for Regional Surface Transportation Program (RSTP) Funds, and Authorize the Local Transportation Commission Chair to Sign the Agreement

Discussion was held with Peter Rei/Public Works Director and Barbara Carrier.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

J. BOARD OF SUPERVISORS

9:36 a.m. Reconvened as the Board of Supervisors

K. Regular Agenda Items

1. Planning (ID # 1466)

Continued Public Workshop to Consider County Sign Ordinances, Enforcement and Related Issues. the Board of Supervisor's Ad Hoc Committee (Supervisors Bibby & Cann) Will Present Their Recommendations on Issues and Options Regarding Ordinance Provisions for Signs in the Historic and Design Review Overlay Districts, Community Informational Signs, Way Finding and Temporary Signs, Size Limitations, and Enforcement. Discussion Will Focus on Signage in the Town of Mariposa But Also Include Signs Countywide (Continued from May 15, 2012)

Kris Schenk/Planning Director and Sarah Williams/Deputy Planning Director were present. Chair Bibby noted that the memorandum from the Historic Sites

and Records Preservation Commission was distributed. Damon Golubics/Senior Planner presented the staff report; and discussion was held, including process, whether Coulterville is included in this as an historic overlay district, and size limitations outside of the historic district. Sarah Williams responded to the questions relative to size limitations. Supervisors Cann and Bibby/ad hoc committee provided input.

Input from the public was provided by the following:

Lester Bridges/local business owner asked for clarification of the 10,000 square foot size of a building - whether the regulations are for buildings larger than 10,000 square feet, or include a 10,000 square foot building.

Larry Vilott asked whether the square foot size restriction only applies to structures or whether it includes operational areas; i.e., miniature golf or zipline operations. Staff will further review this matter.

Kris Casto thanked the Board for this process and for looking at optional materials; she asked for clarification of how banners are handled for non-profits, and she suggested that only one banner per parcel be allowed; she asked for clarification of the definition of flags; asked for clarification of banners/flags that do not advertise anything; and for clarification of the regulations for corner buildings. Supervisor Cann advised that temporary signs for events are not regulated - these regulations are geared to commercial signs; and he agrees that the 32-square feet and linear frontage regulations should be reviewed for clarity.

Glen Hogue/Mariposa Lutheran Church stated they would like to have a larger sign that can be read as people travel down the hill.

John D'Arcy/Mariposa Sign Company stated he has been working on a new, larger sign for the Lutheran Church and he presented PowerPoint photos of the existing and proposed signs. He suggested that there be clarification of how far the signs can be from the ground because of the different terrain; clarification of the lighting provision and intent; and clarification of whether there can be a secondary sign on the building if you have a free-standing sign. Supervisor Bibby noted the need to review individual Conditional Use Permits.

Eleanor Keuning referred to the Historic Sites and Records Preservation Commission meeting that was held on Monday, and she commented on their recommendations.

Discussion was held. Supervisor Turpin suggested that consideration be given to existing structures, such as pressed metal - suggested adding "or historic material." He asked for clarification of being able to have off-site signs to announce services that are available. Sarah Williams responded with suggestions. Supervisor Turpin referred to the wayfinding/gateway signs for State highways and noted the need to not exclude other roads that access

the County. Supervisor Cann suggested that language be included to allow the Board to approve gateway signs in addition to the main entrance signs. Peter Rei/Public Works Director, provided input on the Road Commissioner's authority to allow signs, and he suggested that guidelines be established.

Supervisor Cann suggested that staff incorporate the comments that were received, with a better definition of banners, create a more simplified matrix with reference to the legal language, send the sign ordinance provisions to the Historic Sites and Records Preservation Commission and to the Planning Commission before coming back to the Board. Supervisor Allen noted the comments received today relative to outdoor activities and sign requirements, and relative to corner buildings. Sarah Williams advised that the Board needs to adopt a resolution of intent to process the sign ordinance provisions before formal processing commences. Supervisor Stetson asked about provisions and enforcement for removing signs for the businesses that no longer exist, and discussion was held relative to the need for a code enforcement official.

Lester Bridges/downtown property owner, asked for clarification of the off-site sandwich board signs.

John D'Arcy asked whether the sandwich board sign for Mariposa Fruit and Nut meets the provisions.

Kris Casto asked for clarification of the timeframes that the sandwich board signs are allowed, and she referred to the River Rock sign. Staff will clarify the provisions for sandwich board signs.

(M)Cann, (S)Turpin, direction was given to staff to clarify the language based on the input that was received, and Supervisor Cann advised that he and Supervisor Bibby will work with staff to create a list of the simplified changes. Supervisor Bibby noted the following issues that were raised: better definition of banner, use of compressed metal materials, gateway signs, overall policy direction to Public Works, review comments received today, review regulations for outdoor activities, corner building criteria, code enforcement position, resolution of intent to come back to the Board, and creation of a separate category for sandwich board signs. Supervisor Cann added review of lighting for historic type fixtures. Supervisor Turpin initiated discussion relative to being able to address exceptions without having to go through an appeal process; and he initiated discussion relative to being flexible with the height limitations and cited a hotel in the North County as an example. Supervisor Bibby asked that the Conditional Use Permit for the Lutheran Church be reviewed separately. The motion and second were not recognized. Steve Dahlem/County Counsel suggested that the Board could give direction to the ad hoc committee as discussed and for the resolution of intent to be brought back; and the Board concurred.

RESULT: DIRECTION GIVEN***10:50 a.m. Recess******10:59 a.m. Reconvened*****2. Public Works (ID # 1454)****Discussion of Possible Courthouse Improvements**

Discussion was held with Peter Rei relative to the status of Courthouse maintenance and improvement issues. He advised of the study performed by Thor Matteson/Structural Engineer; and of his contact with Natural Environments to address the immediate needs with the clock tower, chimney stabilization, and the metal detector; other needs include replacing the roof, painting, clock repair, and window frames. He suggested that a second opinion be sought from a structural engineer that specializes in historic structures. Discussion was held relative to the status of recognition on the National Registry; whether grant funding is available; and relative to addressing the safety issues. Rick Benson/County Administrative Officer advised of his discussion with the Building Director on the status of safety of the structure.

Input from the public was provided by the following:

Judge Walton/Superior Court advised of the urgent and immediate need for the public safety issues with the Courthouse to be dealt with. He advised that he asked Steve Wagner with the Administrative Office of the Courts (AOC) to be present and to assist them in this process. He noted that they need to be able to prepare to move to another location for the major work to be done.

Judge Parrish/Superior Court provided input on the tremendous amount of deterioration he has observed. Based on his review of the report from the structural engineer, he is very concerned about the safety of staff, their justice partners, the public, and defense counsel. He urged that the building be made safe.

Steve Wagner/AOC-construction management, referred to their MOU with the County on maintenance of the Courthouse. He stated he would like to be more visible here and work with the Public Works Director on the issues so he can report back to the State. He would like to see a written report by someone more experienced with historic structures; and he feels that funding needs to be identified to address the immediate issues.

Carolyn Feroben referred to her history with the Historic Sites and Records Preservation Commission since 1999; the maintenance inspections and requirements of Resolution No. 88-57; and she asked several questions relative to the Courthouse and issues that have been raised.

Ruth Sellers/member of the Historic Sites and Records Preservation Commission provided input on the National Registry designation;

advised of the Commission's request for assistance and attempts to become a Certified Local Government; and she urged the Board to address local issues such as the Courthouse versus the focus on Yosemite.

Matt Freeman stated he is available to Public Works or to the Courts to provide information he has on the history of the Courthouse.

Carolyn Feroben suggested involving the public and the Historic Sites and Records Preservation Commission in the discussions.

Neal Stonum stated he serves as a docent for the tourists at the Courthouse; and he commented on the need to address and care for this building.

Eleanor Keuning stated she serves as a docent for the tourists at the Courthouse and she feels that maintenance and safety issues need to be addressed; and she asked why the Historic Sites and Records Preservation Commission was not involved.

Discussion was held. Supervisor Cann asked that the County Administrative Officer and the Courts provide information on available funding; and he noted that once the structural investigation is complete, there will be a work plan. Rick Benson provided input on the status of available funding and options.

(M)Cann, (S)Allen, authorization was given to the Public Works Director to start today on emergency repairs and to come back for official authorization; to retain a reputable firm to begin a qualified historic structural investigation of how to move forward. Following input from Peter Rei, the motion was amended, agreeable with the maker and second, to clarify that the investigation be from an historic and structural standpoint/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

3. Public Works RES-2012-298

Approve Budget Action Reducing the Unfunded Liability Designation and Transferring the Funding to the Don Pedro Fire Station Fund (\$28,615), the Fish Camp Fire Station Fund (\$269,469), and the Midpines Fire Station Fund (\$190,525) in Order to Fund the Bids that Were Received for the Construction of These Fire Stations (\$488,609). 4/5ths Vote Required

Discussion was held with Peter Rei. Supervisor Bibby asked County Counsel about the status of concerns expressed by the Auditor; and he advised that he is reviewing the concerns.

Supervisor Turpin initiated discussion relative to the status of receiving written authorization to extend the grant for the fire stations; and Jim Wilson/Fire

Chief responded. Discussion was held with County Counsel relative to his recommendation that the contracts be contingent on receiving an extension in writing. The motion was not amended, and Peter Rei clarified that he can award the contracts without receiving a written extension.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. **Health RES-2012-268**

Approve Budget Action Transferring Funding from the Health Budget to the Land, Building, Improvements Fund to Allow for Additional Remodel Work of the Health Department Building (\$12,575). 4/5ths Vote Required

Chair Bibby, at the beginning of the meeting, announced that action was taken on the Health Department remodel budget item on May 22nd and that this item was inadvertently duplicated to this agenda.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

5. **Fire RES-2012-299**

Adopt the Mariposa Countywide Community Wildfire Protection Plan (CWPP) with the Recommended Revisions

Discussion was held with Jim Wilson, and he advised of the revisions, and that this is an update to the 2009 Plan. Supervisor Bibby asked that the wording be corrected to reflect the "Catheys Valley Community Plan" to be consistent with the General Plan - The Plan was approved with this correction.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

6. **Administration RES-2012-300**

Approve the Agreement with Matthew Freeman to Allow for the Removal of the Garber House; Authorize County Administrative Officer (CAO) to Extend the Agreement, If Necessary, Due to Possible Permitting Delays, and Authorize the Board of Supervisors Chair to Sign the Agreement

Discussion was held with Rick Benson relative to his recommendation and relative to the Fish and Game fees. Supervisor Cann advised that he will work on trying to recoup the Fish and Game fees. Supervisor Turpin stated he feels that Fish and Game should be asked how the County benefits from the payment of fees on this matter.

The requested action was approved. County Counsel clarified that the action includes authorization for the County Administrative Officer to extend the agreement, if necessary; and the motion was amended by the maker and second accordingly.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

L. Items removed from Consent Agenda

None

M. 12:51 p.m. - Lunch

N. 2:00 P.M. LOCAL AGENCY FORMATION COMMISSION (LAFCo) Meeting (See Separate Minutes)

O. 2:32 P.M. Reconvened as Board of Supervisors

7. 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 is a Public Hearing and that the following

item/Ordinance is a part of this hearing. Kris Schenk and Sarah Williams were present to respond to questions. Damon Golubics presented the staff report, and he advised that this application will be continued to June 19th so that the General Plan Amendments are processed together. Sarah Williams provided input on processing the General Plan Amendments.

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

Steven McCorkle/applicant advised that he does not have anything to add, but is here to answer questions.

Staff responded to a question from the Board and clarified the hearing process.

Merlin Jones stated he feels that the Blackberry Inn is a very good project for the County. Mr. McCorkle extended an open invitation for everyone to visit.

The public portion of the hearing was closed.

Action was taken to continue the hearing to June 19th at 2:00 p.m.

**RESULT: CONTINUED BY MOTION [UNANIMOUS] Next: 6/19/2012
9:00 AM**

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

8. 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)

Action was taken under the previous item to continue the hearing to June 19th at 2:00 p.m.

**RESULT: CONTINUED BY MOTION [UNANIMOUS] Next: 6/19/2012
9:00 AM**

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

9. 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 that the following item/Ordinance is a part of this hearing. Kris Schenk and Sarah Williams were present to respond to questions. Larry Enrico/Senior Planner presented the staff report, and he advised that this application will be continued to June 19th so that the General Plan Amendments are processed together. The public portion of the hearing was opened and there was no public input. The public portion of the hearing was closed. Action was taken to continue the hearing to June 19th at 2:00 p.m.

RESULT: CONTINUED BY MOTION [UNANIMOUS] Next: 6/19/2012 9:00 AM

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

10. 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)

Action was taken under the previous item to continue the hearing to June 19th at 2:00 p.m.

RESULT: CONTINUED BY MOTION [UNANIMOUS] Next: 6/19/2012 9:00 AM

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

11. Personnel/Risk Management (ID # 1462)

Approve a Three Year Memorandum of Understanding (MOU) with the Mariposa County Managerial and Confidential Organization (MCMCO) Effective November 1, 2011 and Authorize the Board of Supervisors Chair

to Sign the MOU; Authorize the Auditor to Transfer Appropriations to Each Affected Budget Unit in Order to Implement the Provisions of the MOU

Rick Benson presented the recommendation for the three-year MOU, and he advised that a side letter will be done with the Union for the medical benefits. Supervisor Bibby expressed concern with the different employee contribution rates between those hired prior to November 2011 and those hired afterwards. Supervisor Cann expressed concern that final negotiations on the MOU will cost the employees two percent and will not save the County anything and he questioned whether the MOU should be approved. Supervisor Turpin stated he feels it is a benefit to have the employees pay their eight percent share of the retirement costs. Discussion was held.

Input from the public was provided by the following:

Sarah Williams stated she was on the negotiating team for MCMCO, and she advised that the focus of the negotiations was on the percentages over the three-year term of the MOU. It was not until they had a red-lined version of the MOU, after the negotiations, that they got the details and realized that there was a difference in the employee contribution rates for those employees hired before and those hired after November 2011. She responded to questions from the Board and advised that they went into negotiations not asking for an increase, but they did not expect to lose anything; and they felt that there would be some benefit to the County with the tentative agreement that was reached.

Further discussion was held, including ramifications if the County does not proceed with the portion for employees to pay their portion of the retirement costs, and with keeping the medical benefits agreement. Further discussion was continued until after the following announcement.

Rick Benson announced that information was just received from the Fire Chief that the Mt. Gaines Fire jumped Corbett Creek and that six structures are under threat.

The Board continued with discussion on the MOU with MCMCO, the issues raised, consideration of continuance, and timeframes for dealing with this matter and the changes with CalPERS. Steve Dahlem/County Counsel responded to a question relative to the status of the MOU.

The motion to approve the MOU failed. Further discussion was held.

RESULT: FAILED [2 TO 3]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Lee Stetson, Lyle Turpin

NAYS: Janet Bibby, Kevin Cann, Jim Allen

P. Closed Session

12. County Counsel (ID # 1459)

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

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

13. Administration (ID # 1475)

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

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

14. Administration (ID # 1476)

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

The Board convened in the closed sessions at 4:25 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

5:22 p.m. Report from Closed Session:

Chair Bibby announced the following: anticipated litigation/information was received and direction was given; Planning Director recruitment/information was received and direction was given; and Health Officer recruitment/information was received and direction was given.

Q. Continue Meeting to June 15, 2012, at 8:30 A.M.

1. **Administration (ID # 1406)**

Continue the June 12, 2012, Meeting to Friday/June 15, 2012, at 8:30 A.M. for Closed Session for Department Head Performance Evaluations

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Recess

The Board recessed at 5:25 p.m. in memory of Glenn Binning, Marion H. Merrill, Evelyn Keller, Clinton "Dute" Preston, Betty Jeanne Bulik, Esther Johnson, and Mary Jane Bates.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

P.O. Box 784 Mariposa, CA 95338 (209) 966-3222
5100 Bullion Street
<http://www.mariposacounty.org/>



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

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

June 15, 2012

SPECIAL MEETING

I. Call to Order at 11:03 a.m.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	11:03 AM
Lyle Turpin	District II Supervisor	Present	11:03 AM
Janet Bibby	District III Supervisor	Present	11:03 AM
Kevin Cann	District IV Supervisor	Present	11:03 AM
Jim Allen	District V Supervisor	Present	11:03 AM

II. 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.

III. Introductions

None

IV. Public Presentation

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

V. Closed Session

1. Administration (ID # 1514)

Special Meeting 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

The closed session was held at 11:05 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

VI. 12:09 p.m. Adjourn

The result of the closed session was announced at the June 19th meeting.

The Board adjourned.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



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JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

June 15, 2012

I. Call to Order at 8:43 a.m.

There is no audio of this meeting as the only matters were for closed session.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	8:43 AM
Lyle Turpin	District II Supervisor	Present	8:43 AM
Janet Bibby	District III Supervisor	Present	8:43 AM
Kevin Cann	District IV Supervisor	Present	8:43 AM
Jim Allen	District V Supervisor	Present	8:43 AM

II. (Meeting Continued from June 12, 2012)

III. Closed Session

The Board convened in closed session for the following matters:

1. **Administration (ID # 1401)**

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: County Fire Chief

2. **Administration (ID # 1402)**

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: Child Support Services Director

10:52 a.m. Recess and Lunch

1:35 p.m. The Board reconvened in closed session for the following matter:

3. **Administration (ID # 1404)**

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: Human Services Director

The result of the closed sessions was announced at the June 19th meeting.

IV. 2:57 p.m. Adjourn

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



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KEVIN CANN
JIM ALLEN

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

June 19, 2012

A. Call to Order and Roll Call

9:04 AM Meeting Called to Order at the Mariposa County Government Center

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:04 AM
Lyle Turpin	District II Supervisor	Present	9:04 AM
Janet Bibby	District III Supervisor	Present	9:04 AM
Kevin Cann	District IV Supervisor	Present	9:04 AM
Jim Allen	District V Supervisor	Present	9:04 AM

Chair Bibby announced that as a result of the closed sessions held at the continued meeting on June 15th that performance evaluations were conducted for the department heads and no action was taken; and as a result of the closed session held at the special meeting on June 15th that information was received and direction was given/MCMCO labor negotiations.

Chair Bibby further advised that the MCMCO MOU item has been withdrawn from this agenda by the County Administrative Officer; and the Local Hazard Mitigation Plan has been withdrawn from this agenda by the Fire Chief.

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.

C. Introductions

Supervisor Cann introduced Woody Smeck/Deputy Superintendent of Yosemite National Park; and he provided input on his background with the Park Service.

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: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration/Economic Development RES-2012-303

Approve Budget Action Transferring Funds Within the Microenterprise Fund to Allow for Adequate Funding for Administrative Costs (\$12,500).

CA2. Administration RES-2012-304

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

CA3. Administration RES-2012-305

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

CA4. Victim Witness RES-2012-306

Approve Budget Action Increasing Revenue and Appropriations in the Vertical Prosecution Grant Budget (\$139); Ratify the District Attorney's Signature on Grant Amendment No. 9 that Supersedes the Previous Grant Amendment No. 9 to Accept the Additional Funding. 4/5ths Vote Required

CA5. Human Services RES-2012-307

Approve an Agreement with Mother Lode Job Training (MLJT) to Provide Assessment Services for Individuals in the CalWORKs Program that Totals \$30,000 for Fiscal Year 2012/2013, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA6. Agricultural Commissioner RES-2012-308

Authorize the Agricultural Commissioner to Overfill a Secretary Position in the Agricultural Commissioner/University California (UC) Cooperative Extension Budgets Effective September 4, 2012, for Training Purposes

CA7. Human Services (ID # 1445)

Reappoint Dusty Luker to the Alcohol and Drug Abuse Advisory Board for a Term Expiring June 19, 2015

CA8. Public Works RES-2012-309

Approve the First Amendment with Technicon Engineering Services to Increase Compensation in the Amount of \$795, and Authorize the Public Works Director to Sign the Amendment

CA9. Victim Witness RES-2012-310

Approve a Lease Agreement with Marc and Tracy Lingenfelter for Victim/Witness Services Office and Child Abuse Forensic Interview Room Located at 5080 Jones Street, Mariposa, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA10. Public Works RES-2012-311

Approve Budget Action Transferring Funding Within the Solid Waste Fund to Avoid a Shortfall in the Interest Payment for the D6 Bulldozer (\$1,855).

CA11. Probation RES-2012-312

Approve an Agreement with CaseloadPRO Case Management Services to Provide a Full Featured Case Management System for the Mariposa County Probation Department, and Authorize the Board of Supervisors Chair and Chief Probation Officer to Sign the Agreement

CA12. Human Services RES-2012-313

Authorize the Human Services Department to Fill a Vacant Office Technician Position in the Behavioral Health and Recovery Services Budget Effective July 1, 2012

CA13. Administration RES-2012-314

Approve the Fiscal Year 2011-2012 Adjusted Budget as Mariposa County's Preliminary Recommended Budget Which Will Serve as the Operating Budget Until the Adoption of the Fiscal Year 2012-2013 Final Budget in August 2012.

CA14. Administration RES-2012-315

Authorize the Auditor to Pay for Rescue 22 When the County Takes Possession of the Fire Apparatus in Fiscal Year 2012-2013

CA15. Human Services RES-2012-316

Approve a Behavioral Health Agreement with Country Villa Health Services for Psychiatric Hospitalizations in an Amount Not to Exceed of \$60,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA16. Administration RES-2012-317

Approve Budget Action Increasing Revenue and Appropriations in the Administration Budget to Account for Funding Received from a Settlement and to Allow for the Purchase of Replacement Computers (\$8,000). 4/5ths Vote Required

CA17. Administration RES-2012-318

Adopt a Resolution Designating the Mariposa County Arts Council as the County's Authorized Partner in the California Arts Council's State-Local Partnership Program

E. Presentations

1. Health RES-2012-301

Adopt a Resolution Recognizing and Commending Mariposa County's Public Health Nurses

Dr. Mosher/Health Officer commended the Public Health Nurses for their service. The following Public Health Nurses were present: Suzanne Turpin, Marna Klinkhammer, Margarita King, Sharleyne Javi, and Ruth McKinney.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Health RES-2012-302

Resolution and Tile Plaque Recognizing Marna Klinkhammer, R.N., P.H.N., Upon Her Retirement as Primary Public Health Nurse (Health Officer)

The resolution and tile plaque was presented to Marna Klinkhammer. Dr. Mosher commended her for her service.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

9:28 a.m. Recess

9:38 a.m. Reconvened

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 Stetson advised that he attended the ribbon

cutting ceremony for the National Park Service to occupy the Stroming building on Wednesday, along with other Board members. He attended the ceremony for the County sign/Highway 140, the fire station meeting, and a meeting in Midpines with the Bear Creek Trail committee on Thursday. He plans to attend a Bear Creek Trail meeting on Monday with the Public Works Director. He attended the Board meetings on Friday (department head performance evaluations and special meeting). The Midpines Town Planning Advisory Committee is scheduled to meet this evening.

Supervisor Cann advised that he attended the ribbon cutting ceremony for the Stroming building on Wednesday, and he commented on the history of trying to relocate Park Service employees. He attended the ad hoc sidewalk committee meeting on Thursday, and he advised of a study being conducted between 3rd and 11th Streets. He advised that they completed interviews of the three finalists for the Executive Director position for the Yosemite/Mariposa County Tourism Bureau on Friday. He attended the Friends of the Fair "sausage and suds" fundraiser on Saturday. He spent Father's Day reading the 892-page Board package for today's meeting. He met with Steve Waldron/CalTrans Compliance Officer on Monday, and he noted that Mr. Waldron is retiring at the end of July.

Supervisor Turpin advised that he attended the Board meetings on Friday (department head performance evaluations and special meeting). He advised the Coulterville Planning Advisory Committee meeting for last week was cancelled and it will be rescheduled. He had a telephone conversation with Maggie Dowd, and he advised of plans to burn noxious weeds. He referred to the recent fires in Hornitos and Hunters Valley, and he expressed concern with the removal of the dozer from Coulterville and fire fighting decisions made based on an endangered plant. He noted that he passed two logging trucks loaded with Sugar Pine logs this morning. He commented on the water level at Lake McClure and urged citizens to enjoy the Bagby Recreation area and boat ramp.

Supervisor Allen advised that he attended the ribbon cutting ceremony for the Stroming building. He attended the fire station meeting on Thursday. He also attended the Emergency Medical Care Committee meeting on Thursday - he stated they did not have a quorum and he noted the importance for people who volunteer for committees to attend the meetings; discussion was held relative to the distance that 5150-patients are having to be transported. He attended the Board meetings on Friday - department head performance reviews and special meeting.

Supervisor Bibby advised that she participated in a telephone conference call on Monday with neighboring counties relative to communications and internet service; she noted they are looking for participants; and a kick-off meeting will be held on June 28th in Murphys. She plans to attend the Foreign Trade Zone meeting on Thursday in Atwater. She

attended the Mother Lode Job Training meeting on Monday. She extended a special thanks to the Chamber of Commerce for conducting the photo dedication of the sign at the County line on Highway 140. She noted she is looking for a Commission on Aging representative for District III. She extended special thanks to all of the County and State personnel that responded to the Mt. Gaines Fire and to the citizens for their cooperation - she stressed the need for everyone to have the 100-foot fire clearance.

Supervisor Cann referred to the communications and internet service meeting and advised that Larry Cope from the Central Sierra Economic District will attend.

I. 9:59 a.m. LOCAL TRANSPORTATION COMMISSION

(Chair - Commissioner Lyle Turpin, Vice-Chair - Lee Stetson)

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

1. Public Works LTC-2012-9

Approve the Memorandum of Understanding (MOU) Between Caltrans and the Local Transportation Commission for Comprehensive Transportation Planning; and Authorize the Executive Director to Sign the MOU.

Discussion was held with Barbara Carrier/PWD-Assistant Director-Support Services.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Public Works LTC-2012-10

Approve an Agreement for Services with Ranch Fence for the Purchase and Installation of an Automatic Security Gate and Fencing; and Authorize the Executive Director to Sign the Agreement in the Amount of \$44,608.96

Pete Rei/Public Works Director advised that this item was shown on the agenda for the Board of Supervisors, but it is actually an LTC item. Steve Dahlem/County Counsel advised that it is okay for the LTC to consider this item as the Board also sits for the LTC and it is on the agenda.

Barbara Carrier presented the request.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

J. BOARD OF SUPERVISORS

10:07 a.m. Reconvened as the Board of Supervisors

K. Regular Agenda Items

1. Public Works RES-2012-319

Eliminate One Engineering Technician II Position in the Public Works Department Effective July 1, 2012.

Discussion was held with Pete Rei relative to the recommended staffing adjustment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Fire (ID # 1497)

Review, Comment, and Provide Direction on the Final Draft Version of the Local Hazard Mitigation Plan (LHMP)

This item was withdrawn at the request of the Fire Chief.

RESULT: WITHDRAWN

3. Sheriff's Office RES-2012-320

Approve Sheriff's Office Reorganization Effective July 1, 2012 to Better Support Jail Services by Unallocating and Unfunding One (1) Sheriff's Sergeant-Patrol Position in the Sheriff's Budget and Allocating and Funding Two (2) Jail Officer Positions in the Jail Budget; Authorize the Hiring of the Two Jail Officer Positions.

Discussion was held with Doug Binnewies/Sheriff relative to the requested reorganization; and he thanked the Chief Probation Officer and the Community Corrections Partnership for their assistance.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. Probation RES-2012-321

Approve a Professional Services Agreement with Mountain Crisis Incorporated (MCS) to Operate a One-Stop Services and Rehabilitation Center for Probationers and Jail Inmates in a Not to Exceed Amount of \$216,775, and Authorize the Board of Supervisors Chair to Sign the Agreement

Pete Judy/Chief Probation Officer presented the request for an agreement with Mountain Crisis Services for a day reporting center program. Chevon Kothari/Mountain Crisis Services Executive Director reviewed their history and services they provide; and she reviewed their proposal for the "center." Discussion was held. Pete Judy advised of corrections to the agreement to delete section 4.04 and to add termination by either party in section 7.03 - these changes were approved by County Counsel from a form standpoint.

Input from the public was provided by the following:

Ruth Catalan asked if Heritage House is still involved with this.

The agreement was approved with the noted corrections.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

5. Human Services RES-2012-322

Approve the 2012 Community Services Block Grant (CSBG) Subcontract with the Calaveras-Mariposa Community Action Agency (CMCAA), Agreement Number 12M-07 and Authorize the Human Services Director to Sign the Agreement and Any Subsequent Amendments Upon Approval of County Counsel; Approve Subrecipient Agreements with Capacity Consulting LLC(CC), Mountain Crisis Services - Ethos Youth Program (Ethos) and Authorize the Chairman of the Board of Supervisors to Sign the Sub-Recipient Agreements; Approve a Memorandum of Understanding (MOU) with the Mariposa County Parks & Recreation Department (P&R) and Authorize the Human Services Director to Sign the MOU; Approve Budget Action Increasing Revenue and Appropriations in the Community Programs Fund to Fund the Agreements (\$36,901). 4/5ths Vote Required

Discussion was held with Jim Rydingsword/Human Services Director relative to the CSBG subcontract and the other agreements and programs.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

6. Administration (ID # 1519)

Approve a Three Year Memorandum of Understanding (MOU) with the Mariposa County Managerial and Confidential Organization (MCMCO) Effective November 1, 2011 and Authorize the Board of Supervisors Chair to Sign the MOU; Authorize the Auditor to Transfer Appropriations to Each Affected Budget Unit in Order to Implement the Provisions of the MOU (Continued from June 12, 2012)

This item was withdrawn at the request of the County Administrative Officer.

RESULT: WITHDRAWN

L. Items removed from Consent Agenda

None

M. 11:00 a.m. Closed Session

1. Administration (ID # 1403)

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: County Health Officer

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Administration (ID # 1525)

Closed Session - Conference with County Labor Negotiator; Name of County Designated Representative: Richard J. Benson; Title of Unrepresented Individuals with Whom Negotiations Are Being Conducted: Appointed Officials

The closed sessions were held at 11:12 a.m.

Chair Bibby reviewed the afternoon schedule of the Board meeting, 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

12:06 p.m. Report from Closed Session:

Chair Bibby announced that information was received and direction given for the closed session/Health Officer performance evaluation, and information was received on the closed session/appointed officials.

N. 12:07 p.m. - Lunch**O. 2:06 p.m. Reconvene****1. Planning (ID # 1500)**

Public Hearing to Consider General Plan Amendment No. 2008-063, the Catheys Valley Community Plan; the Catheys Valley Community Plan (March 2011 Board of Supervisors Version) Contains Amendments Made by the Board of Supervisors as a Result of Workshops Conducted During 2010 and 2011. Give Direction to Staff for Processing and Preparation of Final Documents for Plan Action. The Proposed Plan Area is the Catheys Valley Vicinity, Including Areas Along Highway 140, Hornitos Road, Schoolhouse Road and Old Highway. the Proposed Plan Area Encompasses Approximately 26.2 Square Miles. the County of Mariposa is the Project Proponent. (Continued from June 12, 2012)

Chair Bibby clarified with staff that following the afternoon session that the public comment period will be continued to 6:00 p.m. for additional public comment.

Kris Schenk/Planning Director and Andy Hauge/Hauge Brueck Associates were present to respond to questions. Sarah Williams/Deputy Planning Director presented the staff report, including a review of the procedures, and advising that the March 14, 2011, version of the Catheys Valley Community Plan (CVCP) is what is being considered today. She advised that final action can not be taken today based on correspondence submitted on the Draft Supplemental Environmental Impact Report (DSEIR) and the Addendum to the DSEIR. She briefly reviewed the history of the CVCP, reviewed the list of 23 amendments that the Board directed be made to the CVCP in 2010-2011 and advised of correspondence that was distributed today on the last text amendment relative to community systems. She advised that public comment that was timely received on the DEIR is included in the agenda package and that responses to the comments will be prepared for inclusion in the Final SEIR. She reviewed the following issues: community systems, previous versions of the CVCP, and processing requirements. She advised that there are two pending projects under review and submitted a copy of these files to the Clerk of the Board prior to this hearing for the record for the CVCP: Major Subdivision Application Nos. 2009-052/JCS Capital Resources and 2012-042/Eugene D. and Dolores Fortner Family Trust, and she corrected information in the staff report relative to the status of Application No. 2009-052. She advised of additional correspondence that was received and distributed prior to the hearing: June 12th letter from Starchman & Bryant Attorneys at Law relative to the Fortner Family Trust water tank, June 19th letter from Andy Hauge to replace pages to delete reference to carrying capacity, and a June 19th memorandum from Sarah Williams providing a

recommendation for new text to implement the Board's previous direction that the creation of a community system that abates a public health problem is not prohibited. She reviewed the hearing process; and she advised that staff needs to complete the Response to Comments to finish the final EIR, prepare a resolution approving the CVCP and amend the General Plan accordingly, with findings. Chair Bibby asked that staff provide a copy of the recommended hearing/procedures process, and she asked for clarification of the noticing for additional public comment at 6:00 p.m.

The public portion of the hearing was opened and Chair Bibby asked that input be limited to five minutes per speaker; input was provided by the following:

John Brady, representing MERG, reviewed the high points of their previous concerns: major changes being made in the CVCP especially with density; stated he does not feel the community water and waste water systems were studied in the environmental report; provided input on why they do not feel that the SEIR is in compliance - agriculture, traffic impacts, climate change, cumulative impacts analysis, and reasonable range of alternatives; and he objected to the use of additional taxpayer dollars in this planning process. He stated he feels that a policy change to allow community systems is being requested to allow projects, and he feels that the applicants should pay for those costs and not the taxpayers. He commented on the landscape between Merced and Catheys Valley and he wants to see it maintained.

Steve Saunders expressed concern with MERG's letter and the process for the CVCP - he feels that the Board should listen to the residents of the community. He feels the Plan was an attack on agricultural land. They are simply a community that wants to be left alone. He feels that the first outline of the Plan was taken from Agenda 21.

Philomene Schultz Sherrell stated she has a working cattle ranch and is a hard working community member. She questioned why we have to keep going over the same territory. She feels the best stewards of the land are the ranchers, and she does not want the people from San Francisco coming in and telling them how and why to do things. She wants to preserve her property rights.

Jim Eason stated he is retired and living in Catheys Valley. He believes the Board has done a good job on coming back to the center of this issue and the main guiding document of the General Plan. Generally, he agrees with the CVCP, but there are a few wrinkles that still bug him. He thanked the Board for its effort.

Anita Starchman Bryant, Starchman & Bryant Law Offices, stated she is speaking on behalf of their clients - the Fortner Family Trust and their real property. She thanked the Board for taking the time to make sure the Plan meets the wishes of the residents and for the process; and she commented on the process from the original document. She advised that they have an

issue with the prohibition of community water and waste water systems - she feels that this policy contradicts the General Plan and they have counsel from Baker, Manock & Jensen here to speak on this issue. She expressed concern that staff has not been requested to come and tell the Board what they think about this prohibition; and she referred to the letter from the State Water Quality Control Board (SWQCB) questioning this prohibition.

Chris Campbell, attorney with Baker, Manock & Jensen, stated he has specialized in water quality and supply issues for over 28-years. He is convinced that clean water is the most important and scarcest resource that we have. He stated he feels that the ability to obtain water in a fractured groundwater system is spotty at best. He referred to the fire danger in the foothills and the need to have water available. He does not feel that you can have a fire sprinkler system on a single well. He feels that allowing a community waste water system to abate a public health problem is like trying to fix something after "the horse is let out of the gate." He feels there should be allowance for people to put in a community system to protect the groundwater resource; and he noted the new, smaller treatment plants are much better. He encouraged reconsideration of the prohibition of community systems.

Don Starchman, Starchman & Bryant Law Offices, referred to the past allowance for him to be able to address all issues. He referred to page 5-11, the section on "Average slope of subject property" and page 5-15, the section on "Slope" for commercial, and he asked that the language in these sections be clarified to reflect the previous direction that this applies to parcels with slopes over fifteen percent. He referred to the Fortner project and sprinkler system requirements to support community systems.

Lou Ann Sakaki, Catheys Valley, asked for clarification of whether there has been anything established that the current well water quality for residents in Catheys Valley is suffering. Staff nodded "no."

Don Starchman responded to the question about the water quality and advised that nitrates have been identified. He feels that Dave Conway/Environmental Health should be asked to provide information on the community systems.

Tim Miller, Miller Planning and Design, stated he represents the applicant for Major Subdivision Application No. 09-052. He feels the Board should be recognized for thoroughly reviewing this Plan. He does not agree with a previous speaker about defaulting to a previous Plan. He referred to the change in the amount of development of lots that can occur with this Plan versus what is currently allowed. He feels that community systems should be available and that will not change the amount of development that can occur, but would allow for flexibility in protecting the groundwater. He encouraged adoption of the March 14, 2011, CVCP.

Steve Fortner, Catheys Valley, stated he fails to see how their project of 22-lots will destroy the rural character. He asked how sprinkler

requirements can be met without a community system. He stated he feels that not allowing community systems is a targeted discrimination at the Fortners as no one else in the County has the same issue. They are okay with the General Plan, and they will fight over the issue of prohibiting the use of their water tank.

Jimmy Fortner, Trustee of the Fortner Family Trust, asked for County Counsel's input relative to their water tank. He noted that when the electricity goes out during the fires, homeowners will not be able to rely on well water - but, a gravity flow water tank could be used. He stated a community sewage system allows for the treatment of sewage from individual parcels with monitoring and would preserve the quality of the ground water. He asked for reconsideration of community water and wastewater systems.

Questions by Board/Clarification:

Sarah Williams and Andy Hauge responded to questions from the Board relative to the size of parcels adjacent to Agricultural Exclusive land use; and relative to the 15-percent slope issues and the text in the CVCP and the General Plan.

3:28 p.m. Recess

3:42 p.m. Reconvened

Chair Bibby advised that this portion of the hearing is for the Board members to ask questions or clarification for staff to review over the break and to address at the evening session. She clarified that those who spoke this afternoon will have another opportunity to speak during the evening session, but asked that the input not be duplicated from this session, and she advised that five minutes will be allowed per speaker.

Supervisor Turpin stated he feels we should stop at the countywide requirements for AB 32 and not add anything to the CVCP; he feels the sign regulations should be in compliance with the countywide sign ordinance policy that is being developed; and he asked for clarification of parcel size for residential subdivisions adjacent to Agricultural Exclusive land use and adjacent to Agricultural Working Landscape. Supervisor Cann commented on and asked for clarification on the process; stated he feels that the issue is mainly community water and sewer and he asked staff if the density has been reduced in the old Town Planning Area/440-acres with the CVCP; he asked staff why the Stuart project proposal has not been completed; he asked for clarification of the comment on the use of "carrying capacity" in the CVCP; and he commented on the Agricultural Exclusive land use and development discussion. Supervisor Stetson asked for clarification of whether an amendment to a Community Plan or Specific Plan affects the number of amendments allowed per year to the General Plan, and staff advised that those

amendments are amendments to the General Plan and there is a limit of four times per year. Supervisor Cann asked what the impact would be to the EIR if a modification is made to allow community water and sewer systems.

Supervisor Turpin referred to the project in Buck Meadows and asked what the disadvantage would be for allowing a community water supply system for commercial and residential fire sprinkler use.

4:00 p.m. Recess and Dinner Break

6:01 p.m. Reconvened

Chair Bibby asked staff to respond to the questions that were raised during the afternoon session. Sarah Williams responded to the following questions:

- slope issues for residential and community commercial - She suggested a change to the text for both sections.
- AB 32/greenhouse gas regulations - She advised that the mitigation measures were based on a ruling from the Attorney General. Andy Hauge responded to additional questions from the Board, and he commented on the requirements for this Plan and for future Plans and projects.
- sign standards - She advised that there are standards in the CVCP that are unique to Catheys Valley.
- development of residential land use that is adjacent to Agricultural Working Landscape - She advised that six places were found in the Plan where the minimum parcel size is shown as five-acres. Supervisor Turpin stated he does not feel that this is clear in the EIR.
- disadvantages to having a community water supply for fire sprinkler systems - She responded that there are none.
- whether there is a rational basis for prohibiting community systems - She responded that there can be issues with effectively running community systems that are small or where there is a small number of parcels available to maintain the system financially. She further noted that the State is always changing the standards and reporting and monitoring requirements. Sarah Williams and Andy Hauge responded to additional questions from the Board relative to being able to review individual project proposals, and conducting a financial analysis.
- change in density for the Town Planning Area - She reviewed the changes made with the 2006 adoption of the General Plan that changed density from allowance of 9,000-square foot parcels to 2 ½-acre minimum parcel size; and five-acre minimum parcel size for land adjacent to Agricultural Exclusive. Supervisor Cann clarified that this Plan reduces the density. Supervisor Bibby asked how it would work if the land use changed on the Agricultural Exclusive parcel(s) in the future.

- status of the two major subdivision applications that are on file - She advised that the agent for the 2009 application has asked to address the Board on the status from his perspective; and she reviewed the timeframes allowed in State law and the status of each of the applications.
- “carrying capacity” text in the Plan - Andy Hauge advised that following the March 2011, direction from the Board that he assigned a staff member to assist with the comments and he took the approach of sustainability and he missed deleting this reference in one place. He recommended that this reference be removed from the Plan.
- whether an amendment to the CVCP is an amendment to the General Plan - She advised that it is - it affects Volume 2 of the General Plan.
- impact of amending the CVCP to allow community systems - She advised that they need to determine whether making this amendment would result in significant impacts that were not disclosed in the environmental documents. They would need to look at the General Plan and staff advised that there are potential time and costs implications.
- whether there is anything in the CVCP that would prevent a fire suppression system from being supplied by a water system that is separate from the well for the house - She advised that the prohibition is for domestic purposes and not fire protection or sprinkler purposes. Supervisor Allen asked about being able to do a General Plan Amendment in the future for community water systems.

Staff responded to questions from the Board relative to the environmental review for the original Plan in 2009 and for the 2006 General Plan relative to community systems.

Input from the public was provided by the following:

Anita Starchman Bryant, on behalf of the Fortner Family Trust, stated she feels that community water and sewer systems have already been analyzed in the EIR for the General Plan. She noted that the possibility of creating lots smaller than 2 ½-acres has been eliminated and that growth control has been accomplished. She referred to a letter from the Regional Water Quality Control Board relative to the County’s prohibition of the systems. She referred to the rationale that was given for prohibiting the systems and stated that she feels that all of those same arguments could be made for individual wells and septs and fire sprinklers. She requested that there be an opportunity for an applicant to come forward with an application for those systems subject to review by the Health Department and meeting the regulations. She thanked the Board for the open discussion and for making the changes to the Plan.

Steve Saunders referred to the information from Andy Hauge relative to stewardship, and he referred to the operation of his property and his

stewardship of his land. He questioned the definition of “stewardship” and expressed concern that it comes from the outside and imposes on us how to live. He feels “stewardship” is a living thing versus a rigid idea.

Bob Stark, Catheys Valley, stated he feels that Fortner’s water storage tank should be used for the residents versus individual tanks on the lots.

Jim Eason referred to the sign regulations, and stated he feels that having it more restrictive in Catheys Valley creates a problem with compliance. He feels that consistency makes compliance easier and more cost effective to manage. He referred to his experiences with working with CalTrans on signs.

Tim Miller responded to the question that was raised relative to the status of the 2009 major subdivision application, and he advised of the studies that they have conducted and he reviewed the remaining information that needs to be provided. He advised that they have not gathered the remaining information because of the economy and that the long, protracted nature of this Plan has had a chilling effect on his clients. He feels that the adoption of the CVCP will allow them to use the environmental work for their project. They are looking to be consistent with the Plan, and they are looking at a redesign and re-submittal. He feels that if the Board agrees with the rationale for prohibiting community water and sewer systems that they should be prohibited throughout the rest of the County; and he does not feel that is the case. He feels that the County can tier off of the SEIR with the environmental work that has been done.

Don Starchman stated the community water and sewer systems were specifically provided for in the General Plan, and he does not feel that there is any rationale for having something special for Catheys Valley. He feels that we should tier off of the General Plan and not spend more money on consultants.

Philomene Sherrell thanked the Board for this process and stated she feels we should move forward with this Plan. She noted that the people in Catheys Valley are unique.

Ken Wagner stated he agrees with Philomene Sherrell relative to this process and he commended the Board. He noted that it has been a battle for the citizens.

The public portion of the hearing was closed.

7:19 p.m. Recess

7:28 p.m. Reconvened

Chair Bibby advised that this portion of the hearing is for Board deliberations relative to mandatory procedures.

Staff responded to questions from the Board relative to the process from this point and the chronology that will set in place, including the targeted date for the SEIR. Sarah Williams advised that staff is looking for direction to prepare the final documents for action on the CVCP; staff has identified what they consider to be minor amendments, but need to hear from the Board if there are other edits/amendments. They will prepare a final EIR, Response to Comments and a formal resolution with findings to support the recommended action and final EIR. They are targeting July 10th to come back, and she noted that this is a General Plan Amendment and that there are two other General Plan Amendments on today's agenda that will be continued to July 10th depending on the Board's direction on the CVCP. If major amendments are made to the Plan, staff will come back with information.

Sarah Williams responded to a question from Supervisor Cann relative to the environmental review in the General Plan and the 2009 version of the CVCP of the community water and sewer systems, taking into consideration the comments from the Regional Water Quality Control Board, as to whether the CVCP could be changed at this time to allow those systems without changing any densities or recirculating the SEIR if the Board agrees. She advised that they would need to hear what the changes are that the Board directs and whether additional information is needed before a final determination is made. Kris Schenk responded that if the Board stays with minor amendments to the Plan, staff can bring it back on July 10th; potential major changes in the language and consequences will need to be evaluated by staff under CEQA (California Environmental Quality Act) and that will delay the process and that might have cost and time implications, including possibly needing to go back to the Planning Commission for review of the changes. Based on the comments that were received, he feels that this is a change that would need to be reviewed before giving an opinion. Supervisor Bibby commented on the committee's consideration of community systems and concerns. Steve Dahlem/County Counsel provided a reminder that this is the time in the hearing process for staff to provide information on mandated procedures only, or the public portion would need to be reopened. Further discussion was held on the community systems and the process for the CVCP and options for a General Plan Amendment in the future. Supervisor Allen stated he feels that the Plan needs to move forward with the corrections from staff, and a General Plan Amendment for community systems could be looked at in the future. Supervisor Turpin asked if it would be more economical to consider the community systems at this time, and he requested that legal counsel respond to the questions relative to the status of the environmental review for the community systems. Supervisor Stetson agreed with directing staff to prepare the final documents to move

forward at this time. Supervisor Cann stated he feels that the prohibition of community systems is a conceived way of limiting development and feels that at some point there will be reconsideration; and he agrees with the need to bring this Plan to a conclusion. Sarah Williams responded to a question from Supervisor Turpin relative to an applicant being able to finance an EIR for a community water and sewer system; and she advised that an amendment can either be County sponsored or private applicant/developer sponsored.

(M)Allen, (S)Stetson, to recommend the Plan with the revisions, as discussed, was restated after the following input. County Counsel advised that staff is not looking for final action; just direction to process the CVCP with the minor revisions and to bring the Plan back at the continued public hearing on July 10, 2012, at 2:00 p.m.; and the motion was amended accordingly, agreeable with the maker and second/Ayes: Stetson, Cann, Allen; Noes: Bibby, Turpin.

RESULT: DIRECTION GIVENNext: 7/10/2012 9:00 AM

2. 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)

Sarah Williams recommended that the hearing be continued to July 10, 2012, at 2:00 p.m. to coordinate adoption with the CVCP General Plan Amendment. There was no public input on the recommendation for a continuance. Supervisor Turpin expressed concern with the further delay of this item, and he requested that this hearing be scheduled before the CVCP hearing. The hearing was continued to July 10, 2012, at 2:00 p.m.

**RESULT: CONTINUED BY MOTION [UNANIMOUS] Next: 7/10/2012
9:00 AM**

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

3. 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)

This item was continued to July 10, 2012, at 2:00 p.m.

**RESULT: CONTINUED BY MOTION [UNANIMOUS] Next: 7/10/2012
9:00 AM**

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. 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)

Sarah Williams recommended that the hearing be continued to July 10, 2012, at 2:00 p.m. to coordinate adoption with the CVCP General Plan Amendment. There was no public input on the recommendation for a continuance. The hearing was continued to July 10, 2012, at 2:00 p.m.

**RESULT: CONTINUED BY MOTION [UNANIMOUS] Next: 7/10/2012
9:00 AM**

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

5. 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)

This item was continued to July 10, 2012, at 2:00 p.m.

RESULT: CONTINUED BY MOTION [UNANIMOUS] Next: 7/10/2012 9:00 AM

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

P. Adjournment

The Board adjourned at 8:05 p.m. in memory of Harold "Hal" Locke.

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

June 26, 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 the loss of lives over the weekend and for the families and friends, and for the emergency personnel who responded (there were several incidents over the weekend).

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 that the Statement of Votes Cast for item 10 was distributed on June 25th.

Input from the public was provided by the following:

Eleanor Keuning referred to item 17 and asked that the department provide information on the materials that generated.

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-2012-324

Approve an Extra-Help Employment Agreement with Dr. Charles Mosher for Services as County Health Officer, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA2. Personnel/Risk Management RES-2012-326

Adopt a Resolution Rescinding Resolution No. 12-295-A Which Reduced the Amount the County Pays and Reports as the Value of Employer Paid Member Contributions (EPMC) for Appointed and Elected Officials

CA3. Personnel/Risk Management RES-2012-327

Adopt a Resolution Rescinding Resolution No. 12-295-B Which Reduced the Amount the County Pays and Reports the Value of Employer Paid Member Contributions (EPMC) for Employees of the Mariposa County Managerial and Confidential Organization (MCMCO)

CA4. Personnel/Risk Management RES-2012-328

Adopt a Resolution Rescinding Resolution No. 12-295-C Which Applied to Service Employees International Union (SEIU) Employees who Continue to Receive the Payment of and Reporting of Employer Paid Member Contributions (EPMC)

CA5. Health RES-2012-329

Approve Budget Action Transferring Funds from Health Budget to the Land, Building, and Improvement Fund to Offset Costs of Remodel Work at Health Department Building (\$2,425) 4/5ths Vote Required

CA6. Administration/Economic Development RES-2012-330

Approve Budget Action Transferring Funds Within the Microenterprise Fund to Allow for Adequate Funding to Clients for Micro-Loans (\$45,845).

CA7. Human Services (ID # 1512)

Accept the Resignation of Jennifer Gamble from the Mental Health Board Per Article II, Section 19, of the Mariposa County Mental Health Board Bylaws

CA8. Human Services (ID # 1511)

Accept the Resignation of Emma Levy and Joey Curti from the Mental Health Board

CA9. Victim Witness RES-2012-331

Approve Budget Action Transferring Funding Within the Victim Witness Budget to Reflect Anticipated Expenses through the Remainder of the Fiscal Year (\$1,180); Ratify the District Attorney Signing the Grant Modification Reallocating These Funds.

CA10. Treasurer-Tax Collector-County Clerk RES-2012-332

Accept the Statement of Votes Cast as Certified to the Secretary of State on June 25, 2012

CA11. Public Works RES-2012-333

Approve Budget Action Transferring Funds Within the Mariposa Pines Sewer Budget to Allow for the Repair of a Pump Located at the Lift Station (\$9,500)

CA12. Human Services RES-2012-334

Approve Budget Action Increasing Revenue and Appropriations in the Human Services Administration Budget and Transferring Funds Between Line Items to Meet Year-End Operating Costs (\$12,000). 4/5ths Vote Required

CA13. Child Support Services RES-2012-335

Approve the Plan of Cooperation Between the Department of Child Support Services and Mariposa County Superior Court, and Authorize the Board of Supervisors Chair to Sign the Plan

CA14. Public Works RES-2012-336

Approve a Professional Services Agreement with Fujii Civil Engineering in the Not-To-Exceed Amount of \$24,000 to Assist with Solid Waste and Household Hazardous Waste Engineering and Authorize the Public Works Director to Sign the Agreement

CA15. Human Services (ID # 1487)

Accept the Resignation of Alcohol and Drug Abuse Advisory Board Member LuEllen Luker

CA16. Public Works RES-2012-337

Approve the Third Amendment with Golder Associates to Extend the Term of the Agreement to June 30, 2013, and Authorize the Board of Supervisors Chair to Sign the Amendment

CA17. Public Works RES-2012-338

Approve the First Amendment to the Professional Service Agreement with Karen Dusek Extending the Term of the Agreement to June 1, 2013, and Authorize the Board of Supervisors Chair to Sign the Amendment.

CA18. Administration/Economic Development RES-2012-339

Adopt a Resolution Approving a Pledge of "In-Kind" Services in the Amount of \$2,500 for Technical Assistance Under the United States Department of Agriculture Rural Business Enterprise Grant

CA19. Administration RES-2012-340

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

CA20. Administration RES-2012-341

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

CA21. Building RES-2012-342

Approve Budget Action Transferring Funds Within the Building Department Budget to Allow for Additional Extra-Help Hours through the Remainder of the Fiscal Year (\$950)

CA22. Administration RES-2012-343

Rescind Resolution No. 12-269 Regarding Department Head and Elected Officials Compensation Adjustments

E. Presentations

1. Board of Supervisors RES-2012-323

Resolution and Tile Plaque Recognizing Kris Schenk, Upon His Retirement as Planning Director (Chair Bibby)

Board members commended Kris Schenk for his service to the County, and he was presented with the resolution and tile plaque.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

9:25 a.m. Recess for Refreshment Break

9:45 a.m. Reconvened

F. Minutes Approval

- 1. Tuesday, June 05, 2012**
- 2. Friday, June 08, 2012**
- 3. Tuesday, June 12, 2012**
- 4. Friday, June 15, 2012**
- 5. Friday, June 15, 2012**

G. Departmental Presentation

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

Dr. Mosher/Health Officer provided information on a chicken pox outbreak and steps taken by the department to track the cases and of work with the Hospital to protect the patients.

Pete Judy/Chief Probation Officer recognized the presence of Marvin Wells and thanked him for being Chair of the Juvenile Justice Commission and for his leadership; and he thanked the Commission for its work.

Doug Binnewies/Sheriff advised that the department responded to about 217 calls for service over the weekend; he thanked all of the public safety members, including deputies and support staff for their response; and he advised of compliments that the department received for their response to the local media/press on the homicide. Supervisor Turpin thanked the Sheriff and staff for their response to the tragedy in North County. Board members expressed their appreciation for all public safety personnel.

H. Public Presentation

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

Les Marsden provided an update on the Arts Council events: this Saturday is the tenth anniversary season concert of the Mariposa Symphony Orchestra and the Youth Master Composer Celebration will be featured; on July 7th there will be a reception to meet the new Executive Director - Cara Goger at Chocolate Soup and following that the Trespassers will perform at the Art Park. He thanked the Board for its continued support.

Eleanor Keuning advised of the fireworks celebration scheduled at the Fairgrounds on July 4th. She advised that she and three other citizens attended the 5th Keeping Time (history and preservation) Conference in Sonora.

I. Board Information

Supervisor Cann advised that following the public hearing on the Catheys Valley Community Plan (CVCP) on Tuesday, he met with staff on Wednesday. The Tourism Bureau Board of Directors met on Wednesday afternoon and made a selection for their new Executive Director. He met with the Auditor on Monday on a variety of issues. Then he met with former Congressman Radanovich and Ms. Johnson/Coordinator of the local Tea Party Patriots on issues including the visitor services center project; and provided input on the status of the legislation for the Park Service to be able to purchase land for the project. He went to Catheys Valley on Monday evening for the

LeGrand Pizza Factory pizzas. He plans to meet with staff next Tuesday on the request for proposal that was received for the solid waste function, and he noted that there is no Board meeting on July 3rd. He advised that the Hospital Foundation is having a MASH party fundraiser on July 7th.

Supervisor Turpin advised that he attended the Solid Waste Oversight Committee meeting on Wednesday, and he plans to attend the meeting next Tuesday to review the proposal that was received. He advised that he had a telephone conversation with an individual in the North County relative to a potential project that would add to the transient occupancy tax revenue. He noted that he passed cattle trucks and PG&E equipment this morning, and that the power will be out in Coulterville for the PG&E project today. He plans to meet with Public Works and Planning later today relative to a project in Coulterville. He thanked all of the law enforcement and those involved in the various recent incidents in the County. He announced that the Coulterville Fire Brigade is holding its 44th annual deep-pit BBQ on July 7th.

Supervisor Allen advised that he attended a meeting and tour on the status of the Courthouse issues with a State representative present; and he advised that there are issues, but it is felt that the structure is stable. The issues they reviewed included: the need to remove some of the books in the Law Library due to their weight; supporting the weights for the clock; repairing one of the four air conditioning units; and he advised that the roof and foundation will be thoroughly reviewed. He plans to attend the fire station meeting and the Mental Health Board meeting on Thursday; and the AB109/Community Corrections Partnership meeting on Friday. He advised that information on traffic delays for County road projects will be provided to the Board members and to Technical Services for posting to the County's website.

Supervisor Stetson advised that most of the activities over the last week have been covered in the previous reports. He met with the Public Works Director and Assistant Director-Support Services on Thursday relative to the Bear Creek Trail committee project; and he attended the fire station meeting. He plans to meet with Dick Whittington/YARTS Manager. He advised that Sal's Taco Truck was in Midpines on Thursday evening - this was organized by the Ever Better Community and community members and was well attended.

Supervisor Bibby advised that she attended the Foreign Trade Zone meeting and they took a tour of the Castle Air Force Base as a part of the meeting. She attended the Mother Lode Job Training meeting on Monday. She plans to attend a sign ordinance meeting this afternoon; and she plans to attend a meeting that is being set up relative to the Merced/Mariposa Food Bank, and she is getting information from Merced County Supervisor Kelsey. She plans to attend a meeting on Wednesday relative to use of the

amphitheater. She referred to comments being made relative to the CVCP and she noted the importance of this Plan and the General Plan.

J. Regular Agenda Items

6. Board of Supervisors (ID # 1536)

Provide an Update on Yosemite/Mariposa County Tourism (Bob Warren, Interim Executive Director, Yosemite/Mariposa County Tourism)

Supervisor Cann welcomed Bob Warren/recently retired from tourism in the Redding area and Julie Hadzega/Administrative Coordinator; and he recognized and thanked the Directors of the Bureau that were present.

Bob Warren gave the semi-annual report and provided a status report on tourism. Kevin Shelton/Director thanked Bob and Julie for their work in the absence of the Executive Director; and he provided input on the status of their search to fill the Director position - an offer has been made to a candidate and they are in negotiations. Discussion was held.

10:51 a.m. Recess

11:02 a.m. Reconvened

7. Auditor RES-2012-325

Approve Reorganization of Auditor's Department to Take Effect July 1, 2012

Bill Davis/Auditor presented his request for reorganization of the department which includes: 1) reclassify one full-time Account Clerk III position to an Accounting Tech I/II position; 2) delete the Accountant II - Auditor position and allocate an Auditor Accountant I/II classification; and 3) approve a 9.75 percent equity pay adjustment to the Assistant Auditor. Rick Benson/County Administrative Officer advised that he recommends the reclassification request for the Account Clerk III position; does not recommend the Accountant II - Auditor position change, but agrees with changing wording in the Accountant I/II job description to accommodate all of the tasks; and he does not recommend the equity adjustment for the Assistant Auditor. Discussion was held. Debbie Isaacs/Assistant Auditor provided input on the history of the salary for the position in relation to the Assistant position in the Assessor and Treasurer's Offices, and relative to the change in the position from management to confidential classification. Further discussion was held.

(M)Cann, (S)Allen, Res. 12-325 was adopted approving the reclassification of the Account Clerk III position to an Accounting Tech I/II position as recommended, effective July 1, 2012, as a part of the reorganization. The motion was amended, agreeable with the maker and second, to delete the Account Clerk III position and add an Accounting Tech I/II position/Ayes: Unanimous.

Discussion was held on the Accountant II - Auditor position. Supervisor Cann noted that there was varying information presented on the percentages of the salary comparisons, and stated he would like to see more information. Supervisor Allen suggested that the request be considered in the context of the final budget for next fiscal year; and Bill Davis was agreeable. Rick Benson suggested, based on the Board's discussion relative to creating an Auditor - Accountant I/II unique position that direction could be given for personnel staff to come back with an analysis of the job description and salary.

Discussion was held relative to the Assistant Auditor position, and Supervisor Cann stated he would like to see more information on the analysis between the positions.

Input from the public was provided by the following:

Keith Williams/Treasurer-Tax Collector-County Clerk, provided input on the history of the job classifications and salaries and changes between the Assistant positions.

(M)Cann, (S)Allen, direction was given for the Accountant II - Auditor and Assistant Auditor requests to come back at an appropriate time, perhaps around final budget hearings, with additional information/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

K. 12:23 p.m. Local Transportation Commission

(Chair - Commissioner Lyle Turpin, Vice-Chair - Lee Stetson)

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

8. Public Works LTC-2012-11

PUBLIC HEARING to Take Testimony Regarding Possible Unmet Transportation Needs Within Mariposa County for FY 2012/2013 and Adopt a Resolution Finding One of the Following: A) There Are No New Unmet Needs; B) There Are No New Unmet Transit Needs that Are Reasonable to Meet; C) There Are Unmet Transit Needs, Including Needs that Are Reasonable to Meet; D) Grant a Continuance of the Public Hearing Until a Later Date

Barbara Carrier/Assistant Public Works Director-Support Services presented the staff report and advised that there are no unmet needs that are reasonable to meet. She responded to a question from the Commission clarifying the

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

Action was taken finding there are no unmet needs that are reasonable to meet. The hearing was closed.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

9. Public Works LTC-2012-12

Approve the First Amendment with Fehr & Peers Transportation Consultants to Extend the Term of the Agreement to December 31, 2012 and Authorize the Local Transportation Commission Chair to Sign the Amendment

Discussion was held with Barbara Carrier.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

10. Public Works LTC-2012-13

Adopt a Resolution Approving the Allocation of Transportation Development Act (TDA) Funds for Fiscal Year 2011-2012

Discussion was held with Pete Rei/Public Works Director and Barbara Carrier.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

11. Public Works LTC-2012-14

Adopt a Resolution Allocating the State Transit Assistance (STA) Funds for Fiscal Year 2011-2012

Discussion was held with Pete Rei/Public Works Director and Barbara Carrier. Commissioner Cann requested that information be provided on the allocation formula.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

L. 12:38 p.m. Board of Supervisors

Reconvene as the Board of Supervisors

M. Closed Session

12. Personnel/Risk Management (ID # 1531)

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

Closed session to be held at 1:40 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

13. County Counsel (ID # 1522)

CLOSED SESSION: Conference with Legal Counsel Regarding Existing Litigation: Jack Bankhead V. County of Mariposa; Mariposa Superior Court Case No. 10077

Closed session to be held at 1:40 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

14. County Counsel (ID # 1524)

CLOSED SESSION: Anticipated Litigation; Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9

Closed session to be held at 1:40 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

15. Personnel/Risk Management (ID # 1538)

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

Closed session to be held at 1:40 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

16. Personnel/Risk Management (ID # 1532)

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

Supervisor Bibby was excused at 12:43 p.m. for action on this matter and the following matter for the SMA and from those portions of the closed session due to a potential conflict of interest as her spouse belongs to a bargaining unit in the Sheriff's Department. Closed session to be held at 1:40 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

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

EXCUSED: Janet Bibby

17. Personnel/Risk Management (ID # 1533)

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

Closed session to be held at 1:40 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

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

EXCUSED: Janet Bibby

N. Items removed from Consent Agenda

None

O. 12:45 p.m. - Lunch

P. The Board convened in Closed Session at 1:47 p.m.

Q. 2:02 PM Reconvene**R. Report from Closed Session**

The Board reconvened with Supervisor Bibby excused for the following report. Vice-Chair Turpin announced that as a result of the closed sessions on labor negotiations with DSA and SMA that direction was given.

Supervisor Bibby was present at 2:04 p.m. and announced that as a result of the closed session labor negotiations with SEIU that information was received and direction was given. The remaining closed session items were continued to after the following matter.

Board of Supervisors (ID # 1537)**Don Neubacher, Yosemite National Park Superintendent, Presentation and Discussion on Traffic, Transportation and the Merced River Plan**

Superintendent Don Neubacher thanked the Board for its support and work on the Stroming building to house Park Service employees, and he commented on the status of legislation for visitor services. He reviewed Park visitation information, advising that Tioga Pass was closed the shortest amount of time in history this past winter; commented on the new transportation system from Groveland; advised the Tuolumne River Plan will be released in August/September for public review; they hope to be able to release the Merced River Plan in September for public review and they will come out with their preferred alternative; provided information on the YARTS passengers and tour bus passengers - they total ten percent of the visitation to the Park; advised of their meetings with the gateway communities; advised that Yosemite is now the largest fee collecting Park and a portion of those fees is being used to help fund pilot programs; and they are still working on transportation from Oakhurst/Fresno.

Kevin Killian/Chief Ranger of Yosemite National Park presented and reviewed graphs relative to traffic in the Park. He commented on traffic impacts during peak visitation periods. Earlier in the year they established a transportation coordination team to work on issues with the gateway partners and they are working on reaching an agreement with each. Their goal over the long term is to develop a regional transportation plan between the Park and the four gateways. He advised of the installation of traffic counters to help with implementing creative solutions for parking, and noted the trial pilot bus lane project and their traffic forecasts.

Discussion was held.

Input from the public was provided by the following:

Sally Abbott Uribe commented on her earlier experiences of going into the Park and the subsequent changes - she asked why those who

have year-around passes can't show their card and go straight through the entrance gate.

Eleanor Keuning suggested that there be consideration of having an "express bus" service for events like when the Symphony plays at the Ahwahnee; and she referred to the public comment period and online webinar.

2:49 p.m. The Board Reconvened in Closed Session

3:36 p.m. Report from Closed Session

Chair Bibby announced the following: Bankhead litigation - information was received; significant exposure to litigation - information was received and direction provided; and Planning Director - action was taken by (M) Turpin, (S)Stetson, appointing Sarah Williams as Planning Director by unanimous vote.

S. Adjournment

The Board adjourned at 3:37 p.m. in memory of Lynton Bridges.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors