



MARIPOSA COUNTY

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<http://www.mariposacounty.org/>



LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

July 9, 2013

A. Call to Order and Roll Call

9:01 AM The Meeting was called to Order at the Mariposa County Government Center.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:01 AM
Merlin Jones	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
John Carrier	District V Supervisor	Present	9:01 AM

B. Pledge of Allegiance

The Pledge was led by Supervisor Bibby followed by a moment of silence for the Arizona firefighters who recently lost their lives, as well as for Mariposa community volunteer, Bob Rudzik.

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.

No public comment.

Regarding CA6, Supervisor Bibby requested confirmation that reimbursement monies can be put towards the Mental Health Services Act Fund pay back or into the Reserve

Account. Mr. Rydingsword affirmed. She also complimented Probation for their part in this matter.

Regarding CA10, Supervisor Cann requested clarification as to what the next step will be after performance of the subject agreement. Rick Benson/County Administrative Officer responded. Supervisor Bibby inquired if the cleanup, dump fees, and other fees will come from the Court funds. Mr. Benson responded affirmatively. Supervisor Carrier required clarification that the agreement conveyed only surface, and not sub-surface rights. Mr. Benson affirmed.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

CA1. Planning 2013-71

Appoint Bill Burke as the Alternate Member Representing the Mariposa Museum and History Center on the Historic Sites & Records Preservation Commission

CA2. Planning RES-2013-279

Authorize the Filling of the Assistant Planner Position by Promoting a Staff Member who is Currently a Planning Technician Effective Immediately; and Authorize Recruitment and Filling of the Vacated Planning Technician Position Effective Immediately

CA3. Human Resources/Risk Management RES-2013-280

Approve an Amendment to the Victim Witness Advocate Job Description by Adding a Substitution Clause to the Minimum Qualifications

CA4. Technical Services RES-2013-281

Declare the August 31, 2013 Labor Day Fair Parade a County Sponsored Event; Approve Issuance of a County Insurance Certificate; Approve the Application for a Caltrans Encroachment Permit; and Authorize the Chairman of the Board of Supervisors to Sign a Letter for the Encroachment Permit

CA5. Human Services/Behavioral Health & Recovery Services RES-2013-282

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

CA6. Human Services/Behavioral Health & Recovery Services RES-2013-283

Approve a Memorandum of Understanding Between the Mariposa County Probation Department and the Human Services Department to Provide Collection Services to Recover Outstanding Behavioral Health Client Account

Balances; and Authorize the Director of Human Services and the Chief Probation Officer to Sign the MOU

CA7. Human Services/Social Services RES-2013-284

Approve an Agreement with Mother Lode Job Training (MLJT) to Provide Assessment Services for Individuals in the CalWORKs Program in an Amount Not to Exceed \$30,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA8. Sheriff's Office RES-2013-285

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

CA9. Sheriff's Office RES-2013-286

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

CA10. Administration RES-2013-287

Approve an Agreement with Brent Smith for the Sale and Removal of Items on the Garber House Property and Authorize the Chairman of the Board of Supervisors to Sign the Agreement

CA11. Administration RES-2013-288

Resolution Continuing Local Emergency Due to the Wild Land Fire Known as the Carstens Fire

CA12. Administration RES-2013-289

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

E. Minutes Approval

1. Tuesday, June 18, 2013

No public or Board comment.

The June 18, 2013 Minutes were accepted as presented.

Jones (M); Carrier (S); Passed Unanimously.

F. Departmental Presentation

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

Dennis Troxell, former Commander of the Mariposa Area Office of the California Highway Patrol noted his promotion to the Modesto office and thanked the Board for their efforts and interactions over the past four years. He also announced that Becky Hagen was appointed to fill the position of Commander of the Mariposa unit, introduced her, and presented her with her lieutenant bars. Supervisor Bibby congratulated Lt. Hagen on her promotion, spoke to Commander Troxell's service to the County, and wished them both well. Supervisor Cann recognized Lt. Troxell for his exemplary service, and expressed his congratulations to Lt. Hagen. Supervisors Jones, Carrier, and

Stetson also congratulated both Lieutenants.

Rick Benson/CAO updated the Board on the Ferguson slide, noting that Caltrans is considering two alternatives: the R/rock shed alternative; and the T3/tunnel alternative. He also reported that they have prepared a draft environmental document with an anticipated release date in late July, after which there will be a 45 day public review period with two community meetings. Mr. Benson further reported that Caltrans will formulate its recommendation once that 45 day review period has passed, with the release of that recommendation expected this fall.

G. 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 Mariposa County Chamber of Commerce and Visitors Centers thanked Supervisor Jones for putting them in contact with a delegate from the Lesotho Water Commission in South Africa who will be here July 27-29 to tour Lake McClure. She also reported that the Chamber has three events that have been approved for the 150th Anniversary of Yosemite: the Car Show; the Yosemite International Automotive Film Festival; and the Butterfly Festival. She also noted that the event will be kicked off on June 24, 2014. Ms. McCorry invited everyone to the Gold Coin tomorrow evening from 4:00 PM to 6:00 PM for a showing of a kinetic sculpture by Sal Maccarone. Ms. McCorry also gave the visitor stats for June. She announced the grand opening for NativeEarth on July 23rd; handed out a fishing brochure; announced a Membership Meeting at the County Park on August 22nd; announced that Debbie Cooke will be appointed as a new Yosemite Gateway Partners Board member, replacing Candy O'Donel-Brown; announced a book signing by Chris Enss at the Visitor Center on August 17th; and reminded everyone that the Business Expo is next Wednesday from 4:00 PM - 7:00 PM at the Fairgrounds.

Tom Cooke/Mariposa County District Attorney spoke about his acquaintance and experiences with Lt. Troxell, and noted to Lt. Hagen that Lt. Troxell is only a phone call away.

Doug Binnewies/Mariposa County Sheriff also lauded Lt. Troxell and Lt. Hagen for their character, as well as their focus on public safety in Mariposa County.

1. **Clerk of the Board of Supervisors (ID # 2659)**

Handouts from the Public Presentation Portion of the July 9, 2013 Meeting

H. Board Information

Supervisor Carrier reported that he: attended the Yosemite Mariposa Regional Water Advisory Council Meeting on June 26th; attended the Ag Committee meeting on June 27th; attended the Economic Development meeting on June 27th; participated in a CSAC conference call on June 27th; had a meeting with Chief Wilson on June 28th; attended a fund raising dinner for Horizons Unlimited in Merced on June 28th; attended the ribbon cutting of the new Rancheria Campground at Huntington Lake on June 29th; met with Sarah Williams and White Chief Lodge representatives on July 2nd regarding off site signage; and attended the Historic Sites Meeting yesterday. Supervisor Carrier

advised that he will be attending: the Yosemite Gateway Partners meeting in Yosemite on Thursday; the fire station meeting on Thursday; the Lushmeadows Homeowners Meeting Saturday morning; the Ponderosa Basin Ice Cream Social Saturday afternoon; the Hospital Fundraiser dinner Saturday evening; and a meeting with the Human Services Director next Monday.

Supervisor Jones commented on the meaning of the 4th of July, and discussed the children of the Revolutionary War. Supervisor Jones reported: that his wife met with Cara from the Arts Council on June 26th regarding an Art Show that will be hosted in his home, probably in October; on his trip to the back country; that he emceed the 4th of July fireworks show with Sheriff Binnewies; on a July 5th meeting with an Engineer regarding the gateway sign on Highway 132; on a July 5th meeting with someone who is starting a mobile food service unit in District II; that he attended the fireworks show at Lake McClure on July 5th, which was the first such event for that area; attending the Coulterville Fire Brigade deep pit BBQ fundraiser on July 6th; attending the Greeley Hill Community Club Breakfast on July 7th; on his dinner last night with Mary Bass and Kris Casto, the Butterfly Festival winners of the dinner with him. Supervisor Jones advised that he will also be attending the fundraiser for the John C. Fremont Hospital.

Supervisor Bibby advised: of a Central Sierra Broadband Teleconference at 10:00 AM on July 10th; that she will be meeting with Ross Branch of Congressman McClintock's office on July 10th; that she will attend a fire station meeting on July 11th; and that she will attend a fire compensation and budget meeting on July 11th. Supervisor Bibby also extended her condolences to Marilyn Rudzik on the passing of her husband, Bob Rudzik, and recounted some of Mr. Rudzik's service to the County.

Supervisor Cann also spoke to Bob Rudzik's community involvement. He also announced that Jill Ballinger/Mariposa Gazette Editor has accepted a new position at UC Merced, and spoke to the quality of her work. Supervisor Cann reported: on the televised Congressional Hearing on the Merced River Plan this morning, giving a brief overview of those proceedings; on a meeting with Dr. Mosher, Supervisor Bibby, and others regarding event permitting, noting that particular credit goes to Dr. Mosher for his work with, and help to, the local businesses; on an Integrated Regional Water Shed Management Plan meeting last week; on continuing discussions with American Baptist Homes of the West; and on a Thursday meeting with a hotel developer who is potentially interested in putting in a higher end hotel. Supervisor Cann advised that he will be attending: the one year anniversary of the Arts Council's Gallery in the Trees, Friday at 5:30 PM; the Saturday night Hospital Foundation fundraiser at Casto's Vineyard at Mt. Bullion; and the Economic Development Workshop for elected officials here in the Chambers on July 17th.

Supervisor Stetson reported that he: attended the Midpines Advisory Board meeting with Brian Foucht and Sarah Williams on Tuesday evening; and had a Wednesday morning meeting with Planning and Public Works regarding Yosemite West issues. Supervisor Stetson advised that he will be attending: the El Portal Advisory meeting tonight; the Thursday morning Yosemite Gateway Partners Meeting; the Saturday morning Democratic Club meeting; the Mariposa Pines picnic Saturday afternoon; a meeting with Jim Rydingsword on Monday morning; and the Arts Council event on Friday. He also announced that there will be a number of Yosemite West issues on next week's agenda. Supervisor Stetson also discussed how much he enjoyed working with Bob Rudzik.

Supervisor Cann commented that he recently went to Lake Tahoe, where

the TOT was 20%.

Supervisor Jones commented on working with Bob Rudzik, noting his fairness as a Planning Commissioner. Supervisor Jones also thanked Jill Ballinger for her fairness in reporting.

Supervisor Bibby also offered her congratulations to Ms. Ballinger on her new position.

9:57 AM Chair Stetson recessed the Board for a ten minute break.

10:11 AM Chair Stetson reconvened the Board.

I. Presentations

1. Probation (ID # 2590)

Chief Probation Officer Presentation on Status and Impact of Assembly Bill (AB) 109 on Mariposa County

Pete Judy/Chief Probation Officer spoke to his experiences working with Lt. Troxell. He also congratulated Jill Ballinger on her new position.

Chief Judy prefaced his presentation by thanking Tierney Pretzer for all of her work on the preparation of this report. He also recognized his department, Ryan Oliphant/Assistant Chief Probation Officer, Tom Cooke, Bob Brown, Mike Fagalde, Sheriff Binnewies, Jim Rydingsword, former Board member Jim Allen, John Carrier, Judge Walton, Judge Parrish, and Chevon Kothari for all of their work and help, with special recognition of Codie Hart/Jail Lieutenant. Chief Judy then gave a PowerPoint presentation, with assistance from Ryan Oliphant.

Chair Stetson thanked Chief Judy and, especially, Ms. Pretzer for the report.

Supervisor Cann noted his appreciation for the approach that has been taken on this issue and, especially, the focus on the community.

Chief Judy made note of the fact that mixing the classifications presents a problem which will be ongoing; that there is \$100,000 set aside in the requested budget to address the issue; but that it will not, necessarily, be used. Discussion ensued between Chief Judy and Supervisor Bibby regarding same.

Supervisor Bibby also discussed potential challenges; what is happening with other counties who are beginning to experience overcrowding; and that, while she is glad to see monies being put into reserves, she is concerned that the amount is low. Chief Judy responded by discussing issues regarding reporting, as well as "one time only" funding. Supervisor Bibby extended her compliments to the entire team.

No public comment.

J. Regular Agenda Items

1. Planning RES-2013-278

Adopt Resolution No. 2013-278 Formalizing Action Taken on June 25, 2013 to Adopt a Resolution Denying Appeal No. 2013-028; an Appeal of the Planning Director's Determination to Rescind the 2009 Authorization of Multiple Building Permits on APN 016-220-008. Alfonse Castaldi, Property Owner. Ken Baker and Patricia Oakander, Appellants.

Chair Stetson announced that this item is to formalize action taken on

June 25, 2013 and not to revisit it in any way; that today's input will be restricted to the text or the format of the resolution only; and that speakers will be limited to five minutes.

Sarah Williams/Planning Director noted that the Findings that are included with the resolution are based on: the January 23, 2013 correspondence; the Staff Report for the appeal; and information that was presented and considered during the public hearing. She also noted the focus of today's issue.

No Board questions.

Public comment opened.

Ken Baker/Appellant in Planning Appeal No. 2013-028 spoke to the time and money he has spent on this project; and issues of the June 25, 2013 hearing.

Chair Stetson again noted the scope of today's item. Steven W. Dahlem/County Counsel further clarified.

Public comment closed.

No Board comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: John Carrier, District V Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

2. County Counsel RES-2013-290

Adopt a Resolution Declaring the Board of Supervisors Intention to Lease Grazing Property Located in the Hornitos Area

Steven W. Dahlem gave the staff presentation, noting that there is a correction to page 149, paragraph 6, which should read "a minimum bid" and not "a maximum bid."

Supervisor Bibby required clarification that the Lessors will be responsible for fencing, water and insurance. Supervisor Jones required clarification of language in the second item reading "cattle grazing; and". County Counsel responded to both concerns.

Supervisor Bibby inquired if this had to be limited to cattle grazing, and noted that she would like to see it amended to livestock grazing.

No public comment.

Supervisor Bibby moved to approve the item, modified to read "livestock grazing" rather than "cattle grazing," as well as the correction changing "maximum bid" to "minimum bid."

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

3. Administration (ID # 2592)

Approve an Amendment to the Airport Management and Lease Agreement with KMPI Airport and Rent a Car, Inc. and Authorize the Board of Supervisors Chair to Sign the Amendment

Rick Benson/County Administrative Officer gave the staff presentation. Mr. Benson gave a brief overview, noting that this item recognizes that KMPI pays the possessory interest taxes. He also noted that this agreement was approved by the Airport Advisory Committee.

Chair Stetson noted that the Board has received a communication from Ruth Catalan in this matter.

Supervisor Cann required clarification regarding: the review of KMPI's tax returns; whether or not possessory interest taxes were addressed during negotiations; a procedural question should KMPI cancel; and the electric bills. CAO responded to all concerns except the procedural question which was addressed by County Counsel.

Supervisor Bibby required clarification of how closely the CAO monitors operations, and the electric bill issue. Supervisor Jones inquired if the County will need to back fill if the ten thousand dollar payment is not made; and depreciation method being utilized by KMPI. Supervisor Carrier inquired if KMPI is current with other fiscal years; timetable for resolution of the electric bill issue; and whether rebidding would be a cleaner process. CAO responded to all concerns, noting that this amendment would be from this point forward; that forgiveness of last year's bill is not being suggested; and that the original bid did not include a ten thousand dollar payment, but was later requested by the Board and agreed to by KMPI.

Chair Stetson invited Jesse Figueroa/KMPI Representative to speak. Mr. Figueroa recounted how the \$10,000 payment came to be added to the agreement.

Supervisor Jones inquired as to the depreciation method; whether they foresee achieving profitability; and whether they see any other changes that might improve the airport in the near future. Supervisor Bibby inquired about the potential of renting out the residence; and as to their working relationships. Mr. Figueroa responded to all concerns. He also noted that the electricity being shared is for the apron lights; that the total amount paid thus far by KMPI for same is \$20,959.60; and that the County is responsible for 5/11ths of that amount, as determined by Public Works under Alan Toschi.

Supervisor Cann inquired if Mr. Figueroa agrees with the 5/11ths ratio, and Mr. Figueroa responded affirmatively. Supervisor Cann remarked that we should be able to settle the electricity issue quickly since Public Works came up with the payment ratio, and the contractor agrees with it.

Mr. Figueroa also noted that they did not arbitrarily decide to not pay the ten thousand dollars but that, rather, it had been worked out with Public Works first; and that the County was losing over \$85,000 per year on the Airport at the time KMPI placed their bid.

Public comment period opened.

Bill Davis/Mariposa County Auditor noted that the \$10,000 lease payments that have not been paid are an asset of the County and care must be exercised to not forgive any balance due after offset, as that might be a gift of public funds. CAO noted that there is no intent to forgive anything; it is a matter of accounting.

Ruth Sellers/Airport Advisory Board member noted that she did not abstain from voting on this; however, she does not think that it should have

come before the Advisory Board as that board had recommended the other bidder. She stated that she feels KMPI is doing a great job, and that Mr. Roesch assured them that he has no intention of breaking his contract. She noted that her criticism is of the County as she has seen difficulties in implementing things that are a plus for the operator, and she gave examples. Ms. Sellers also noted that the FAA has a \$150,000 grant available and the County hasn't applied for it for the last two years. She then elaborated on how the grant funding works. She would like to see the County trying to do something to improve the conditions at the Airport; feels that some of the tourism dollars should go to it; questioned why some of the fire house money wasn't used for buildings at the airport; and inquired as to why the County isn't looking at enhancing the capabilities of the airport so that it can grow.

Ruth Catalan noted that she sent the Board an email and thanked Supervisor Cann for his response. She feels that the email explains her view; but noted that she, too, thinks that the problem lies with the County. Ms. Catalan also noted that she doesn't feel the County should forgive the \$10,000 but, by the same token, the possessory interest tax is in their lease as an obligation.

Public comment closed.

Supervisor Cann stated his position on this issue, and discussion ensued between Supervisors Cann and Bibby. Supervisor Bibby noted that she would like to see County Counsel confer with the Tax Collector on the matter; but, regardless, would like there to be a paper trail.

Supervisor Cann moved that the CAO come back to the Board, having fully reviewed how to do it with all necessary entities, with a way for the County to offset the full cost of the possessory interest tax that KMPI pays. CAO required clarification of whether this includes the possessory interest tax they have already paid. Supervisor Cann affirmed. CAO restated his understanding of the Motion, noting that he is to come back with an amendment to the agreement that would not waive the \$10,000, but that would reduce the payments from KMPI by the amount of the possessory interest tax. Board discussion ensued.

Supervisor Cann clarified that his Motion is for the CAO to figure out the legalities, and then bring an item back to the Board which will offset the cost of the possessory interest tax which we initially told KMPI they would not pay; and it is to be retroactive.

Supervisor Jones required clarification of whether the reimbursement is retroactive to the beginning of the contract. Supervisor Cann affirmed, and Supervisor Jones seconded the Motion.

Discussion ensued between Supervisor Bibby and County Counsel regarding the failure of the contract to speak to the possessory interest tax. Supervisor Carrier inquired as to including the 5/11ths electricity cost share. CAO responded. Supervisor Cann elaborated on the Motion noting that it said nothing about the \$10,000; that he is just seeking to correct what seems to be an error. Discussion ensued among Board members clarifying the Motion.

Motion passed unanimously.

Supervisor Bibby noted that she feels the issue of the \$10,000 still needs to be addressed. CAO responded.

Bill Davis commented that, whatever the Board decides, each one should be handled in separate transactions, with no intermingling. Supervisor Jones required clarification. Mr. Davis responded.

Agenda item J.3. died for lack of a Motion.

K. Items removed from Consent Agenda

None.

L. Adjournment

12:29 PM Chair Stetson adjourned the meeting in memory of Martha (Pat) Randleman, Doris Boyer, Raymond Ludolph, Codie Avery, Jay Dee Harney, Karen McCabe-Winn, Rosemary Ruiz, Margaret Sciapiti, and Bob Rudzik.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



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DISTRICT I
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MINUTES

July 16, 2013

A. Call to Order and Roll Call

9:00 AM The meeting was called to Order at the Mariposa County Government Center.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:00 AM
Merlin Jones	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
John Carrier	District V Supervisor	Present	9:00 AM

B. Pledge of Allegiance

The Pledge was led by Supervisor Jones followed by a moment of reflection for those volunteers and military people who serve Mariposa County.

C. Introductions

Candy O'Donel-Brown/John C. Fremont, Mike McCreary/John C. Fremont, and Ruth Shane/John C. Fremont Hospital Foundation thanked Supervisors Jones, Cann and Carrier for their leadership at last Saturday's fundraiser. Supervisor Jones thanked everyone who participated in the event.

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.

No public input.

Supervisor Bibby required clarification that CA5 applies to the Office Assistant and other employees; that the Chief is okay with it; and that we have the flexibility to change back if it doesn't work out. Supervisor Jones inquired if the flex scheduling would be year-round, or just through fire season. Jim Wilson/Fire Chief responded to all concerns.

Supervisor Bibby inquired about the three property owners who have not signed in CA8, and requested an update. Supervisor Cann responded.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

CA1. Administration RES-2013-291

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

CA2. Administration RES-2013-292

Resolution Continuing Local Emergency Due to the Wild Land Fire Known as the Carstens Fire

CA3. Agricultural Commissioner RES-2013-293

Approve the Organic Program Cooperative Agreement No. 13-0187-SA for Fiscal Year 2013/2014 with the California Department of Food and Agriculture (CDFA) and Authorize the Board of Supervisors Chair to Sign the Agreement

CA4. Agricultural Commissioner RES-2013-294

Approve Nursery Inspection Cooperative Agreement No. 13-0130-SA for FY 2013/2014 with the California Department of Food and Agriculture (CDFA), and Authorize the Board of Supervisors Chair to Sign the Agreement

CA5. Fire RES-2013-295

Authorize the Alternative 4/10 Work Schedule for Fire Department Office Staff Effective August 1, 2013

CA6. Public Works RES-2013-296

Authorize the Public Works Department to Recruit for and Fill the Road Superintendent Position in the Road Fund that Will Become Vacant on August 16, 2013

CA7. Sheriff's Office RES-2013-297

Approve the Recruitment of an Upcoming Vacancy of a Sheriff's Jail Officer Position Effective Immediately and the Subsequent Filling of the Sheriff's Jail Officer Position No Sooner Than October 1, 2013.

CA8. Board of Supervisors RES-2013-298

MARIPOSA PARKING DISTRICT -- Approve Lease Extension Agreements for the Mariposa Downtown Parking Lots, and Authorize the Board of Supervisors Chair to Sign the Agreements

E. Presentations

1. Agricultural Commissioner 2013-72

Proclaim the Week of July 15 - 21, 2013, as "California Invasive Weed Awareness Week"; and Receive a PowerPoint Presentation by Cathi Boze, Agricultural Commissioner

No Board or public input.

Chair Stetson presented the Proclamation to Cathi Boze/Agricultural Commissioner-Sealer. Ms. Boze thanked the Board for the Proclamation, then gave a PowerPoint presentation with the assistance of Tina Buirch/Ag & Standards Program Technician.

Supervisor Stetson discussed the proliferation of weed seeds via boots, etc., and inquired about volunteers and funding. Ms. Boze responded.

Public comment reopened.

Greg Kittelson inquired of the best way to dispose of yellow starthistle plants that have been pulled. Ms. Boze responded that they should never be composted but, rather, taken to the landfill or burned.

Public comment closed.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

F. Minutes Approval

1. Tuesday, June 25, 2013

No public or Board comment.

The June 25, 2013 Minutes were accepted as presented.

Jones (M); Bibby (S); Passed Unanimously.

2. Tuesday, July 09, 2013

No public or Board comment.

The July 9, 2013 Minutes were accepted as presented.

Carrier (M); Jones (S); Passed Unanimously.

G. Departmental Presentation

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

Barbara Carrier advised that the last movie in the Park, *The Guardian*, had over 300 people in attendance.

H. Public Presentation

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

Brad Aborn spoke regarding: the fire volunteer issue, noting that he hopes that the volunteers are not strung out as to whether they are paid or not paid; the KMPI issue and the cancellation notice; and the sound system in the Chambers.

Kathy McCorry/Executive Director of the Mariposa Chamber of Commerce thanked Rick Benson for the presentation to the Chamber Board; reminded everyone of the Business Expo tomorrow at the Fairgrounds; announced the official Grand Opening of the 1850 Restaurant at 5:00 PM on Friday; and reminded everyone about the Grand Opening of NativeEarth next Tuesday at 5:30 PM. Supervisor Cann extended his congratulations on the Business Expo.

Rick Benson provided clarification regarding one of Mr. Aborn's issues.

I. Board Information

Supervisor Cann reported on: the Merced River Plan Sub-Committee Hearing last Tuesday; a meeting with a landowner and a hotel developer last week regarding their interest in putting in a 3 or 4 star resort in the Mariposa Town Planning area; his attendance at the Democratic Club Meeting on Saturday, and he complimented Supervisor Stetson on his presentation; his attendance at the Saturday evening fundraiser for the JC Fremont Hospital Foundation; and a meeting of labor lobbyists that he attended yesterday for the Rural County Representatives of California (RCRC). Supervisor Cann advised that he will be: attending the Economic Development Training for Local Elected Officials (LEO) here in the Chambers tomorrow; meeting with the Human Services Director regarding the Blue Shield grant on Thursday; flying to Fort Worth, Texas to attend a three day meeting of NACO on behalf of the RCRC.

Supervisor Bibby reported on: a July 10th Central Sierra Broadband meeting, noting that they are seeking wireless providers who might want to participate; meetings with representatives from the offices of Assemblyman Bigelow and Congressman McClintock regarding homeowner insurance issues in rural counties, noting that both will be looking at it as a Federal issue, and she requested copies of cancellation notices that anyone may have received; a fire station update meeting on July 11th; a July 11th fire emergency fund volunteer compensation pay meeting noting that nothing has changed regarding the payment to the volunteers but, rather, has to do with Federal reimbursements to the County. Supervisor Bibby advised that she will be attending: a Blue Shield Grant meeting on July 17th; and the LEO training during the day. Supervisor Bibby also reminded everyone that the Republican Ice Cream Social is this Saturday.

Supervisor Carrier reported that: on July 11th he attended the Yosemite Gateway Partners Meeting, and the fire station meeting; on July 12th he attended part of the Planning Commission meeting, reviewed the recording of the last Airport Advisory Meeting, and met with Kathy McCorry at the Chamber of Commerce; on July 13th he attended the Lushmeadows Homeowners Meeting and Barbeque, the Ponderosa Basin Ice Cream Social, and the JC Fremont Hospital Foundation fundraiser in the evening; yesterday he met with Jim Rydingsword and Supervisor Stetson regarding the Blue Shield Grant, attended a meeting regarding Yosemite West later in the day, and reviewed the Agenda Packet. Supervisor Carrier advised that he will be attending: the EDC LEO workshop tomorrow; a Yosemite West meeting in Wawona on Thursday; a meeting of the Fish Camp Planning Advisory Council on Saturday, followed by a

Fish Camp Fire Rescue meeting, and the Republican Party Ice Cream Social later that evening.

Supervisor Jones reported that on: July 10th he attended the SWIFT meeting in Moccasin, met with Kathy McCorry and the CAO regarding the Chamber budget, and attended the Airport Advisory meeting in the evening; July 11th he attended the Yosemite Gateway Partners Meeting in Yosemite, and attended the County Fire meeting noting that we need better communication in the future; July 12th he attended the Planning Commission meeting regarding an Equestrian Center in the Lake Don Pedro area, followed by a meeting with a building contractor regarding a number of projects; July 13th he attended the Lake Don Pedro Homeowners Association meeting in the morning, and the JC Fremont Hospital Foundation fundraiser in the evening; and July 14th he attended the Coulterville Breakfast, which was followed by four meetings with different businesses in Coulterville.

Supervisor Stetson commented on the apparent stress that the live oak trees are exhibiting. He reported that on July 9th he attended the EL Portal Advisory Board meeting; on July 11th he attended the Yosemite Gateway Partners Meeting; on July 13th he met with the Democratic Club in the morning and went to the Mariposa Pines picnic in the evening; and on July 15th he met with Jim Rydingsword for issues involving Human Services. Supervisor Stetson also advised that on July 17th he will be attending the LEO training; on July 18th he will be attending a meeting at Wawona regarding Yosemite West; and he will be meeting with a representative from Senator Boxer's office on July 22nd.

J. Regular Agenda Items

1. Public Works RES-2013-299

PUBLIC HEARING to Adopt the Current Fee Structure for County Service Area No. 1 (Road Maintenance Zones of Benefit), County Service Area No. 1-M (Lake Don Pedro Off-Season Fire Protection) and County Service Area No. 3 (Structural Fire Protection); and Authorize the Fees to be Placed on the Property Tax Roll for Fiscal Year 2013-14

The Staff presentation was made by Peter Rei/Public Works Director.

Supervisor Bibby inquired as to whether there are any Zones of Benefit of concern. Supervisor Jones discussed the lack of a fee increase. Mr. Rei responded to all issues. CAO clarified that if any of these fees are to be increased it will have to go through a Prop 218 process.

Supervisor Bibby inquired if there were any areas with significant foreclosures. Mr. Rei responded.

Supervisor Carrier, Mr. Rei and Mr. Benson discussed the feasibility of the inclusion of cost escalators into the Prop 218 process.

No public comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

2. Public Works RES-2013-300

Approve a Professional Services Agreement with Karen Dusek to Educate and Inform the Public of Recycling and Waste Reduction in the Not to Exceed Amount of \$25,625, and Authorize the Board of Supervisors Chair to Sign the Agreement

The Staff presentation was made by Peter Rei, with Greg Ollivier/Solid Waste-Recycling Manager assisting.

Supervisor Bibby inquired as to whether this service can be performed in-house; whether the cost versus benefit is being closely monitored; and whether the Solid Waste AB 939 Local Task Force is still supportive. Supervisor Stetson noted the contract term regarding assistance with grant writing and inquired if that does occur. Mr. Ollivier responded to all issues.

Public comment opened.

Ruth Catalan/Solid Waste Task Force member noted that she supports this item fully.

Public comment closed.

Supervisor Cann noted that he would like to have a future discussion regarding possible foreseeable effects of banning plastic grocery bags.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

3. Public Works RES-2013-301

Approve a Professional Services Agreement with Fujii Civil Engineering to Provide Consulting Services for Solid Waste and Household Hazardous Waste for Fiscal Year 2013-2014, and Authorize the Board of Supervisors Chairman and Public Works Director to Sign the Agreement

The Staff presentation was made by Greg Ollivier, with clarification provided by Peter Rei.

Discussion ensued between Supervisor Cann, Mr. Rei and Mr. Ollivier regarding the need for, and high quality of, the services provided.

No public comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

10:25 AM Chair Stetson recessed the Board for a break.

10:43 AM Chair Stetson reconvened the Board.

4. Public Works 2013-73

Discussion and Direction Regarding Freeze Protection for the Yosemite West Wastewater Treatment Plant Clarifier

The Staff presentation was made by Peter Rei, with Gary Taylor/Assistant Director of Public Works-Public Works assisting.

Supervisor Stetson inquired as to the purpose of the clarifier. Darryl Nielsen/Public Works Plant Operator Technician responded.

Supervisor Cann inquired as to other places where this technology has been implemented; the amount of time the clarifier runs each day; and whether Public Works will have to consult with the Water Board. Mr. Rei responded.

Supervisor Bibby inquired if this technology is acceptable to State regulators; and how we will know whether these work. Mr. Rei responded to the former issue, and Mr. Nielsen responded to the latter issue.

Supervisor Carrier discussed his concern regarding the Armor balls getting caught in the scum box and the need to discuss the problem with both manufacturers. Mr. Rei responded.

Supervisor Stetson made note of the manufacturer's willingness to upgrade the technology if the Armor balls do not work; inquired as to the funding; and inquired if this will meet the Water Board's Notice of Violation. Mr. Rei responded.

Supervisor Carrier clarified that this will complete Task Order Three of the Water Board's Notice of Violations. Mr. Rei affirmed.

Public comment opened.

Barry Turner of Yosemite West inquired if this technology has ever been tested with the style of system that is currently being used; noted that this will put us off another year if it doesn't work; and inquired if it will improve the clarifier. Mr. Rei responded that we have not directly witnessed this tested with our particular clarifier; this recommendation is coming from our consultants; the R value is to keep it from freezing; and that performance of the clarifier is more dependent on the other improvements. Mr. Nielsen discussed the migration of the algae from the upper lagoon to the clarifier, and the problem that presents.

Supervisor Stetson required clarification of whether the lagoons will also be covered by the balls; and whether that is included in the indicated cost. Mr. Rei responded.

Public comment closed.

Supervisor Bibby inquired as to how often these will need to be replaced. Mr. Taylor responded.

Supervisor Jones moved that the item be approved as presented and Supervisor Bibby seconded. Chair Stetson noted that this item has been agendaized for Discussion and Direction only. Supervisor Bibby withdrew her second, and Supervisor Jones withdrew his motion.

Staff noted that they have sufficient direction to proceed.

5. Public Works RES-2013-302

Approve Plans and Specifications and Authorize Public Works to Solicit Bids for Wastewater Facility Improvements to Yosemite West Maintenance District

The Staff presentation was made by Peter Rei. Supervisor Stetson added that we have informal indications that the Water Board is amenable to the time frames. Mr. Rei recounted a discussion with Lonnie Wass of the Water Board.

No public comment.

Motion to approve as presented made by Supervisor Cann.

Supervisor Carrier seconded, with the amendment that the award window be lengthened from 30 to 60 days. Mr. Rei elaborated on State law; the potential

for complications from poor weather; and that it could be extended to 90 days.

Supervisor Cann inquired about the engineer's estimated cost for all of the work. Mr. Rei responded.

Supervisor Carrier inquired as to the estimated time of completion. Mr. Taylor noted his belief that it is 90 days.

Chair Stetson inquired if Supervisor Cann, as the maker of the motion, concurred with the amendment. Supervisor Cann affirmed.

The motion passed unanimously.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

6. Public Works RES-2013-303

Approve Task Order #4 to the Master Professional Services Agreement with Provost and Pritchard in the Not-To-Exceed Amount of \$65,000 to Design Improvements to the Yosemite West Sewage Treatment Plant, and Authorize the Public Works Director to Sign the Task Order

The Staff presentation was made by Peter Rei who noted that there is sufficient funding for this item in the capital fund.

Supervisor Bibby required clarification on what will be left in the capital fund after this expenditure. Barbara Carrier/Assistant Public Works Director-Support Services noted it will bring it down to just under \$11,000.

Supervisor Stetson inquired as to the financial effect of the last item; what would be involved to acquire additional land; and as to what kind of obligation the Board of Supervisors has to the Yosemite West Maintenance Advisory Board. Mr. Rei responded to all concerns.

Public comment opened.

George Catlin inquired if these adjustments are for full buildout, or just coping with what is there now. Upon direction from the Chair, Mr. Rei responded.

Barry Turner commented on the amount of money being spent with no guarantees that anything will be any better. Mr. Rei responded. Mr. Turner also inquired whether they will be able to hit full build out. Mr. Rei responded, cautioning that we won't really know until the flow meter is installed.

Public comment closed.

Supervisor Bibby required clarification of how the flow meter will correlate to household use and capacity; and if the flow meter will show peaks versus non-peaks. Mr. Rei and Mr. Nielsen responded.

Discussion ensued between Supervisor Cann, Mr. Rei and Mr. Nielsen regarding the lack of flow meter; and water use within that year.

Supervisor Carrier noted that the system is designed for 120,000 gallon flow, but our permit is only for 60,000 gallons so we cannot go to full build out right now. He also noted that, at this point in time, we don't know how much is actually going into the system because we don't currently have a flow meter, but that our records from last year show we were getting close to that mark in the summer. He further noted that we're just trying to move forward to get to the point where we can get accurate data to make the decisions that will enable

us to get to the point where a permit that would exceed the 60,000 gallons can be procured; which will in turn, eventually, lead to full build out.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

7. Public Works (ID # 2637)

Discussion and Direction Regarding the Status of Provost and Pritchard Master Agreement Activities and Budget Shortfall

The Staff presentation was made by Mr. Rei.

Mr. Rei discussed the current monthly base rates of \$26.90 for water and \$20.75 for sewer, noting that these are much higher than other communities; discussed potential rate scenarios and their effects on the financial shortfall; and noted that he would like direction to find a firm that specializes in rate increases.

Rick Benson noted that anything the Board chooses to do should be predicated upon a rate increase that will provide the needed funds. He noted the following options: put in a rate increase and wait until there's enough money; or, make an interest-bearing loan to the District. He noted that the latter option would require a firm dollar amount so that he can make a recommendation of the source from which to borrow; and that there are not many accounts to choose from. Mr. Benson also noted that there is a third option which he does not recommend and that is to use funds from the County's General Reserves. He restated that if the Board decides to make a loan, then he will need a dollar amount and direction to determine the best place from which to borrow, with the resulting information coming back as a Board item. He also remarked that one other option is for the Board to gift the money; but noted that he doesn't believe that is in the best interests of the County.

Supervisor Cann restated that a study is needed in order to have enough information to act; and noted that \$25,000 is needed for a maintenance/operation study so that we know what we need on an annual basis. Mr. Rei affirmed. Supervisor Cann remarked that he thinks we need to move forward with the maintenance study so that we don't need to guess amounts. Mr. Rei responded that while this item was structured for the wastewater side, the same arguments could be made for the water treatment and distribution side; however, he is only proposing the \$25,000 for the wastewater side because that is what Provost and Pritchard are recommending. Supervisor Cann noted that not moving forward with the study will not help.

Supervisor Stetson required clarification regarding the amount of funds remaining after earlier items.

Supervisor Cann required clarification from the CAO as to what can be determined today. CAO responded.

Supervisor Bibby required clarification of the amount needed for this item, at this point in time. Mr. Rei responded. Supervisor Bibby noted her disagreement with the idea of gifting; and inquired if there is a way to move faster when people are in delinquency. Mr. Rei responded, noting that the latter issue falls under the Tax Collector.

Mr. Rei discussed the inability to give a quantifiable number without

knowing many important variables; and cautioned that, additionally, we would have no funds left after paying this so there will be nothing available for any other repairs that may become necessary.

Supervisor Jones and Mr. Rei discussed the studies that need to be done and their approximate costs. Mr. Rei also noted additional items that will be coming to the Board in the near future due to lightning damage. Barbara Carrier noted that these numbers are based on the budget that was prepared in April; and that they don't have the exact fund balance. Supervisor Jones inquired as to the cost for these two studies and Mr. Rei responded that \$50,000 should be sufficient.

Supervisor Carrier noted that, in addition, they will also need to spend \$95,000 for the flow meter and strainer. Mr. Rei noted that these are only the Year One requirements from the Water Board, and that there are also Year Two improvements that will also be required. Supervisor Carrier remarked that a course of action would be for the Board to look at a short term loan to mitigate the Notice of Violation right now, and then try to determine the larger number of what needs to be spent and explore other funding avenues to fix the big infrastructure issues. Mr. Rei discussed upcoming funding fairs. Supervisor Carrier discussed his preference to not set a precedent of loaning money to areas. Supervisor Stetson responded.

Supervisor Bibby required clarification as to which issues needed direction. Mr. Rei responded and discussed potential courses of action.

Supervisor Carrier noted that, regardless of what is decided today, he would like to see a rate study performed to insure transparency for the Yosemite West community. Mr. Rei responded that this could probably be structured with options.

Supervisor Cann remarked on the need to do the analysis; and noted that the issue appears to be whether Public Works should undertake the \$25,000 wastewater system analysis, or should they do the analysis for both the water and wastewater, noting that at some point they also have roads. Mr. Rei noted that, in his opinion, the roads could be handled through a zone of benefit, which would separate water, sewer and roads budgets. Supervisor Cann noted that it is impossible for the Board to move forward with large spending without a plan for recouping it; and clarified what needs to be done today. Mr. Rei remarked that if the Board could approve \$50,000 today, he could come back with a proposal to do the water and sewer studies, noting that he thought the Board could approve the \$25,000 for the sewer today.

County Counsel clarified that the Board cannot take any action today, but can indicate direction.

Supervisor Bibby indicated that she would need to see a rate increase come before any loan. Mr. Rei responded that in order to do a rate increase, he would need the direction to come back to the Board with a rate study. Supervisor Bibby inquired if Mr. Rei could also check with the Tax Collector to see if there is a shorter period of time that could be implemented on the outstanding balances.

Supervisor Carrier indicated that he would like to move forward with the two studies, then base any rate increase on the amount that will be loaned, plus some additional for the reserve; get some cash flow going; then proceed with the study for the final rate increase then adjust, if necessary.

Supervisor Jones indicated that he would like to see the studies completed, in order to get the necessary information.

Chair Stetson inquired if Public Works now has sufficient direction. Mr.

Rei responded that he is clear on implementing the studies, but is unclear on the funding issue.

Supervisor Bibby required confirmation that the community can say, at any time, that they don't want Mariposa County to operate this. Mr. Rei responded.

Public comment opened.

Barry Turner/Yosemite West resident inquired if there was a maintenance plan when Psomas engineered the first plant; noted that caustic water and erratic pressure contributes to some of the overdue accounts as lines sometimes break when a house is vacant and water runs unchecked, resulting in large water bills. Mr. Turner also noted the amount generated from the Transient Occupancy Tax last year, and remarked that the County has to fix the water system first before raising rates.

Mr. Rei responded on the original Psomas maintenance plan and its overall usefulness to the County today.

Supervisor Bibby discussed the water quality issue. Mr. Rei noted there is high lead and copper in the water. Mr. Nielsen noted that the Yosemite West water is corrosive because of high levels of CO₂; and elaborated on the water quality and its effects.

Supervisor Bibby and Mr. Rei discussed the overdue balances.

Supervisor Carrier and Mr. Nielsen discussed the PH level and pressure spikes.

Mr. Turner noted that his water bills are large; that pressure relief valves do not work with caustic water because it attacks and thins the copper lines which blow, and can go undetected for months.

Mr. Rei restated his direction to proceed with the maintenance and operations plans for both the water and the wastewater treatment facilities; work with the CAO on the discussion of what, ultimately, could become a rate hearing; and that the Board would want a third party for the latter, so Public Works will investigate appropriate firms. The Board members indicated their concurrence.

K. Items removed from Consent Agenda

None.

L. Adjournment

12:33 PM Chair Stetson adjourned the meeting in memory of Coby Bondshu Ashworth.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



MARIPOSA COUNTY

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LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

July 23, 2013

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
Merlin Jones	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
John Carrier	District V Supervisor	Present	9:02 AM

B. Pledge of Allegiance

The Pledge was led by Supervisor Cann followed by a moment of silence for those serving our County and Nation.

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.*

No Public input.

Supervisor Bibby required clarification as to whether CA6 was for an attorney or a paralegal; and who supervises if it is a paralegal. Mr. Rydingsword responded noting that

Mr. LaLonde is an attorney.

Supervisor Bibby inquired if everyone who has ownership in CA13 has signed off; and Supervisor Jones inquired if the Fire Department has signed off on the name. Sarah Williams/Planning Director responded to all concerns.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

CA1. Administration RES-2013-304

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

CA2. Administration RES-2013-305

Resolution Continuing Local Emergency Due to the Wild Land Fire Known as the Carstens Fire

CA3. Administration RES-2013-306

Authorize Payment to KMPI Airport and Rent-A-Car in the Amount of \$3,448.50 as Reimbursement for Possessory Interest Tax on the County Airport; Approve Budget Action for Fiscal Year 2012-13 Reducing General Contingency and Transferring the Funding to the Airport Fund (\$3,449) 4/5ths Vote Required

CA4. Board of Supervisors 2013-74

Approve a Certificate of Appreciation to Dennis M. Troxell, Jr. for His Service to the County as the Commander of the Mariposa Area Office of the California Highway Patrol

CA5. Human Resources/Risk Management RES-2013-307

Approve the Display of Artwork at the Mariposa County Library and Adopt the Use of a Liability Release Form

CA6. Human Services/Social Services RES-2013-308

Approve the Professional Service Agreement with John LaLonde to Provide Legal Services for Mariposa County Human Services in an Amount Not to Exceed \$16,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA7. Human Services/Social Services RES-2013-309

Approve an Agreement with Edna Terrell to Provide Consulting Services for Mariposa County Human Services, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA8. Human Services/Social Services RES-2013-310

Approve the Third Amendment to an Agreement with Edna Terrell Increasing the Not to Exceed Amount by \$2,900 to Provide Consulting Services for Mariposa County Human Services, and Authorize the Board of Supervisors

Chair to Sign the Amendment; Approve Budget Action Transferring Funds Within the Social Services Budget to Fund the Amendment (\$2,900)

CA9. Human Services RES-2013-311

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

CA10. Human Services/Behavioral Health & Recovery Services RES-2013-312

Approve an Agreement with Mariposa Safe Families to Provide Parent Partner Program Services for Mariposa County Behavioral Health in an Amount Not to Exceed \$52,500, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA11. Agricultural Commissioner RES-2013-313

Approve the Statewide Exotic Pest Detection Agreement No. 13-0047 for Fiscal Year 2013/2014 with the California Department of Food and Agriculture (CDFA), and Authorize the Board of Supervisors Chair to Sign the Agreement and CCC-307 Form

CA12. Planning 2013-75

Appoint William Rosenberg, R. Leslie Arnett and Frank Hutchinson to the Wawona Town Planning Advisory Committee for Terms Expiring February 28, 2015

CA13. Planning RES-2013-314

Approve Road Name Application No. 2013-100; Earl Heitzmann, Approving the Proposed Road Name "Steller's Jay Lane" for the Subject Easement. Address: 3065 Triangle Road; APN 015-120-018

CA14. Sheriff's Office RES-2013-315

Approve First Amendment to the Contract for Services with J.K. Mortuary Services Increasing the Amount of the Contract from \$10,000 to \$10,432 and Authorize the Board of Supervisors Chair to Sign the Amendment

CA15. Sheriff's Office RES-2013-316

Approve the Recruitment of a Sheriff's Jail Officer Position Effective Immediately and the Subsequent Filling of the Sheriff's Jail Officer Position at Time of Vacancy

E. Presentations

1. Probation 2013-76

Proclaim the Week of July 21-27, 2013, as "Probation Services Week"

No public comment.

Chair Stetson presented the Proclamation to Pete Judy/Chief Probation

Officer.

Chief Judy thanked the Probation Department for their work and dedication; spoke to the dangers that can be present on the job; and thanked the community for working with them.

Supervisor Cann commented on Chief Judy and his staff being recognized as statewide leaders.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

F. Minutes Approval

1. Tuesday, July 16, 2013

No public or Board comment.

The July 16, 2013 Minutes were accepted as presented.

Jones (M); Carrier (S); Passed Unanimously.

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)

Kathy McCorry/Executive Director Mariposa County Chamber of Commerce reported on last week's Business Expo; reported attending the EDC Retreat on Sunday; announced that the Grand Opening for Nativearth is this afternoon beginning at 3:00 PM, with the ribbon cutting around 5:30 PM; announced that the Chamber is hosting an Ice Cream Social on August 22 from 6:00 PM to 7:30 PM at the County Park; announced a ribbon cutting at The Doormouse on August 5th at 8:00 AM; gave website statistics; and noted that Sausage and Suds was the number one event last month.

1. Clerk of the Board of Supervisors (ID # 2680)

Handouts from the Public Presentation Portion of the July 23, 2013 Meeting

I. Board Information

Supervisor Bibby reported on attending: the July 17th Local Elected Officials (LEO) Workshop; a July 17th Blue Shield Affordable Care Act meeting with Jim Rydingsword; a July 19th Health Committee meeting; and the July 20th Republican Ice Cream Social. She advised that she will be attending the August 1st Mental Health meeting; and commented on a story featured on Channel 30 last night discussing the community of Hornitos.

Supervisor Cann reported on his attendance: at the July 17th LEO Workshop;

and at last week's NACO meeting in Texas on behalf of RCRC, noting a nationwide resurgence of the role of the county. Supervisor Cann advised that he will be: attending the IRWMP meeting on Wednesday at 10:00 AM in this room; meeting with Supervisor Jones and Public Works on Wednesday; and attending the Solid Waste Task Force meeting on Thursday. He also noted that he hopes to go to the Nativearth Grand Opening this evening.

Supervisor Carrier reported that he attended: the EDC's LEO training last Wednesday; the Chamber's Job Fair Wednesday afternoon; a Thursday meeting with some residents, Public Works, and Supervisor Stetson in Wawona regarding the Yosemite West Wastewater Treatment Plant; the 1850 Restaurant Ribbon Cutting on Friday; the Fish Camp Town Planning Advisory meeting on Saturday, followed by a Fire Rescue meeting; and the Republican Ice Cream Social Saturday evening. Supervisor Carrier advised that he will be attending: the Nativearth Grand Opening this afternoon; the Wednesday meeting of the Yosemite Mariposa Water Advisory Council; and the Saturday Bootjack Volunteer Pancake Breakfast. Supervisor Carrier also made note of SB741, some new legislation that has just come out of the State Senate and is headed to the Assembly and which may help local Fairs by granting more flexibility with their contracts.

Supervisor Jones reported that he: attended a meeting with Tara Schiff/Community Development/Grant Coordinator on July 16th, noting that they are setting up a meeting for businesses in District II to help them understand business; attended the LEO Workshop on July 17th; met with Supervisor Bibby and Jim Rydingsword on July 17th regarding the new Medi-Cal programs; attended a Town Plan meeting in Coulterville on July 19th; hosted the EDC Annual Retreat on July 21st; and attended a meeting regarding the Gold Rush Charter School on July 22nd, noting that it is growing fast and will soon need more room and more teachers. He also thanked the Sheriff's Office for continuing to keep pressure on the marijuana gardens. Supervisor Jones reported on an email from Fish and Game about the California Legacy Program, noting that it is a voluntary program where they can put restrictions on what you grow. Supervisor Bibby commented that meetings for same have been setup on August 6th from 5:00 PM to 8:00 PM at the Merced County Farm Bureau, and on August 7th here in the Chambers from 5:00 PM to 8:00 PM; and noted how important it is for the public to participate as what starts out voluntary may end up mandatory.

Supervisor Stetson reported that he: attended the LEO training on Wednesday; attended a meeting of the Yosemite West Maintenance Committee in Wawona with Supervisor Carrier, Public Works and the CAO on Thursday; met with a representative from Friends of the Bear Creek on Friday; met with Dr. Mosher and Supervisor Bibby on Friday; and met with Ameen Khan of Senator Boxer's Office on Monday regarding naming a peak for Carl Sharsmith, noting that the Board passed a resolution in favor of that idea in 2007. Supervisor Stetson advised that he will be attending the YARTS meeting in Mammoth on August 5th.

J. Regular Agenda Items

1. Public Works RES-2013-317

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

The Staff presentation was made by Peter Rei/Public Works Director.

No Board or public input.

RESULT: ADOPTED [UNANIMOUS]**MOVER:** Janet Bibby, District III Supervisor**SECONDER:** Merlin Jones, District II Supervisor**AYES:** Stetson, Jones, Bibby, Cann, Carrier**2. Public Works (ID # 2664)****Discussion and Direction Concerning Airport Management Effective January 1, 2014**

The Staff presentation was made by Peter Rei.

Rick Benson/County Administrative Officer reported that the KMPI principals have expressed no interest in staying on at the Airport.

Supervisor Jones noted that he has been working hard on this project; that he favors option 2; but, hopes that a decision can be put off until after August 15th as he is working on some things.

Discussion between Supervisor Bibby and CAO as to KMPI. Supervisor Bibby noted that she concurs with Supervisor Jones, and feels that waiting until August 15th is reasonable; and would like to hear from the Airport Advisory Committee one more time.

Supervisor Cann suggested that Public Works bring this item back before the Board on August 20th and be ready to go with the RFP at that time; however, in the interim, everyone can work on the issue as they need. Mr. Rei responded.

Supervisor Jones noted that he meant Option 1, with his second choice being option 2. Supervisor Bibby commented on the past operation of the airport by the County. Supervisor Cann remarked that we need to look at the constraints on the previous advertisement and adjust, if necessary; and noted that we need to decide if it is going to be subsidized as there is no reason to expect a different result if we put out the same constraints.

Mr. Rei discussed power consumption and options that might be employed to save on those costs. Supervisor Bibby and Mr. Rei discussed the shared utility issue. Mr. Rei also noted that he is not aware of any FAA grants for operation and maintenance, they are all for capital improvements.

Public comment opened.

Ruth Sellers/member of the Airport Advisory Committee discussed an email that she sent to the Board on July 10th regarding this issue and responses that she received. She also commented on a letter that Rick Roesch read during the Advisory Board meeting, noting that she felt that it was wrong that the Advisory Committee was the subject of Mr. Roesch's criticisms; commented on Supervisor Jones' reaction during that meeting; and remarked that she felt that the subject letter should have come before the Board of Supervisors. She also noted that the capital improvement money is noted in the Master Plan; commented on the time it took to address the cracks at the Airport; and questioned why Supervisor Jones is negotiating anything.

Mary Bass/resident of Scrubby Oak Road spoke as a future pilot noting that she feels that the Airport is an asset to the community; feels that there is a possibility of working things out and making some money; noted that tourism on planes is becoming more possible; and hopes the Board will look at renegotiating the contract.

Ruth Catalan favors option #2; and urged caution in dealing with KMPI in the future.

Public comment closed.

Chair Stetson noted that he believes there is a consensus of the Board to delay this item.

Supervisor Jones remarked that he looked at the Airport's books, and thinks that it will be hard to break even; noted that it is easy to criticize and he understands where KMPI is coming from; that he supports the Airport fully, and is doing everything that he can to keep it open; noted some of the meetings that he has had regarding the issue; and commended KMPI for their efforts and results.

Supervisor Bibby commented on what she had hoped would have come out of the July 9th meeting; noted the abuse that past Airport Advisory Committees have endured; and urged a cooling off period.

Mr. Rei restated his understanding that he is to bring an item back before the Board on August 20, 2013; and that he is to have a draft RFP prepared and ready to act upon should the Board so decide at that time.

3. Public Works RES-2013-318**Authorize the Public Works Department to Recruit for and Fill a Vacant Accountant I/II Position in the Public Works Administration Budget Effective Immediately**

The Staff presentation was made by Peter Rei who noted that this item should have been on the Consent Agenda.

Supervisor Bibby inquired if there was money in the budget for this position. Mr. Rei responded.

No public comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

10:24 AM Chair Stetson recessed the Board for a break.

10:37 AM The Board reconvened.

4. Human Services (ID # 2650)**Receive a Presentation on the Affordable Care Act in Mariposa County (Human Services Director)**

The Staff presentation was made by James Rydingsword/Human Services Director who noted that they will begin taking applications for Covered California on October 1, 2013, with January 1, 2014 being the program start date. Mr. Rydingsword discussed income levels required for the program; remarked that most CMSP recipients will qualify for this program, but that 5-7% will not and will continue to be covered under CMSP. Mr. Rydingsword also gave an overview of the incoming program and changes anticipated due to enrollment; and noted a new group of people in the 133% to 400% poverty level range who may be eligible with a subsidy. Mr. Rydingsword remarked that this is probably the most comprehensive and complex change that he has ever seen during his career; and that the Board can be proud of staff for their efforts to learn and implement the program. Mr. Rydingsword also noted that they plan to do a public information program in the

month of September; but will be coming back to the Board before that, on August 6th, for a grant from the Blue Shield Foundation for outreach activities. Mr. Rydingsword also made note of the program website which can be located at www.coveredca.com.

Supervisor Bibby required clarification regarding an income level in the presentation; and required a definition of language regarding "undocumented residents." Mr. Rydingsword responded. She also noted her concerns regarding funding of these initiatives.

Supervisor Cann and Mr. Rydingsword discussed California's proactive stance with this issue.

Supervisor Jones thanked Mr. Rydingsword for all of the updates; and discussed the income and resources limits with him.

Supervisor Bibby discussed with Mr. Rydingsword her concern that client resources cannot be used in determining eligibility.

Supervisor Carrier inquired as to people incarcerated, and their enrollment upon release. Mr. Rydingsword responded.

Public Comment Opened.

Greg Kittelson inquired as to the effect on County employees. Mr. Rydingsword responded.

Public comment closed.

5. Human Services RES-2013-319

Authorize the Human Services Department to Add Two (2) Full-Time Eligibility Worker I/II Allocations to the Social Services Budget; Authorize the Department to Recruit and Hire Two (2) Full-Time Eligibility Worker I/II Positions Effective Immediately

The Staff presentation was made by James Rydingsword.

Supervisor Bibby commented on programs forced on the County, and the number of staff members needed to fulfill the requirements of those programs.

Public Comment opened.

Ruth Sellers expressed concern regarding welfare programs; and commented on the growth of Social Services since she has lived here.

Public comment closed.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

K. Items removed from Consent Agenda

None.

L. Closed Session

1. County Counsel (ID # 2649)

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

No Board or public comment.

This Closed Session was held at 11:26 AM.

RESULT: HOLD CLOSED SESSION [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

2. County Counsel (ID # 2672)

Closed Session Conference with Legal Counsel; Existing Litigation; Dennis Hollingsworth, Et Al. V. Patrick O'Connell, Et Al., and Edmund G. Brown Jr., Et Al.; Supreme Court of California Case No. S211990

No Board or public comment.

This Closed Session was held at 11:29 AM.

RESULT: HOLD CLOSED SESSION [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

Report Out

11:35 AM Chair Stetson reported that Direction was Given on Item L.1; and Information was Received on Item L.2.

M. Adjournment

11:36 AM Chair Stetson adjourned the meeting in memory of John Meagher.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



MARIPOSA COUNTY

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LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

August 6, 2013

A. Call to Order and Roll Call

9:04 AM The meeting was called to order at the Mariposa County Government Center by Chair Stetson.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:00 AM
Merlin Jones	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
John Carrier	District V Supervisor	Present	9:00 AM

B. Pledge of Allegiance

The Pledge was led by Supervisor Carrier followed by a moment of silence for those people committed to America's safety.

C. Introductions

Suzette Prue/J.C. Fremont Healthcare District Chair introduced Alan MacPhee/Interim CEO. Supervisor Cann welcomed Mr. MacPhee to the community.

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 Stetson noted that CA8 has been withdrawn from today's agenda.

Steven W. Dahlem/County Counsel noted the following correction to the First Amendment in CA7: the last sentence of Paragraph 1 of the First Amendment which reads "CONTRACTOR further acknowledges that all amounts for the tasks completed to date have been fully paid by COUNTY" should be removed as the purpose of this amendment is to pay for prior services.

No public input.

Supervisor Bibby required clarification of some language in CA5 regarding distribution of workload. James Rydingsword/Human Services Director responded noting, that in this instance, a position was moved to create a billing/collections position for Mental Health and Alcohol and Drug Services and has successfully created revenue. Supervisor Bibby requested confirmation that the funding/rental rates and corrective action plan are being watched. Mr. Rydingsword responded affirmatively.

Regarding CA7, Supervisor Bibby inquired: as to how to prevent this from happening again in the future; if there will be an increase in the budget; if protocols have been implemented to prevent this sort of issue in the future; and about the wrap around services funding. Mr. Rydingsword responded that this should be a one-time issue; that they have worked closely with Mariposa Safe Families so it should not happen again in the future; and explained how the wrap around services funding works.

Regarding CA9, Supervisor Carrier inquired as to whether Public Works will be bringing a request for proposal to the Board in the future. Greg Ollivier/Solid Waste-Recycling Manager responded affirmatively. Supervisor Carrier noted language regarding County personnel performing monthly monitoring and inquired if that is something that we currently do and if it is separate from the contract; and inquired if we follow Golder's protocols. Mr. Ollivier responded affirmatively noting that we do the monthly monitoring, and they do the quarterly.

Supervisor Carrier required clarification on CA10 regarding Durham's final payment. Peter Rei/Public Works Director responded.

Supervisor Jones commented on CA14, noting Shirley Kendrick's service to the community of Greeley Hill.

RESULT: ADOPTED [UNANIMOUS]

MOVER: John Carrier, District V Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

CA1. **Administration RES-2013-320**

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

CA2. **Administration RES-2013-321**

Resolution Continuing Local Emergency Due to the Wild Land Fire Known as the Carstens Fire

CA3. **Administration RES-2013-322**

Approve the Grant Agreement for the Use of Title III Funding from the Secure Rural Schools and Community Self-Determination Act of 2000 for the Continued Funding of the Mariposa County Fire Safe Council from July 1, 2013, through June 30, 2014, in the Amount of \$46,584; Authorize the Board of Supervisors Chair to Sign the Agreement

CA4. Administration RES-2013-323

Approve the Professional Services Agreement for Use of Title III Funding from the Secure Rural Schools and Community Self-Determination Act of 2000 for the Continued Funding of the South West Interface(SWIFT) Project Coordinator from July 1, 2013, through June 30, 2014, in the Amount of \$13,000; Authorize the Board of Supervisors Chair to Sign the Agreement

CA5. Human Services/Social Services RES-2013-324

Allocate One Additional Full Time Account Clerk III Position to the Human Services Administration Budget Effective Immediately and Authorize the Recruitment and Filling of the Position Effective Immediately

CA6. Human Services/Behavioral Health & Recovery Services RES-2013-325

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

CA7. Human Services/Behavioral Health & Recovery Services RES-2013-326

Approve an Amendment to the Fiscal Year 2012-2013 Agreement with Mariposa Safe Families Increasing the Not to Exceed Amount by \$6,100 to Provide Parent Partner Services for Mariposa County Human Services Wraparound Program, and Authorize the Board of Supervisors Chair to Sign the Amendment; Approve the Budget Action for Fiscal Year 2012-13 Transferring Funds Within the Wraparound Budget to Fund the Amendment (\$6,100)

CA8. Item Pulled from Consent

CA9. Public Works RES-2013-327

Approve a Professional Services Agreement with Golder Associates, Inc. for Monitoring and Reporting for the Mariposa County Landfill in the Not-To Exceed Amount of \$33,861 and Authorize the Board of Supervisors Chair to Sign the Agreement

CA10. Public Works RES-2013-328

Approve a Professional Services Agreement with Keith and Associates for Additional Structural Engineering for the Fish Camp Fire Station in the Not-To-Exceed Amount of \$2,750 and Authorize the Board of Supervisors Chair to Sign the Agreement

CA11. Planning 2013-77

Appoint Charles Fleming to the Midpines Planning Advisory Committee with a Term to Expire on February 28, 2015

CA12. Health RES-2013-329

Approve a Standard Agreement with California Department Public Health HIV/AIDS Surveillance Grant Program for Fiscal Years 2013-2016 in the Amount of \$9,000, and Authorize the Board of Supervisors Chair to Sign the Agreement and Authorize the Health Officer to Sign Amendments Subject to County Counsel's Review and Approval

CA13. Human Resources/Risk Management RES-2013-330

Approve a Liability Claims Administration Agreement with Freese & Gianelli Claim Service in a Not to Exceed Amount of \$30,000 for the Period of July 1, 2013 - June 30, 2014 and Authorize the Board of Supervisors Chair to Sign the Agreement

CA14. Board of Supervisors 2013-78

Approve a Certificate of Appreciation to Shirley Kendrick for Her Community Support to the Citizens of Greeley Hill

E. Presentations**1. Child Support Services 2013-79**

Proclaim August, 2013, as "Child Support Awareness Month" (Ginny Carpenter to Receive for Debbie Walton, Child Support Services Director)

No public input.

Supervisor Bibby expressed her appreciation to Child Support Services staff for all the individual services that their office provides. Supervisor Jones also expressed his thanks.

Chair Stetson presented the Proclamation to Ginny Carpenter/Child Support Specialist who thanked the Board.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

F. Minutes Approval**1. Tuesday, July 23, 2013**

No public or Board comment.

The Minutes were accepted as presented.

Jones (M); Carrier (S); passed unanimously.

G. Departmental Presentation

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

James Rydingsword informed the Board that his department has received notification that the SAMHSA Grant has been approved, which will provide \$241,000 for three years; there are no matching funds required; and he will be bringing an item to the Board in a couple of weeks to accept the grant. Supervisor Cann inquired as to what types of activities can be initiated with this grant. Mr. Rydingsword responded.

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 reported the visitor statistics for the month of July; noted that the Chamber's new business plan is finished and provided copies to the Board; handed out some advertising cards which show the Blazin' Hog BBQ Competition on one side, and the Hot Rod & Custom Car Show on the other; handed out flyers for a new Save the Fairgrounds Mural Project, and gave an overview of the project which could potentially raise \$100,000 for the Fairgrounds. Supervisor Cann inquired as to lodging numbers. Ms. McCorry responded. Supervisor Jones thanked Ms. McCorry and the Chamber for their efforts to support the Fair. Supervisor Bibby commented on the combined advertising efforts.

1. **Clerk of the Board of Supervisors (ID # 2715)**

Handouts from the Public Presentation Portion of the August 6, 2013 Meeting

I. Board Information

Supervisor Jones advised that the public meeting regarding the California Foothills Legacy Area meeting by the US Fish and Wildlife Service is tomorrow night in the Chambers from 5:00 PM - 7:00 PM, and encouraged people to attend. He also reported: on a July 24th meeting regarding a fire station being built in the Greeley Hill area by the private sector; on a July 24th meeting with Supervisor Cann and Public Works regarding the different service areas; on his attendance, with Supervisor Cann, at the July 25th Solid Waste meeting; taking a group from South Africa to tour the Lake McClure dam on July 29th, noting that MID is willing to do group tours; attending the July 29th Coulterville Beautification meeting; on his attendance at a meeting at the Chamber Office regarding wine tasting at the Fair; and attending the Greeley Hill Breakfast on August 4th.

Supervisor Carrier corrected information that he gave at the July 16, 2013 meeting regarding the design flows of the Yosemite West Wastewater Treatment System, noting that the actual numbers are 95,000 gallons per day in dry weather, and 100,000 gallons per day in wet weather. Supervisor Carrier reported: that he attended the July 24th IRWMP meeting, noting areas that have implemented water conservation measures; attending the Bootjack Volunteer Breakfast on July 27th; attending the July 28th Art Show at the Wawona Library; on his attendance at the Democratic Club Lunch on August 1st, noting that they hosted State Senator Alex Padilla who is running for Secretary of State; attending an August 1st County Medical Services meeting; and on his attendance, with Supervisor Stetson, at yesterday's YARTS meeting

in Mammoth.

Supervisor Cann reported: on his attendance at the July 24th IRWMP meeting; on a meeting with State Senator Alex Padilla; on the Bootjack Volunteer Fire Department pancake breakfast on Saturday; on a July 29th meeting with the Chairman of the Chamber of Commerce Board of Directors; meeting with a citizen on July 29th regarding the disposition of the Garber property across the street; meeting with the Chamber of Commerce Executive Director on July 30th regarding their activities and budget for the 2013-2014 fiscal year; meeting with the President of the Yosemite Conservancy on July 30th regarding disposition of their property where a visitors center had previously been planned; attending a July 31st RCRC Executive Committee meeting in Sacramento, where he also met with the Townsend consultant; on his attendance at the August 1st meeting of the Mariposa Business Association meeting, where they discussed the sign ordinance and the application of the sign ordinance; on an August 1st meeting with the Planning Director and a number of Bullion Street residents regarding late night noise in town; meeting with the Public Works Director on August 1st regarding their potential budget implications; on an August 2nd meeting with a developer who is ready to build four houses; meeting with the Chairperson of the Mariposa Community Foundation on August 2nd; on yesterday's Grand Opening of the Door Mouse; meeting yesterday with the President of the Deputy Sheriff's Association; meeting with the Sierra Nevada Conservancy yesterday; meeting yesterday with the Executive Director of the Tourism Bureau regarding their 2013-2014 budget and the strategic plan they now have in place. Supervisor Cann advised that he will be attending: the Fair Rodeo Queen, Princess, and Junior Princess contests on Saturday; and a Parking District Meeting on Monday.

Supervisor Bibby reported attending a meeting of the Mental Health Governing Board, noting that the new Chair is Lisa Carisio. She also announced upcoming free Mental Health First Aid Classes to teach organizations, non-profits or schools that interact with youth how to recognize and deal with behavioral and mental health issues. Those classes are scheduled from 8:00 AM to 5:00 PM on September 11th, and from 8:00 AM to 5:00 PM on October 9th; to register contact Carol Winsor at (209) 742-0825. Supervisor Bibby advised she will be attending the fire station recruitment meeting in Hunters Valley tonight, noting that they will be doing an informational presentation. She also noted that there is another California Foothills Legacy Area meeting tonight in Merced, at the Merced Farm Bureau from 5:00 PM - 7:00 PM; announced that entry blanks are now available for the County Fair, and urged people to enter something as the number of entries can be used to argue the importance of the Fair; and noted that Fresno is doubling their water rates.

Supervisor Stetson reported: on a Thursday meeting with Friends of Bear Creek at the Bug Hostel; attending yesterday's YARTS Board meeting in Mammoth; and that he also had a multitude of constituent and department head contacts. He also announced that El Portal cancelled their Tuesday meeting; and Midpines will meet on the 20th, a change from the first Tuesday of the month.

Supervisor Carrier announced that the US Fish and Wildlife service is holding a meeting this afternoon in Sonora regarding the decline of the frog and toad habitat. Supervisor Cann noted that he spoke with Supervisor Randy Hanvelt from Tuolumne County who is going to testify, and noted that the bottom line is if the species meets the criteria for being listed then the agency has to list it.

J. Regular Agenda Items

1. Administration/Economic Development (ID # 2676)

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

Rick Benson/County Administrative Officer made the staff presentation noting his recommendations for the use of the grant funds.

Supervisor Bibby noted that PG&E doesn't have to do this; and remarked on some of the past projects that they have funded.

Supervisor Cann inquired as to whether we have solid estimates for the lighting and sound for the Amphitheater, and the Arts Park stage. Tara Schiff/Economic Development Coordinator responded by thanking PG&E for the opportunity; strongly urged the sound and lighting for the Amphitheater, noting that she has a rough estimate for used equipment for that project; and noted that she has not researched the cost of Arts Park lighting.

Supervisor Jones complimented Ms. Schiff on being frugal with money by considering used equipment. Supervisor Stetson advised that someone who understands these systems be consulted in the matter. CAO responded that if we do get the grant, it will be turned over to Public Works to implement.

Supervisor Bibby required clarification of the amounts and projects. CAO responded.

No public comment.

Supervisor Cann noted that he would like to move forward with the grant application with \$4500 of the funds being earmarked for the light/sound system for the Amphitheater, \$100 for supplies for the Great River Cleanup, and \$400 to help cover grant administration expenses in the office of Economic and Community Development; and sought the Board's consensus. Supervisors Carrier and Jones concurred. Supervisor Bibby noted that the Amphitheater lighting is an old project that has been waiting for discretionary funding and feels this is a good start. Supervisor Stetson agreed.

2. Fire RES-2013-331

Review and Approve from Two Options an Agreement for Services with Dan Michael to Repair and Service the Fire Department's Self Contained Breathing Apparatus (SCBA); and Authorize the Board of Supervisors Chair to Sign the Agreement for Services

James Wilson/Fire Chief and Emergency Planning Coordinator made the staff presentation.

Rick Benson/County Administrative Officer noted that the formatting of his comments on the agenda packet is a software issue; is recommending the Board approve the agreement without the additional insurance; noted that we use this equipment, at most, 10 to 15 times per year; that this is just for maintenance; that the County is already insured against catastrophic loss; that insurance will increase the cost of the contract by 50%; and that Mr. Michael is well-trained and factory-certified.

Supervisor Jones commended Mr. Michael on the work he has done; inquired if there have been any issues over the last 30 years; required clarification of the annual use as discussed by the CAO; and whether that use is documented. Chief Wilson responded to all inquiries, and informed the Board about Mr. Michael's recent design input into a Honeywell prototype. Discussion

ensued between Supervisor Jones and Chief Wilson regarding the battery function in the units. Supervisor Jones inquired about potential liability issues, with responses provided by County Counsel, CAO, and Tessa Pritchard/Human Resources - Risk Management Director. Supervisor Jones noted that liability insurance is required of other contractors; and that insurance would protect Mr. Michael.

Supervisor Bibby inquired as to where the maintenance is performed. Jim Middleton/Deputy Fire Chief responded. Supervisor Bibby required clarification of the insurance cost quotes; noted that Paragraph 2.01 of the agreement would define Mr. Michael as an independent contractor and not an employee or agent; and remarked on language in Paragraph 5.05 of the agreement and inquired of County Counsel if the Contractor would be covered in an auto accident on his way to a fire house to conduct SCBA inspections. County Counsel responded that Mr. Michael would be an independent contractor; would not be an employee of the County; would not be covered by the County's workers' comp insurance; would need workers' comp insurance if he had employees; doesn't need insurance for himself; and that automobile insurance is required by Paragraph 5.03. Supervisor Bibby also inquired if the volunteer SCBA training is enforced; and if the deficiencies with SCBAs are industry-standard. Chief Wilson responded, elaborating on the training program and the SCBA certifications.

County Counsel clarified that general liability insurance, automobile insurance and indemnity provisions are in the proposed contract that requires insurance (option #2); however, none of those are required in the proposed contract that does not require insurance (option #1.)

No public input.

Discussion ensued between Supervisor Jones and Chief Wilson regarding the safety of these units. Supervisor Jones also noted that he feels very strongly that the risk is not worth the savings.

Discussion ensued between Supervisor Cann and Chief Wilson regarding practice and use of this unit by other fire departments.

Supervisor Bibby required clarification as to whether this would be for the 2013-2014 budget; whether users can have facial hair; and whether fit checks were performed routinely. Chief Wilson responded. Supervisor Bibby noted that she is a little concerned, and feels that we should invest the additional money for insurance.

Supervisor Carrier inquired if we should send out a safety alert to notify our volunteers that there are issues with these, and have them sign something showing receipt. Chief Wilson responded that this is an issue they have been dealing with for the last three years; he believes that everyone is aware of it; but, that there is no paper trail to document that. Supervisor Carrier recommended implementation of such a notification and documentation process; and noted that we require all other contracts to require liability and doesn't know why this one should be different.

Supervisor Jones inquired if there was a danger of Mr. Michael being considered an employee in light of the fact that he performs the service onsite with County paid training. County Counsel responded.

Supervisor Bibby noted her agreement with procuring written acknowledgements; and requested input from Risk Management. Tessa Pritchard noted that she feels that the insurance is appropriate. Supervisor Bibby required clarification as to the difference in the amount of the two quotes. Chief Wilson and CAO responded.

Chair Stetson opened the issue for public comment again. There was no public input.

Supervisor Jones moved to approve contract option #2, which would require insurance; second by Supervisor Carrier; and passed unanimously.

Chair Stetson noted that direction was also given to staff to implement the notification/documentation process as discussed.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

K. Items removed from Consent Agenda

A. Technical Services(ID # 2604)

Approve the Mariposa County Information Security Policy to Enforce Generally Accepted Best Practice for Information Security and Compliance with Applicable Federal and State Law

Item withdrawn from today's meeting by Rick Peresan/Technical Services Director.

L. Closed Session

1. County Counsel 2013-80

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

No Board or public comment.

This closed session was held at 11:13 AM, and reported out at 12:47 PM.

RESULT: HOLD CLOSED SESSION [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

2. County Counsel 2013-81

Closed Session Conference with Legal Counsel; Existing Litigation; Jack Bankhead V. County of Mariposa; Mariposa County Superior Court Case No. 10077

No Board or public comment.

This closed session was held at 11:44 AM, and reported out at 12:47 PM.

RESULT: HOLD CLOSED SESSION [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

11:05 AM Chair Stetson recessed the public portion of the meeting and the Board went into closed session.

12:46 PM Reconvened.

Report Out

12:47 PM Chair Stetson reported out that Information was Received and Direction was Given on closed session items L.1 and L.2.

M. Adjournment

12:50 PM Chair Stetson adjourned the meeting in memory of Michael Van Hubert, Robin Herman Jackson, James Creswell Spotts, Robert Lee Stanko, and Juliana Iudice Perkins.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



MARIPOSA COUNTY

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LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

August 13, 2013

A. Call to Order and Roll Call

9:04 AM The meeting was called to order at the Mariposa County Government Center.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:04 AM
Merlin Jones	District II Supervisor	Present	9:04 AM
Janet Bibby	District III Supervisor	Excused	
Kevin Cann	District IV Supervisor	Present	9:04 AM
John Carrier	District V Supervisor	Present	9:04 AM

B. Pledge of Allegiance

The Pledge was led by Supervisor Jones followed by a moment of silence for those serving our Country.

C. Introductions

Cathi Boze/Agricultural Commissioner - Sealer of Weights & Measures introduced Jeff Davis the new Wildlife Services Specialist. Mr. Davis gave an overview of his background and professional experience. Chair Stetson welcomed Mr. Davis.

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.*

No public comment.

Chair Stetson announced that Item I.8 on the Regular Agenda has been withdrawn from today's agenda.

Supervisor Cann required clarification regarding CA3, and inquired if this is already our liability. CAO responded. Regarding CA5, he commended Terri Peresan/Community Services Director for the effort that she had to expend in this matter.

Supervisor Jones commended the Human Resources Director on saving money with CA14.

Supervisor Carrier also thanked Ms. Peresan for her patience and work regarding CA5.

Supervisor Stetson required clarification that CA14 had the support of the department head. CAO responded affirmatively.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Lee Stetson, Merlin Jones, Kevin Cann, John Carrier

EXCUSED: Janet Bibby

CA1. Administration RES-2013-332

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

CA2. Administration RES-2013-333

Resolution Continuing Local Emergency Due to the Wild Land Fire Known as the Carstens Fire

CA3. Administration RES-2013-334

Approve an Agreement with County Medical Services Program Board Regarding Certified Public Expenditures, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA4. Sheriff's Office RES-2013-335

Approve Agreement Between Correct Care and Mariposa County Adult Detention Facility for Review of Medical Services Provided to Adult Detention Facility Inmates, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA5. Community Services RES-2013-336

Approve the Area 12 Agency on Aging Three Month & Nine Month Contracts for Senior Meals and III-B Transportation Programs for FY 2013-14; Authorize the Board of Supervisors Chair to Sign the Contracts and Designate the Community Services' Director as the Designee

CA6. Community Services RES-2013-337

Approve Certificates of Compliance for the Veterans Affairs Subvention Program & Medi-Cal Cost Avoidance Program for Fiscal Year 2013-2014; and Authorize the Board of Supervisors Chair to Sign the Certificates of Compliance

CA7. Human Services/Social Services RES-2013-338

Approve Human Services as Grant Recipient of the Blue Shield of California Foundation Grant and Authorize the Department Head to Sign the Agreement; Approve the Budget Action for Fund 442; and Authorize the Department to Add an Allocation of and Hire an Eligibility Worker III in a Limited Term Grant Funded Position

CA8. Human Services/Behavioral Health & Recovery Services RES-2013-339

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

CA9. Human Services/Behavioral Health & Recovery Services RES-2013-340

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

CA10. Human Services 2013-82

Re-Appoint Dr. Mosher to the First 5 of Mariposa Commission as the County Health Officer Member for a Term Expiring August 6, 2016

CA11. Public Works RES-2013-341

Approve Public Works Policy No. 14-01 Requiring Customers in the Community Service Districts who Pay a Fee for Water Usage to Continue to Pay "Base Rate" Minimums When Water Has Been Turned Off

CA12. Public Works 2013-83

Appoint Cheryl Shores-Taylor to the Parks and Recreation Commission Representing District II with a Term Expiring September 7, 2014

CA13. Planning 2013-84

Appoint Stanley D. Wheeler to the Wawona Town Planning Advisory Committee for Terms Expiring February 28, 2015

CA14. Human Resources/Risk Management RES-2013-342

Approve Reducing the Monthly Stipend for an Extra-Help Mental Health Clinician or Social Worker to \$350 for Employees with a Masters in Social Work or a Masters of Art in Clinical Psychology; or \$400 for Employees who Are a Licensed Clinical Social Worker, Have a Doctorate in Clinical Psychology, or Are a Licensed Marriage and Family Therapist

CA15. Fire RES-2013-343

Authorize the Fire Chief to Apply for and Sign to Receive the Cal Office of Emergency Services 2013 Emergency Management Performance Grant (EMPG)

CA16. Fire RES-2013-344

Authorize the Fire Chief to Apply for the 2013 Homeland Security Grant Conditioned on Review of the Grant Assurances by County Counsel When Available

E. Minutes Approval**1. Tuesday, August 06, 2013**

Chair Stetson noted the following correction to Item J.1 of the Minutes regarding the PG&E grant: "\$100 for supplies for the cleanup of the Mariposa Creek Parkway" should read "\$100 for supplies for the Great River Cleanup."

No public or Board comment.

The Minutes were accepted with the noted correction.

Cann (M); Carrier (S); passed 4-0 with Bibby excused.

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)

Kathy McCorry/Executive Director of the Chamber of Commerce advised of a book signing this Saturday from 1:00 PM to 4:00 PM at the Visitors Center; advised of the Chamber's ice cream social from 5:30 - 7:00 PM on August 22nd; and reported that they had record numbers last Wednesday.

Diane Sorenson addressed the Board regarding noise coming from the Miner's Roadhouse Bar since the remodel, and requested that the Board adopt a noise ordinance. She also presented the Board with written statements.

Bob Elliott addressed the Board about the same noise issue; read portions of a log of events that he has kept; and read a section of a Stanislaus County noise ordinance.

Doug Binnewies/Mariposa County Sheriff noted that the noise issue came to their attention in early July when they had a Deputy respond to a noise complaint, met with the complaining party, witnessed the noise that was being complained about, and met with the business manager on duty. In mid-July, a supervisor responded meeting with residents. The sergeant noted that he was able to decipher, at the complainant's house, the language being spoken coming from the bar area. Sheriff Binnewies noted that it is documented as being quite disturbing from that resident's location; noted that his department will continue to work with the business; and feels that the complaints seem to be founded.

Supervisor Cann reported that the owner, not the onsite manager, has been unavailable but would be back today to discuss the issue; and remarked on the owner's responsiveness to past issues.

Supervisor Jones noted that this issue is not pertinent just to the town of Mariposa, but is a concern in District II as well.

Wendy Brown-Barry addressed the Board regarding recent Fish and Wildlife proposals to list the yellow-legged frog, the mountain yellow-legged frog, and the Yosemite toad as either endangered or threatened and to designate critical habitat. She noted that the new deadline for submitting comments is November 18, 2013, and discussed a public meeting recently held in Sonora. She also discussed the counties and activities that will be affected. She urged the Board to take a stand on this matter; requested the Board to send a letter requesting a Hearing with the Fish and Wildlife Service; requested the Board submit comments opposing the proposals; requested an agenda item be scheduled in two weeks to discuss the matter further; and would like to schedule a large town hall meeting at the Mariposa County Fairgrounds. She discussed the studies, and other possible causes for the decimation of the populations.

1. **Clerk of the Board of Supervisors (ID # 2737)**

Handouts from the Public Presentation Portion of the August 13, 2013 Meeting

H. Board Information

Supervisor Cann reported: meeting with some people regarding increased volunteer assistance for some of the projects underway; that he emceed the Mariposa County Rodeo Fair Queen, Princess and Junior Princess competitions on Saturday; meeting yesterday with the owners of the Mariposa Parking District parking lots, noting the cooperative effort that has made the parking lots possible; that he met yesterday with a citizen regarding road maintenance techniques; and meeting with the Public Works Director and a retired, former Public Works Director. Supervisor Cann advised that he: has a meeting with Public Works tomorrow at the landfill regarding infrastructure; will be meeting with some people tomorrow concerning reenergizing the county and public focus on cemetery maintenance and the need to establish another cemetery for the general Mariposa town area; has a meeting tomorrow regarding the sound and lighting for the amphitheater which will be funded by the PG&E grant approved last week; and will be traveling to Pleasanton on Monday with Jim Rydingsword/Human Services Director and a landowner to meet with American Baptist Homes of the West on trying to further an agreement for them to do a feasibility analysis for an assisted care/senior living facility.

Supervisor Carrier reported: reading the Mountain Valley EMS agenda packet, the Board packet, and the Environmental Impact Report on the Ferguson slide; fielding a lot of citizen concerns; speaking to a town business owner regarding a signage issue; dealing with multiple issues regarding roads and bridges which he then discussed with Public Works; on an issue with a bridge on Creek View Drive, noting that the homeowners there are considering forming a Zone of Benefit but Public Works is working on that; looking into an issue with Buckingham Road, noting that it's not a County maintained road; contacting the residents on Aurora Road regarding an item later today; that he filled a position on the Wawona Town Planning Advisory Committee; and attending a Historic Sites meeting yesterday. He also noted that Donn Harter, the District V Planning Commissioner, attended the August 6th meeting regarding the frogs and toads. Supervisor Carrier advised that he will be attending: a fire station meeting later today, and they will be going over the

Bridgeport station bids; the Mountain Valley EMS Board meeting tomorrow; the Local Hazard Mitigation meeting on Thursday; a Community Corrections Partnership meeting on Friday; and an Area 12 Agency on Aging meeting on Monday at the Senior Center at 10:00 AM.

Supervisor Jones reported: on the water level at Bagby, noting that he spoke with MID and it will be a very serious matter if we have another drought year; attending a meeting with Public Works on the 6th regarding Coulterville Beautification; on a meeting on the 7th with Rick Peresan regarding security issues; meeting on the 7th with Ed Temple regarding enlarging the Park at Midpines; attending the evening US Fish and Wildlife Service public meeting regarding the California Foothills Legacy Area program, noting his continuing concern with the proposed program; attending the Coulterville History Center meeting the evening of the 7th; meeting with Tara Schiff and some Coulterville business people on the 8th; sitting as a judge at the rodeo queen contest on the 10th, noting that a lot of county employees devote time to volunteer at community events and he commended Carol Suggs, Judy Mueller, and Mary Hodson for their efforts; attending the Coulterville Breakfast on the 11th; and on an August 12th meeting with the Building and Planning Departments.

Supervisor Stetson reported: that he consulted with multiple constituents all last week; meeting with Friends of Bear Creek in Midpines; meeting with Yosemite West residents in relation to a proposal up there involving county land, then met with the Planning Director on Monday regarding that same issue; and meeting with the Building Director on issues relating to that department. Supervisor Stetson advised that he will be: meeting with Charles Phillips in Yosemite Valley on Thursday, August 15th; and attending the Midpines Advisory Board on Tuesday.

Rick Benson/County Administrative Officer (CAO) announced that Caltrans will be giving a brief update on the Ferguson Slide at the September 3rd Board meeting. Supervisor Stetson noted upcoming public meetings that Caltrans will be conducting.

I. Regular Agenda Items

1. Board of Supervisors (ID # 2681)

Discussion and Direction Regarding the Possible Expansion of Midpines Park

Supervisor Stetson gave a brief overview of this issue; and noted that the \$85,000 property value was from an old appraisal, and that a new appraisal was performed and the value is now \$39,000.

Supervisor Cann inquired if we've interacted with the property owner. Supervisor Stetson affirmed.

Public comment opened.

Gary Francisco spoke on behalf of the Friends of Bear Creek Midpines; read a prepared statement giving a brief history of the Midpines Park area; and requested the Board authorize the purchase of the Jones property. Mr. Francisco noted that he is also the Chairman of the Midpines Planning Advisory Committee and noted these use conflicts have been a continuing concern in that community.

Ed Temple/Chair of the Friends of Bear Creek handed out a letter and maps to the Board; and noted that Midpines loves their community hall and the new fire house, but changes have reduced the recreational use of the Park. He

also commended Peter Rei and Sarah Williams for their efforts in this matter. Mr. Temple discussed current amenities at the Midpines Park, and concluded by asking the Board to purchase the Jones property.

Angela Heiss/Vice Chair of the Friends of Bear Creek noted that the General Plan states that each community will have a "recreational" park; and noted her concerns regarding the YARTS bus with children playing nearby.

Nancy Jones/owner of the subject property noted they are willing owners; and noted they are agreeable with the appraisal.

Public comment closed.

Supervisor Cann commented on the appropriateness of the funding they are seeking from the Bicycle and Pedestrian Fund. CAO and Barbara Carrier/Public Works Assistant Director - Support Services responded.

Supervisor Carrier inquired if gold panning would be allowed on the creek. Supervisor Stetson responded that it does seem appropriate but would need to come to the Board.

Supervisor Jones noted that he is for the project; but, inquired of Planning as to whether there are any zoning issues. Sarah Williams/Planning Director responded that there are no issues with the zoning.

Supervisor Stetson discussed the history of this issue.

Supervisor Cann requested identity of a parcel.

Supervisor Stetson requested direction be given to CAO to enter into negotiations for that property.

Supervisor Carrier required clarification of the correct appraisal amount. CAO responded.

Supervisor Cann inquired if another appraisal would be needed for the purchase. CAO responded.

Supervisor Carrier moved that the direction be given to move forward with the procurement of this 7.7 acres for the Midpines Park expansion.

Carrier (M); Cann (S).

Barbara Carrier reminded the Board that it will require a formal resolution from the Board and the Local Transportation Commission.

The Motion passed 4-0; Bibby excused.

Break

10:20 AM Chair Stetson recessed the Board for a break.

10:38 AM The Board reconvened.

2. Public Works (ID # 2692)

Selection of an Option(S) to Replace the Recently Removed Stairway Located Behind the Best Western Motel that Provided Access to the County Park and to Identify a Funding Source for the Project

Staff presentation made by Peter Rei/Public Works Director, with Russ Marks/County Surveyor assisting.

Supervisor Cann remarked that he feels it would be best to replace the stairs in another location; mentioned that options IV and V seem to be very viable; and would like to explore those more in depth.

Peter Rei gave a brief overview of all options being presented to the Board, noting that he thinks options IV and V are viable but would need easements; option VI would be longer but is all County property. Russ Marks expounded on the options. Mr. Rei noted that staff feels that options III, IV and V are the most viable; and would like direction on which options to investigate.

Public comment opened.

Cara Goger/Arts Council Director noted that they often partner with Parks and Rec for children's programs and would like to see a stairway.

Jeanetta Phillips/Butterfly Festival noted that during the Festival there are different events at the County park and stairs are necessary, noting that she is in favor of option V.

Public comment closed.

Supervisor Jones inquired if options III, IV and V would need an easement from the Best Western land owner; and inquired as to the cost. Mr. Rei responded on the procedure that would need to be followed.

Supervisor Cann noted that it was his impression, from discussions with the landowner, that the land would be donated; and he strongly urged options IV and V, before option III. Mr. Rei responded.

Supervisor Jones noted his agreement with going forward with this with either option IV or V. Mr. Rei noted that the second bit of information that he needs is how to pay for it.

Supervisor Cann noted the Board's acceptance of the use of the Bicycle and Pedestrian Fund account. Mr. Rei noted that he will bring an item back before the Board in a couple of weeks.

Chair Stetson requested confirmation of consensus. The Board members each indicated their agreement.

3. Agricultural Commissioner (ID # 2689)

Presentation of the 2012 Mariposa County Agricultural Crop & Livestock Report

Cathi Boze gave the report.

Supervisor Cann noted the increase in value of grapes grown; and inquired as to how values are determined. Ms. Boze responded.

Supervisor Jones required clarification of an increase between 2011 to 2012 for cow-calf operations; and noted that this could drop in the future. Ms. Boze responded.

No public input.

4. Technical Services RES-2013-345

Approve the Mariposa County Information Security Policy to Enforce Generally Accepted Best Practice for Information Security and Compliance with Applicable Federal and State Law

Rick Peresan/Technical Services Director made the staff presentation, remarking on the need for same.

Supervisor Stetson noted that it seems like a lot of monitoring, and inquired if we have the staff to accomplish it all. Mr. Peresan noted: that it will be a burden on the I.T. staff; some of the changes; that some of the functions can be spread out to the departments; and that it will take some time to roll out. Supervisor Stetson inquired as to the effect of email accounts that are accessed via smart phones. Mr. Peresan responded, and remarked that a smart

phone is personal property with county data.

Supervisor Cann discussed his experiences with other agencies.

CAO remarked that County Counsel has noted an exception to item E regarding the email client, in that Human Services has a different email client with prior Board approval.

No public input.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Lee Stetson, Merlin Jones, Kevin Cann, John Carrier

EXCUSED: Janet Bibby

5. Public Works RES-2013-346

Approve the Third Amendment with Analytical Environmental Services (AES) to Increase the Compensation in the Not-To-Exceed Amount to \$48,846, Extend the Term to June 30, 2014, and Authorize the Board of Supervisors Chair to Sign the Amendment

Peter Rei made the staff presentation with Trent Wilson from AES, consultant on the DRI process, in attendance for assistance. Mr. Rei gave an overview of the DRI grant, summarized some of the actions to date, and noted that three of the roads have already passed through the same process. Mr. Wilson gave a brief overview of the project; the Federal requirements that they have encountered; and issues that have been encountered due to the discovery of a bridge on Dogtown Road that had never been identified and named by Caltrans. Mr. Rei discussed NEPA requirements; and noted that they have been given an extension on the grant to March of 2015 thanks to the efforts of Tara Schiff/Community Development-Grant Coordinator.

Supervisor Jones required clarification regarding the length of time needed for the Dog Town Road and Schilling studies, and wanted assurances for the next one. Mr. Wilson responded.

No public input.

The item was moved and seconded.

Supervisor Carrier inquired if there is a definitive timeline for the completion of the cultural assessment, and when mitigation would be completed. Mr. Wilson responded affirmatively to the timeline, and responded that they should be finished in October. Supervisor Carrier and Mr. Rei discussed construction/grant time lines.

Mr. Rei noted that we have the green light on the other three roads; and expounded on the grant funding and CDBG requirements.

Tara Schiff noted that, in an abundance of caution, she was going to seek approval from CDBG.

Supervisor Carrier requested clarification that, ultimately, everything will have to go out to bid by spring. Mr. Rei affirmed.

The vote was taken.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Lee Stetson, Merlin Jones, Kevin Cann, John Carrier

EXCUSED: Janet Bibby

6. Public Works (ID # 2707)

Discussion and Possible Direction Regarding the Maintenance Issues on Aurora Road

Russ Marks gave the staff presentation. He gave an overview of the history of the road section in question, summarized the issues, and discussed the available options. Peter Rei noted that Public Works recommends option 3 and elaborated on what that would entail.

Supervisor Carrier inquired as to how much staff time was used to research this question. Mr. Rei responded. Supervisor Carrier inquired of the time and cost necessary to transfer the property if option 3 was pursued. Mr. Marks responded.

Public comment opened.

Dave Montgomery/Aurora Road property owner noted that he thinks there are five residences on the road, and noted that he has a residence and a business with ten employees located there. He inquired: why a change is necessary; and as to what the county liability might be. Mr. Rei responded that this particular road was never accepted into the County road system, and discussed the limitations that imposed under state law. Steven W. Dahlem/County Counsel discussed liability issues. Mr. Marks noted language in an agreement which appears to exclude public access.

Dennis Aldrich/Aurora Road property owner noted that he purchased his property in 1978, two years after the agreement was signed. He provided some historical perspective, and noted that he feels that a precedent for the County to maintain the road has already been set; and remarked that he doesn't understand why the road can't be put into the road system.

Public comment closed.

Mr. Rei noted that 2008 was the last time the road was graded, and that stopped when the previous Public Works Director realized that it was not in the road system. Mr. Rei noted that we are behind in our maintenance; and that the funds from State and Federal sources wouldn't cover the costs to maintain it.

Supervisor Jones required clarification of an easement width. Mr. Marks responded.

Supervisor Cann, Mr. Marks and Mr. Rei discussed the effects of the easement sunset date.

Dave Montgomery noted that he feels that maintenance costs could easily be borne by property owners, but would like to see some kind of plan where the County would help to procure easements and right of passage guarantees. Mr. Marks noted that all property owners would have to be agreeable. Mr. Rei noted that, theoretically, a Zone of Benefit is another option but the costs are usually higher because they have to use prevailing wages whenever the work is done.

Supervisor Cann commented that he feels it is in the County's best interest to get this clarified; and that we can work with the property owners, but

requested that the Board be consulted if it is a significant involvement that needs an allocation of any funds. Mr. Rei noted that we have the resources for Mr. Marks' time, but not for other costs.

Supervisor Jones inquired if option 3 starts the process. Mr. Rei responded. Supervisor Jones concurred with that option.

Supervisor Carrier recounted the history of how this came to the County's attention; and remarked that he thinks that the property owners need to first decide among themselves if they want the road to be private, then the County can help facilitate easements and proceed from there. Mr. Rei noted that the determination of whether the residents want a private or public road is a good place to start.

Chair Stetson inquired if Mr. Rei had sufficient direction. Mr. Rei responded that he does if the Board is in agreement with what Supervisor Carrier just said. Chair Stetson noted that the rest of the Board signaled their concurrence.

Supervisor Carrier inquired how the process will start. Mr. Rei responded.

7. **Treasurer-Tax Collector-County ClerkRES-2013-347**

Set Public Hearing for September 10Th at the Hour of 9:00 AM, or as Soon Thereafter, to Approve a Fee Increase for the Tax Collectors Cost that Appears on Annual Secured Tax Bills

Keith Williams/Treasurer-Tax Collector-County Clerk gave the staff presentation noting: that the fee occurs on the second installment of a delinquent secured property tax; that the fee is used to include and cover the costs for maintaining the abstract/delinquent roll; some of the costs; and that he has surveyed other counties and found that a lot have increased the fee to cover their costs.

No Board or public input.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Lee Stetson, Merlin Jones, Kevin Cann, John Carrier

EXCUSED: Janet Bibby

8. **Building (ID # 2706)**

Adopt a Resolution Recognizing the Building Department's Current 70%/30% Budget Configuration and Authorize the Building Department to Invoice the County General Fund for the 30% of the Annual Budget Which is Devoted to "Public Good" Services Whose Expense is Not Recovered through Permit Fees

This item was Withdrawn from today's meeting.

RESULT: WITHDRAWN

J. Items removed from Consent Agenda

None.

K. Closed Sessions continued

12:15 PM Upon recommendation by the CAO, Chair Stetson continued the Closed Session items to after the 2:00 PM Public Hearing.

L. 12:15 PM Lunch Recess

M. 2:00 PM Reconvene

1. Planning RES-2013-348

PUBLIC HEARING to Consider Zoning Amendment No. 2013-053 and Conditional Use Permit No. 2013-054. Action Includes Adopting a Resolution (To be Effective Upon the Effective Date of the Ordinance Adopting Zoning Amendment No. 2013-053) Adopting a Negative Declaration, Approving Zoning Amendment No. 2013-053, Approving the Conditional Use Permit Application; and Waiving the First Reading and Introducing an Ordinance to Amend the Mariposa County Zoning Ordinance Pursuant to Zoning Amendment No. 2013-053. the Zoning Amendment Proposes an Amendment to Section 17.16.010.A.1.B. of Mariposa County Code by Adding "...Public Stables and Arenas on Parcels of 15 Acres in Size or Greater, Where Arenas May be Used for Organized Competitive Events..." Under the Conditional Uses Section of the Rural Residential Zone. the Conditional Use Permit Proposes the Use of an Existing Arena for Organized And/Or Competitive Equestrian, Canine, and Livestock Events. Marla Kertzman and Ken Corallo, Project Applicants. Property Located at 2759 Ranchito Drive in the Don Pedro Area. APN 020-290-004

Supervisor Jones recused himself from this item because of his involvement with the project, noting that he has no financial involvement in the endeavor. He then left the Chambers.

Alvaro Arias/Senior Planner noted the following changes to the staff report: a change in the Ordinance passed and adopted date from August 27th which is a budget hearing, to the first meeting in September; receipt of a letter from the Department of Fish and Wildlife, noting that the letter and response from staff was handed out prior to the meeting; receipt of two comment letters in support of the project; and the addition of the County Engineer to the approval authority in conditions 11 and 23.

The staff report was presented by Mr. Arias who gave a PowerPoint presentation; with Sarah Williams in attendance.

Supervisor Stetson required clarification that the changes mentioned will not affect the proposed resolution. Mr. Arias responded.

No Board comment.

Public comment opened.

Mike Chaulklin/owner of M J C Construction in Lake Don Pedro spoke on behalf of the project noting that: he built the home and the terrain is unique to that area in that it is level; ingress/egress is good because of proximity to Ranchito and Banderilla Roads; he thinks the project will be good for the area

and will play in well with the horse trails; and the project will also provide employment and recreation.

Marla Kertzman/Applicant gave a PowerPoint presentation on the lack of equestrian activities in the area.

Valerie Chu/Mariposa County High School Senior spoke on behalf of the project.

Wendy Brown-Barry/Member of Mariposa Mountain Riders, and the Backcountry Horsemen of California spoke on behalf of the project, recounting her equestrian activities and noting that she would like to see these activities in the area.

Public comment closed.

Supervisor Cann required clarification that some ability to adapt for unforeseen impacts has been preserved; and inquired about options should the one year review identify an issue. Sarah Williams responded.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Lee Stetson, Kevin Cann, John Carrier

EXCUSED: Merlin Jones, Janet Bibby

N. Closed Session

1. Human Resources/Risk Management 2013-85

Closed Session: Conference with Legal Counsel; Existing Litigation: Disclosure Will Jeopardize Existing Settlement Negotiations

No Board or public input.

This closed session was held at 2:39 PM.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Lee Stetson, Merlin Jones, Kevin Cann, John Carrier

EXCUSED: Janet Bibby

2. Administration 2013-86

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee: Service Employees International Union (SEIU) Local 521; Name of County Designated Representative: Tessa Pritchard

No Board or public input.

This closed session was held at 3:18 PM.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Lee Stetson, Merlin Jones, Kevin Cann, John Carrier

EXCUSED: Janet Bibby

3. Administration 2013-87

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee: Mariposa County Managerial and Confidential Organization (MCMCO); Name of County Designated Representative: Tessa Pritchard

No Board or public input.

This closed session was held at 3:30 PM.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Lee Stetson, Merlin Jones, Kevin Cann

EXCUSED: Janet Bibby, John Carrier

4. Administration 2013-88

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee: Deputy Sheriffs' Association (DSA); Name of County Designated Representative: Tessa Pritchard

No Board or public input.

This closed session was held at 2:47 PM.

RESULT: ADOPTED [UNANIMOUS]

MOVER: John Carrier, District V Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Lee Stetson, Merlin Jones, Kevin Cann, John Carrier

EXCUSED: Janet Bibby

5. Administration 2013-89

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: Sheriffs' Management Association (SMA); Name of County Designated Representative: Tessa Pritchard

No Board or public input.

This closed session was held at 2:59 PM.

RESULT: ADOPTED [UNANIMOUS]

MOVER: John Carrier, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Lee Stetson, Merlin Jones, Kevin Cann, John Carrier

EXCUSED: Janet Bibby

O. Closed Session Report Out

3:49 PM Chair Stetson reported that as to the closed sessions, agenda items K.1 through K.5, "Information was Received and Direction was Given" in each matter.

P. Adjournment

3:49 PM Meeting adjourned in memory of Elizabeth Ann Deardorff, Franklin Dalton Sevedge, Helen Louise Ransom, and Ellen Cochrane.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



MARIPOSA COUNTY

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LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

August 20, 2013

A. Call to Order and Roll Call

9:05 AM The meeting was called to order by Chair Lee Stetson at the Mariposa County Government Center.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:05 AM
Merlin Jones	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
John Carrier	District V Supervisor	Present	9:05 AM

B. Pledge of Allegiance

The pledge was led by Supervisor Bibby followed by a moment of silence for those defending our country.

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.*

No public comment.

Supervisor Cann inquired as to whether there is a time limit on the grant in item D6, and whether the equipment can be used elsewhere. Greg Ollivier/Solid Waste & Recycling Manager responded.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

CA1. Administration RES-2013-349

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

CA2. Administration RES-2013-350

Resolution Continuing Local Emergency Due to the Wild Land Fire Known as the Carstens Fire

CA3. Administration RES-2013-351

Accept Insurance Settlement and Authorize Public Works to Transfer Title of Vehicle P7780 to Liberty Mutual Insurance; Authorize the Public Works Director to Sign All Necessary Documents to Facilitate the Transfer

4. Item pulled from Consent

CA5. Public Works RES-2013-352

Approve Task Order No. One with Fujii Engineering to Provide Consulting Services for Solid Waste and Household Hazardous Waste for Fiscal Year 2013-14 in the Not-To-Exceed Amount of \$16,680, and Authorize the Board of Supervisors Chair and the Public Works Director to Sign the Task Order

CA6. Public Works RES-2013-353

Authorize Public Works Solid Waste Division to Apply for the Department of Conservation (DOC) Beverage Container Recycling Grant to Expand the Community's Beverage Container Recycling Program to Include the County's Four Transfer Stations

CA7. Sheriff's Office RES-2013-354

Approve the Recruitment and Filling of a Vacant Sheriff's Deputy Position Effective Immediately

CA8. Clerk of the Board of Supervisors RES-2013-355

Approve Making Future Director Appointments to the Mariposa County Resource Conservation District (MCRCD) by the Board of Supervisors in Lieu of Election

CA9. Clerk of the Board of Supervisors 2013-90

Appoint David Mecchi and Jerry Progner as Directors of the Mariposa County Resource Conservation District (MCRCD)

E. Minutes Approval

1. **Tuesday, August 13, 2013**

No public comment.

Supervisor Cann corrected his Board Report to read: "reenergize the county and public focus on cemetery maintenance and the need to establish another cemetery for the general Mariposa town area" rather than "re-energize the cemeteries."

The Minutes were accepted with the noted correction.

Cann (M); Carrier (S); Passed 4-0; Bibby abstained.

F. Presentations

1. **Probation 2013-91**

Approve Certificates of Appreciation to Samantha Chambers and Shawnee Long for Their Community Support in Serving on the Juvenile Justice Coordinating Council and Juvenile Justice Delinquency Prevention Commission

No public comment.

Supervisor Bibby commended the girls for their time and community service.

Pete Judy/Chief Probation Officer gave an overview of the activities and contributions of the recipients.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

G. Departmental Presentation

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

James Wilson/Fire Chief updated the Board on the Rim Fire, noting that a string of thundercells moved through the area; and there were two reported fires, but only one confirmed fire. He advised that the Rim Fire spread quickly, going from 800 acres to over 10,000 in less than 6 hours; there are currently 25 more residences threatened along Ferretti Road in Tuolumne County; and they are working well with OES and Tuolumne County.

Doug Binnewies/Sheriff noted that his office has been staffing the Rim Fire since Saturday the 17th; discussed staff deployment; noted that the fire overtook Buck Meadows faster than anticipated, and mentioned some of the buildings and businesses threatened in that area. He reported that late last night the local Mariposa County Office of Emergency Services ramped up the Greeley Hill Community Center which is being staffed by Red Cross; Tuolumne County may relocate their evacuation site away from the school site that is currently being used; he is not aware of any injuries or structure loss in Mariposa County; and they did utilize the CodeRed system.

Supervisors Stetson, Bibby, and Jones commended the emergency staff and thanked the Sheriff and Fire Chief for the updates. Supervisor Jones also thanked the citizens of his district for their responses. Supervisor Cann remarked that the willingness of residents to evacuate is because of the confidence that they have in the Sheriff's Office.

Keith Williams/Treasurer-Tax Collector-County Clerk reported on the sale of tax defaulted properties on Friday, noting that five properties were left and will be up for sale again on October 25th.

Greg Ollivier advised that two tire amnesty events have been planned for next month: one on Saturday, September 14th at the County landfill; and one on Saturday, September 21st at the Don Pedro transfer station. He noted that disposal will be free to the general public; businesses are not allowed to dispose on those days; and anyone can bring in up to 9 tires, but a special pass will be needed from the Environmental Health Department to be able to haul more than nine.

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 and Visitors Centers announced that the Chamber's ice cream social is this Thursday from 6:00 PM to 7:30 PM at the town Park. Ms. McCorry reported that a crew from Central Valley Talk Television was up filming last Saturday and Sunday. She also reported that the Chamber has been working closely with the Groveland Visitor Center regarding the Rim Fire.

Wendy Brown-Barry recounted her presentation at the August 13th meeting regarding the yellow legged frog and the Yosemite toad, and read a prepared statement.

Diane Sorensen discussed the continuing issue of the noise from the Roadhouse 140 Bar. She reported that she has received several sympathetic phone calls from others regarding the same; noted that last Saturday, August 17th, the noise was still a problem; and that she called the Sheriff to complain and that the responding deputy did identify the noise as a problem, but said that there was not much that he could do. She would like to know if there is anything in progress to remedy the disturbing noise issue; and if there is anything else the neighborhood can do besides just keep complaining.

1. Clerk of the Board of Supervisors (ID # 2752)

Handouts from the Public Presentation Portion of the August 20, 2013 Meeting

I. Board Information

Supervisor Cann reported that he: has been assigned to a State task force on rural issues on behalf of the Rural County Representatives of California (RCRC); met with Solid Waste, Public Works and Supervisor Jones last Wednesday; had a meeting with someone from the cemetery committee; attended a follow up meeting regarding the amphitheater and the PG and E grant, and he commended the people involved; met last week with the History Center, Public Works and Planning over issues concerning the rehab of the building, and also talked to the History Center about potential grant money for a new sign for them; and attended a meeting in Pleasanton yesterday with a landowner, the Human Services Director, and the President and Vice President of the American Baptist Homes of the West regarding the assisted care issue, noting that they will need to bring HUD in which will bring added regulations. He also complimented Kathy McCorry on her presentation to Rotary last Thursday morning. Supervisor Cann advised that: the annual Tourism Business Improvement Meeting is tomorrow at 1:30 PM in this building; he will attend the monthly RCRC meeting tomorrow, then will stay over for the

Environmental Services Joint Powers Authority meeting at the request of Public Works; he will try to get back in time for the ice cream social; there will be a presentation tomorrow or Thursday at 2:00 PM regarding developing a Fitness program at the Senior Center; and he is looking forward to the budget hearings next week.

Supervisor Carrier reported that he attended: a fire station meeting last Tuesday where they reviewed the bids for the Bridgeport Station; a Mountain Valley EMS Board Meeting on Wednesday, noting that the State has rejected the EMS Transportation Plan; an Airport Advisory Board meeting later that evening; the Local Hazard Mitigation Planning meeting on Thursday; the Community Corrections Partnership meeting on Friday; and a meeting of the advisory committee for Area 12 Agency on Aging yesterday. Supervisor Carrier advised that he plans to attend: the Midpines Planning Committee meeting this evening; the Tourism Bureau Board meeting on Wednesday; a meeting with Jim Rydingsword on Thursday; the EDC meeting at Noon on Thursday; and the ice cream social Thursday evening.

Supervisor Bibby commented on the forest growth as discussed during the Public Presentation. She also advised that there is going to be a water presentation by UC Merced tomorrow at 6:30 PM. Supervisor Bibby reported that she attended: a Thursday meeting with the Farm Bureau representative regarding water, ag problems and land use; the US Fish and Wildlife presentation on the Foothills Legacy Area Program; and a Mother Lode Job Training meeting in Sonora yesterday, and discussed funding issues and services that may have to be reduced and urged all non-profits and agencies to tap into those resources. In response to comments during the Public Presentation portion of the meeting, Supervisor Bibby advised that none of the Board members could attend the meeting in Sonora due to the time frame since it was on a Tuesday, but individual Board members have submitted letters regarding the Yosemite toad and the yellow-legged frog issue. She also reported receiving vague calls regarding County Fire and noted that once the budget is done there will be a discussion regarding County Fire. She also advised that on Friday, August 23rd there will be a phone interruption here at the Government Center starting at Noon while Sierra Tel works on the line.

Supervisor Jones reported: that there are "no trespassing" signs up at the Fremont Mine from Bagby to Bear Valley; and that he helped some cattle owners haul in water. He also thanked the Sheriff's and Fire Departments for their updates on the fire, and thanked the lodging facilities in his area for giving \$10 per night rates to people displaced by the fire. Supervisor Jones reported attending: a meeting with the Building Department on the 13th; a meeting with Public Works and Supervisor Cann on the 14th regarding the landfill and the continuing rise in equipment cost and options for the future; a meeting with the Building Department, the CAO, the Auditor and Supervisor Stetson the afternoon of August 14th; the Airport Advisory meeting with Supervisor Carrier that same evening, stating on the record that he is totally behind the Airport; the tax defaulted property sale on August 16th here in the Chambers, noting how hard the Tax Collector's Office works with people to remedy defaults; and a ribbon cutting for the Coulterville Beautification Project. Supervisor Jones also advised: of a dinner and silent auction fund raiser on Oct 6th, the cost for which is \$20; that he and his wife will host a Mariposa County Arts Council Art Show in their home in Greeley Hill on October 20th; and that the Fair is coming up, and urged everyone to support it with their attendance.

Supervisor Stetson advised that he will be attending the Midpines Advisory Committee meeting at 6:00 PM tonight, where they hope to finalize discussion on obtaining public input on the Midpines Community Plan. Supervisor Stetson

reported meeting; with the Building Department and Supervisor Jones last Wednesday; and with Charles Phillips in Yosemite last Thursday to help with a CASA fundraiser. He also reminded everyone that the first budget meeting will be on Monday at 6:00 PM.

J. LOCAL TRANSPORTATION COMMISSION

(Chair - Commissioner Lee Stetson, Vice-Chair - Merlin Jones)

Public Presentation

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

None.

Agenda Items

1. Public Works LTC-2013-12

Adopt a Resolution Authorizing the Local Transportation Commission (LTC) Executive Director to Sign a Fund Transfer Agreement with the State of California for the State Transportation Improvement Program (STIP) Planning, Programming, and Monitoring (PPM) Program for the Fiscal Year 2012-2013 in the Amount of \$35,000

Barbara Carrier/Assistant Director of Public Works - Support Services made the staff presentation.

No public input.

Supervisor Cann required clarification regarding the letter from the State. Ms. Carrier responded.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

10:16 AM The Local Transportation Commission adjourned, and a break was taken.

K. Reconvene as Board of Supervisors

10:24 AM Chair Stetson reconvened the Board of Supervisors.

L. Regular Agenda Items

1. Board of Supervisors (ID # 2733)

Presentation by Mark Pelz of the U.S. Fish and Wildlife Service Regarding the Proposed California Foothills Legacy Area Program (Janet Bibby)

Supervisor Bibby noted that she set this item up since attendance was so low at the evening meeting last week.

Mark Pelz gave a PowerPoint presentation noting that comments on the Draft EA are due by September 15th, and that he has copies of the plan.

Board clarification was sought regarding whether this program might ever come back as compulsory, reasons neighboring counties opted out, what role the County has in it, the effects of the County not taking a position, permissible uses, what rights landowners will lose, and potential tax effects. Mr. Pelz responded to all questions.

Public comment opened.

Bridget Fithian/Sierra Foothill Conservancy noted that this program is complimentary to the work that they do; that they are pleased that US Fish and Wildlife is interested in offering this in our community; and that she likes that the emphasis is on range land. She also emphasized that this is a voluntary program, and noted that it is administered through the non-regulatory refuge system.

Linda Meyer/Rancher and Farm Bureau member noted that these easements are voluntary, and there are all different kinds; discussed different means of improving the ground for ranches; and inquired if the Federal government will be available to help with problems that might be going on around one's property.

Public comment closed.

Supervisor Cann inquired as to whether the Board is being requested to take any action on this issue. Mr. Pelz responded that they are not.

2. Public Works (ID # 2724)

Selection of Utility Undergrounding Project(S) to Submit for Funding and Construction Using PG&E's Rule 20A Program

11:07 AM Supervisor Stetson recused himself from this item as he owns property in an area mentioned. He passed the gavel to Vice-Chair Cann and left the Chambers.

Peter Rei/Public Works Director gave the staff report, assisted by Eddie Scherf/Engineering Technician II. Mr. Rei noted that, with this program, it may be five or six years before anything gets accomplished.

11:12 AM Supervisor Bibby noted that she has property that might have proximity with a couple of the projects on the Lower Priority Locations and recused herself and left the Chambers.

Rick Benson/County Administrative Officer (CAO) noted that these are the projects that PG and E feels might be eligible, but the final options chosen by the Board will still need to go before PG and E for formal review and consideration.

Mr. Scherf gave a PowerPoint slideshow of the proposed sites.

CAO discussed criteria used by PG and E, and factors that the Board may wish to consider. He also reiterated that it will be many years before we'll see anything happen.

Supervisor Cann noted that a couple of these seem like they should be one project, and discussed his observations. Mr. Rei noted that the Board could create an underground district that encompasses an entire area.

Supervisors Jones and Carrier expressed their choices.

Discussion ensued regarding the possibility of bringing back the recused Board members after location selections. CAO suggested that the Board narrow the selections down, and Public Works can bring those back before the full Board.

Public Comment Opened.

Ron Iudice encouraged them to look at 7th Street. Mr. Rei discussed the possibility of developing a district and including that area in it.

Greg Kittelson encouraged the Catheys Valley Park/McKay Hall location, as it seems to be a safety issue. Discussion ensued between Public Works staff and Supervisor Cann regarding that location.

CAO noted that this is just for PG and E to underground the lines. Mr. Rei noted that the new program does pay for the line up to the box.

Supervisor Cann noted his choices.

Greg Kittelson suggested that another option for McKay Hall might be to move the playground equipment.

Public Comment Closed.

Mr. Rei noted that his understanding is that the Board likes the McKay Hall/Catheys Valley Park project, and Highway 49 North to Highway 49 South as an underground district; and he will bring an item concerning them back to the Board.

CAO noted that PG and E will make suggestions for scaling back projects they feel are overly aggressive.

11:41 PM Supervisors Stetson and Bibby returned to the Chambers, and the gavel was passed back to Chair Stetson.

3. Public Works RES-2013-356

Approve a Memorandum of Understanding (MOU) Between the United States Department of the Interior National Park Service, Yosemite National Park, to Enter into a Collaborative Relationship to Enhance the Operational Efficiencies of Each Organization and Authorize the Board of Supervisors Chair to Sign the MOU

Peter Rei made the staff presentation, with Greg Ollivier assisting. Mr. Ollivier discussed the history of this issue; noted that the value of the tipping fees for the sludge is an accurate number based on the last volumes that were reported as exported; advised that the estimate for the value of the co-mingled recyclables is a very conservative estimate to allow for decreasing market values; and assured that the market value far exceeds what would be made off of the tipping fees. Mr. Rei noted that the only issue is that this does not change that others will still pay \$55 per ton.

Supervisor Bibby inquired as to what the ordinance says about sludge. Mr. Ollivier responded and discussed co-mingled recyclables. Discussion ensued between Peter Rei, Greg Ollivier, and Supervisor Bibby regarding the contract with Total Waste.

Supervisor Bibby inquired: if the Solid Waste Committee is supportive of this agreement; if any consideration has been put into options should the state regulations change disallowing use as alternative cover; as to space considerations; and if the sludge is a risk for contaminants coming into the landfill. Mr. Ollivier responded. Mr. Rei responded that NPS has an obligation to the Water Board to test and meet criteria before the sludge leaves their plant. Supervisor Bibby requested assurances that the recyclables will outweigh the sludge; that it will come in to the landfill in a fashion that we can handle; that there is adequate space; that the contract can be terminated with a 365 day notice; and that this is permissible under our permit. Mr. Ollivier and Mr. Rei responded affirmatively to all concerns. Mr. Rei noted that they are also working on getting a baler and conveyor line which will help.

Supervisor Cann clarified the history of this issue with Yosemite; noted that it is Pima Gro that hauls the sludge and not Total Waste Systems; and inquired if this issue has come before the Solid Waste Task Force. Mr. Ollivier responded, and noted that Total Waste Systems also lost the hauling contract as NPS will be hauling it all out themselves.

Supervisor Bibby inquired if the County will still have the enforcement at the local level if a contaminant comes in. Mr. Rei and Mr. Ollivier responded affirmatively. Discussion ensued regarding the quality of the sludge coming from the NPS treatment plant.

No public input.

Mr. Rei noted that NPS would also like to have a signing ceremony.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

4. Public Works RES-2013-357

Authorize the Department of Public Works to Re-Issue a Request for Proposals (RFP) for a Fixed-Base Operator to Manage the Mariposa-Yosemite Airport

Peter Rei made the staff presentation, noting that this is virtually the same Request For Proposal (RFP) as the last time.

Supervisor Bibby inquired as to whether the possessory tax is mentioned in the RFP. CAO responded that it is not in the RFP, but that it will be in any contract that is negotiated. Supervisor Bibby inquired if we could add such a disclaimer. Mr. Rei responded affirmatively, but stated that he will need assistance with the language.

Supervisor Carrier discussed the Airport Policy for Commercial/Business Usage that the Board approved in April of 1999, and inquired if it could be included with the RFP. Mr. Rei responded affirmatively. CAO noted that it is mentioned at the end of the RFP.

Public comment opened.

Ruth Sellers/Airport Advisory Board member reported that they discussed this item at the last meeting, and noted that they felt it would be important to include a request for a business plan. Mr. Rei noted that business plans are required by the Mariposa/Yosemite Airport Policy for Commercial/Business Usage.

Public comment closed.

Supervisor Bibby moved that the item be approved, with the addition of a disclaimer regarding the possessory tax. Seconded by Jones. Passed unanimously.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

5. Public Works RES-2013-358

Request to Set a Public Hearing for a Proposed Increase in Water and Sewer Rates for Yosemite West Maintenance District on October 1, 2013, at 2:00 PM

Peter Rei made the staff presentation.

CAO inquired about costs. Mr. Rei provided a List of Known Infrastructure Improvements for the Yosemite West Water Treatment and Wastewater Treatment Systems and discussed same.

Supervisor Bibby concurred that items 1 through 3 on the list need to be included in the amounts; inquired into the reason why the rates weren't raised in 2009-2010; inquired if an engineer would be looking at this prior to the hearing; inquired if we know the cost to process a rate increase; and whether these costs are in the 2013-2014 budget and, if not, the source of that funding. CAO responded that the costs for going through this process will have to be included within the costs of the assessment district. Supervisor Bibby required clarification as to the source of the initial cash needed to fund this process. Mr. Rei and CAO responded. Supervisor Bibby expressed her concern regarding the cost of the engineer; and inquired as to the remedies available should parcels stop paying because of foreclosure or other reasons. Mr. Rei responded.

CAO noted that this is a first rate increase, and that it is conceivable that an increase may also need to be done next year, as well. Mr. Rei noted that, per Board direction, the documents call for this to be a one year rate increase and do say that we will come back with a rate study on all the different water and sewer plants.

Supervisor Stetson noted that he has received communications from a member of the maintenance board in Yosemite West which indicate that they are feeling as if they were not provided a sufficient means of response to this particular rate increase. Supervisor Stetson noted that he thought that had been well established in their meeting up there but, they would like to give input as an advisory committee. Mr. Rei responded that it would be possible to schedule an advisory committee meeting before then; Supervisor Stetson requested that it be done.

Supervisor Carrier noted that he feels it is important to make sure that everyone understands that there will be more rate increases in the years to come to address other outstanding issues.

Supervisor Jones commented that he feels we need to do rate studies for all of the service districts.

Supervisor Cann inquired as to whether they are metered in Yosemite West. Mr. Rei responded affirmatively.

No public input.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

M. Items removed from Consent Agenda

A. **Public Works RES-2013-359**

Approve Change Order No. 2 with Hawk Systems for Improvements to the Yosemite West Water System in the Amount of \$18,863 for a Total Compensation of \$29,863; Extend the Term of the Contract to June 30, 2014, and Authorize the Public Works Director to Sign the Change Order

Peter Rei made the staff presentation, with Darryl Nielsen/Plant Operator Technician assisting. Mr. Rei and Mr. Nielsen recounted water issues and the attempts that have been made to combat them.

CAO remarked that normally the recommendation would be to defer this until money is available; however, the Public Works Director is saying that is not a good option. CAO noted that the Board's options are to just pay for this out of general fund, or they could loan the money to the District so that it could move forward immediately, making sure that it is very clear that it is a loan. Assuming that the rate increase was passed, that loan would be one of the first things that would be repaid. CAO also noted that the budget is very tight, and the only place from which to borrow is the proposed contingency fund. He continued that this item would require an 8 or 9 thousand dollar loan via the contingencies and it would be identified as a loan. CAO also noted that the Board could also make the decision to defer this until the funds are available within the District, but that is not the recommendation of the Public Works Director as this is of such importance that it needs to be done right now.

Mr. Rei noted that this is something of which the regulators are very aware; and that we have made promises to them that we would solve the problems.

CAO noted that there is one other source that is being investigated, a bond reserve fund, but he can't give an absolute status for that at this time.

Supervisor Carrier inquired how the system fared with last night's storm. Mr. Nielsen and Mr. Rei responded. Supervisor Stetson required clarification of the procedure to manually start the well. Mr. Nielsen responded.

CAO clarified that the Board only has the change order before it today; and advised that if the Board does take an action, that they do so contingent upon a loan being approved another time.

Supervisor Carrier inquired as to the options that will best clarify that this would only be a loan. CAO responded.

Supervisor Cann inquired of the CAO if there is anything that can be done today to approve it so that they can award it. CAO responded. Mr. Rei commented that they can tell the contractor to get ready to schedule the work, but just cannot tell them to go ahead until next Tuesday. Mr. Rei also noted that he doesn't feel that such a time lag is a problem.

Supervisor Stetson requested confirmation that the work should take approximately two weeks. Mr. Nielsen confirmed.

No public input.

Supervisor Cann moved that the item be approved as requested, contingent upon funding approval to come later. Supervisor Carrier seconded.

Supervisor Bibby inquired if we can clarify that it is to be a loan. Chair Stetson responded that such will be done when it comes back before the Board. CAO offered that they can amend the motion to include: "the approval of a loan next week."

Supervisor Cann amended his motion to approve the item as requested, noting that it is approved as a loan to the district from funding to be determined in the future.

Supervisor Carrier, as the second, agreed with the amendment.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

12:57 PM Steven W. Dahlem/County Counsel announced that the Board should be adjourning at this point but, because of a Notice of a 2:00 PM Hearing that was published, there will just be an informational process and only the Chair and the Clerk will be here at 2:00 PM to so inform any public that appears.

N. Lunch

12:58 PM Recessed for Lunch.

O. 2:00 PM

There were no members of the public in attendance. Chair Stetson announced that the hearing scheduled for this time and place has been delayed to October 1st. (***Clerk's note: Due to Noticing requirements, that hearing has been rescheduled to October 8, 2013 at 2:00 PM.*)

P. Adjournment

2:01 PM The meeting was adjourned in memory of Troy Allen Richards and W. L. "Lance" Rakestraw.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



MARIPOSA COUNTY

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LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

August 26, 2013

A. Call to Order and Roll Call

6:00 PM Chair Stetson called the meeting to order at the Mariposa County Government Center.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	6:00 PM
Merlin Jones	District II Supervisor	Present	6:00 PM
Janet Bibby	District III Supervisor	Present	6:00 PM
Kevin Cann	District IV Supervisor	Present	6:00 PM
John Carrier	District V Supervisor	Present	6:00 PM

B. Pledge of Allegiance

The Pledge was led by Supervisor Cann.

C. Public Presentation

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

None.

D. Regular Agenda Items

1. Administration (ID # 2747)

PUBLIC HEARING to Receive Comments Regarding the Fiscal Year 2013-2014 Final Budget. NOTE: This Evening Session is Scheduled to Allow Members of the Public who Are Not Able to Attend Daytime Portions of the Hearings an Additional Opportunity to Comment on the Final Budget

Ruth Sellers remarked that she has reviewed the budget and is concerned that we're not paying off the debt, that we're not growing, and that social

services is increasing, yet, she doesn't feel that she is getting any increases in services. She feels that we don't go anywhere with the T.O.T. regardless of the amount it generates. She noted that, as a resident, she expects her tax dollar to fund good roads and good law enforcement, but feels she only gets good law enforcement. She stated that she disagrees with money going to the Tourism Bureau from the General Fund. Ms. Sellers suggested that the \$500,000 currently earmarked for the Tourism Bureau should go to the Arts Council, and to give the Sheriff a raise as she feels his responsibilities have increased significantly, and she suggested an increase to his salary of an additional \$25,000 per year. She also suggested that money should go to Economic Development.

Rick Benson/County Administrative Officer explained that the purpose of this evening meeting is to allow an additional opportunity to the public to provide input on the budget. He noted that public comment will also be allowed before each budget unit throughout the following days, and he reminded that no action will be taken by the Board this evening.

Kathy McCorry/Executive Director of the Mariposa County Chamber of Commerce and Visitors Centers noted the number of people through their doors within the last week, and feels that they do a great service to the County and requested continued consideration of the Chamber in the budget.

Joy Schultz/Sales and Marketing with the Chamber of Commerce discussed the growth in the number of tourists served since 2001-2003 when she was the president of the Chamber. She noted that while the services they provide have increased, their budget has not. Ms. Schultz also spoke regarding Fire Services, noting that she didn't know how many surrounding counties do not reimburse volunteer firemen for services, but urged some form of reimbursement or compensation for the volunteers.

Mary Ann Huff/Past President of the Mariposa County Chamber of Commerce/Current President of the John Muir Geotourism spoke on behalf of support for the Coulterville Visitor's Center, as well as the History Center there. She noted that tourism is increasing in the North County, and she discussed the facilities and conditions there.

Mary Bass/President of the Mariposa County Chamber of Commerce discussed the growth within the Chamber and urged consideration for them in the budget. She also noted that the Tourism Bureau is doing a great job, noted that the Chamber should be considered as the concierge for the area, and discussed events that they work on.

Supervisor Bibby wanted to clarify the County Fire issue remarking that nothing has been changed; if there is reimbursement to Mariposa County it is passed along to the volunteers. She noted that the SAFER grant is new and does provide some stipends.

Supervisor Cann noted that the tourism budget is scheduled for a set time on Thursday at 9:00 AM.

Supervisor Bibby advised that individuals who cannot attend any hearing can still provide input by emailing or dropping a line to the Clerk of the Board who will pass it on to the Board.

E. Continue Meeting to August 27, 2013 at 9:00 AM

6:25 PM Chair Stetson continued the Hearing to the August 27, 2013 meeting.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



MARIPOSA COUNTY

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LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

August 27, 2013

A. Call to Order and Roll Call

9:03 AM Meeting Called to Order at the Mariposa County Government Center.
(Continued from August 26, 2013.)

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:03 AM
Merlin Jones	District II Supervisor	Present	9:03 AM
Janet Bibby	District III Supervisor	Present	9:03 AM
Kevin Cann	District IV Supervisor	Present	9:03 AM
John Carrier	District V Supervisor	Present	9:03 AM

B. Pledge of Allegiance

The Pledge was led by Supervisor Carrier followed by a moment of silence for those who help defend this County, particularly those defending us from the Rim Fire.

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.

No public or Board comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

CA1. Administration RES-2013-360

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

CA2. Administration RES-2013-361

Resolution Continuing Local Emergency Due to the Wild Land Fire Known as the Carstens Fire

E. Departmental Presentation

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

James Wilson/Fire Chief and Emergency Planning Coordinator introduced Dennis Rein/Liaison Officer who briefed the Board on the Rim Fire, with Ashley Taylor/US Forest Service in attendance. Mr. Rein reported: that 179,481 acres have burned so far; the number of firefighters and equipment currently deployed; the number of injuries; and the number of buildings threatened, damaged or destroyed. Mr. Rein also discussed the utility impacts noting that this has hit San Francisco very hard as their transmission line out of O'Shaughnessy Dam has been shut down; and that PG and E has about 270 power poles that have been destroyed. He also noted that Highway 120 has been closed and Caltrans will need to replace all the guard rails that have been burned before it can be reopened. Mr. Rein also reported: that in Mariposa County the fire is working its way up Pilot Ridge and they have done some minimal evacuations; and that there is a forest closure in effect which takes in most of the Groveland ranger district which is a significant section of the Stanislaus National Forest, as well as a part of Yosemite. He also recounted the history of the incident and team transitions noting that there are three teams now working together. Chair Stetson expressed the Board's deep appreciation for everyone's efforts.

Doug Binnewies/Mariposa County Sheriff noted there are four residences under evacuation order, and that most of the private residences in the greater Anderson Valley are under advisement. He noted that security is going well; that they are utilizing their volunteer resources to enhance their services; and the Public Works Road Department is assisting with infrastructure signage and resources to help with the closure and to monitor traffic into closed or dangerous areas.

Chief Wilson reported that Mariposa County has not been overly affected but the fire does continue to back down off of Pilot Ridge which is in Mariposa County. He estimated that 2500-3000 acres have been affected in Mariposa County with potential for up to another 1200 acres. Chief Wilson also noted that they have been in conversation with Cal OES who strongly suggested that we declare a local disaster because it is directly affecting Mariposa County.

Supervisor Bibby extended her thanks and appreciation to all fire fighters, emergency personnel, and volunteers for their efforts, and complimented them on the low loss of structures especially in view of the terrain involved.

Supervisor Stetson noted that Yosemite National Park is open and functioning, and is not currently threatened by ash or smoke.

Supervisor Cann inquired if there are projections of when Highway 120 and Big Oak Flat might be opened. Mr. Rein noted Highway 120 is one of the more active parts of the fire, and discussed firefighting tactics.

Chief Wilson remarked that an Emergency Declaration does open up direct compensation for County expenses, and noted that the Sheriff's Office, Public Works and Health have significant expenses.

1. **Clerk of the Board of Supervisors (ID # 2790)**

Rim Fire Handout from Departmental Presentation Portion of the August 27, 2013 Meeting

F. Emergency Declaration

Rick Benson/County Administrative Officer noted that this would be a good time to consider declaring an Emergency for the County.

Steven W. Dahlem/County Counsel explained that while the item is not on the agenda, the Brown Act does allow the Board to take action on an item that is not on the agenda under limited circumstances one of which is when 4/5ths of the Board determines that there is a need for immediate action that was not discovered until after the agenda was posted. He further noted: that based on the information this morning, and the events of the last couple of days, it would be appropriate for the Board to consider whether to take action on this item; and that would be the first step of a two-step process, with the second step being to consider the proposed Declaration.

No public comment.

The Motion was made to entertain the Declaration as an emergency does exist.

Carrier (M); Bibby (S); Passed unanimously.

1. **Administration RES-2013-362**

Adopt a Declaration Proclaiming Existence of a Local Emergency and Requesting (1) the Governor to Proclaim a State of Emergency and (2) a Presidential Declaration of a State of Emergency for the County of Mariposa Due to the Rim Fire

Public comment opened.

Wendy Brown-Barry read a prepared statement urging the Board to adopt a Declaration of Emergency.

Public comment closed.

No Board comment.

Supervisor Cann required clarification that the Declaration has been approved by the CAO and County Counsel. County Counsel responded.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

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 Bibby noted that in light of time, she did not put a Board report together but encouraged everyone to come to the Fair and support all of the activities, with a special thanks to S.C.O.P.E. members for their efforts there.

Supervisor Jones commented on the smoke on his ride over today, and reported on his efforts monitoring the fire and helping people evacuate. He also thanked the Fire Chief and everyone from Cal Fire for their continued efforts to keep everyone updated with correct information. Supervisor Jones reported: attending a meeting on the 21st with Supervisor Stetson and Jim Rydingsword/Human Services Director; attending the EDC meeting on the 21st; and that the rest of week was devoted to budget review. He also warned the public that the budget is very tight; and encouraged everyone to support the Fair, but especially the 4-H and FFA.

Supervisor Carrier thanked all of the emergency workers on the fire, as well as all support personnel. He also reported attending: the Midpines Planning Committee meeting on Tuesday; the Tourism Board Meeting on Wednesday; a meeting with Jim Rydingsword and staff on Thursday; the Economic Development Committee on Thursday; the Chamber's ice cream social that evening; and a Friday meeting regarding the Rim Fire. He also discussed HR 1526, a bill that has been introduced and which has provisions to restore active management in our national forests; and he urged people to contact their Congressman.

Supervisor Cann noted that HR 1526 was discussed at the RCRC meeting last week, and the report there is that the bill is fatally flawed and will not be going anywhere. Supervisor Cann commended Sgt. Kim Miller of the Sheriff's Department for her efforts disseminating accurate information regarding the Rim Fire, noting that it has been very much appreciated; and also reporting that he has been in contact with the Chair of the Tuolumne County Board of Supervisors who also discussed her superb efforts. Supervisor Cann also reported that efforts being directed by RCRC and others towards AB 900 regarding rural hospital districts are working, noting that rural hospitals have been exempted from the cut going forward and they are now working towards being exempted from the cut going backward. He also noted that all of the bills have to be on the Governor's desk soon, and discussed the time frames for new bills. He reported that efforts still continue to repeal the SRA. He also noted that on the back counter is a handout regarding the frog and toad issue, noting that the document is from a coalition that has attacked the speculative nature of the science. He also noted that he feels we need to wait for the socioeconomic impact to be released before a response.

Supervisor Stetson reported: on a meeting with Jim Rydingsword; attending the Midpines Advisory Board meeting on Tuesday evening; and on a Cal Fire meeting yesterday regarding the fire.

1. **Clerk of the Board of Supervisors (ID # 2787)**
Handout from Supervisor Cann Regarding the Yellow-Legged Frog and Yosemite Toad

I. Regular Agenda Items

1. **Public Works RES-2013-363**
Adopt a Resolution in Order to Reschedule a Public Hearing for a Proposed Increase in Water and Sewer Rates for Yosemite West Maintenance District on October 8, 2013 at 2:00 P.M.

Peter Rei/Public Works Director gave the staff presentation, noting that this change is to comply with state noticing requirements.

No public or Board comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

2. **Administration (ID # 2748)**
PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2013-2014 (A Tentative Budget Hearing Schedule is Available at the County Administration Office and at www.mariposacounty.org and is Subject to Change.)

Rick Benson/County Administrative Officer gave the staff report. Bill Davis/County Auditor and Mary Hodson/Deputy County Administrative Officer were present to respond to questions and to track any changes.

Mr. Benson commended and acknowledged Ms. Hodson for all of her efforts putting the budget together, and thanked the Clerk of the Board for digitizing it into a PDF format.

Mr. Benson remarked that this is the third year for August budget hearings, and noted that a drawback is that the final fund balance has not yet been calculated which might necessitate last-minute adjustments. He noted that, for the most part, the budget is a status quo, with the exception of personnel; and that while we have not had pay increases for county employees for several years, our personnel costs continue to rise with the main increase amounting to approximately \$185,000 more for retirement payments to CalPERS. Mr. Benson also noted that due to changes in funding and the nature of projects on the immediate horizon, the Public Works Department cumulative budgets fell outside of the budget guidelines adopted by the Board earlier this year and, consequently, two layoffs were being recommended within the Public Works Department; and that without these layoffs funding would need to be reduced to all other County departments.

Mr. Benson reported that over 40% of our discretionary revenues come from the Transient Occupancy Tax (TOT); that 28% of the county spending is on public protection, an amount that equates to over 50% of the discretionary General Fund monies over which the Board has more control; and noted that the proposed budget includes funding for all essential services.

Mr. Benson noted that the Building Department has made a request to add a

permanent part-time position rather than using an extra help position, but that he is not recommending that addition at this time. He also remarked that there are also several adjustments recommended in the Human Services Department.

Mr. Benson also advised that the Recommended Budget uses a fund balance estimate of \$2,000,000, noting that a change in the actual final number could trigger spending adjustments.

Public comment opened.

Ruth Catalan noted that she is disturbed by the possibility of laying off people in light of the \$500,000 that is budgeted for the Tourism Bureau, especially in view of the amount of money that the Tourism Bureau gets from the B.I.D. tax. She suggested that those funds would be better applied to employees and employee raises. She also noted that it was her understanding that when the Tourism Bureau started, the money from the County was supposed to be seed money and was not supposed to be ongoing.

Public comment closed.

Supervisor Bibby noted previous discussions regarding repairs for Yosemite West, and inquired if that amount of money has been included in this budget. CAO responded. She also noted that the Fresh Start has 15 years to go, and she's worried that we are not seeing an improvement on the general employees. She also noted worries regarding Human Services employees should funding stop, given that PERS runs about a year behind.

Budget Units:

Mr. Benson provided brief overviews of each of the following budget units:

County Administrative Officer

General Purpose Revenue, Administration, Assessment Appeals, Economic Development, Interfund Transfers, Indigent Defense, Microenterprise Assistance Grant, Microenterprise Assistance Loan, and USDA Grant 04-022

Supervisor Cann inquired about the Transient Occupancy Tax (T.O.T.) revenue indicated, noting that he thought that seemed low. Mary Hodson responded that these figures are as of August 2, 2013 when the printout was generated. Supervisor Cann inquired if the Auditor had an estimate of what the final fund balance will be. Bill Davis responded that the fund balance is still dependent on other possible outstanding revenues that he is unsure will come in; that he does not have sufficient information to give an accurate figure; and he expounded on T.O.T. and sales tax revenues. Supervisor Cann inquired if the Auditor could give him a range for the revenue expected. Mr. Davis responded.

Supervisor Bibby: inquired if there is additional revenue anticipated for Courts Fees and Costs; noted that RESTITUTION - TOT on page 4 is a one-time fund and we will not have it next year; referenced language on page 40 pertaining to "a request for General Fund support in the newly created Plant Operations fund" and required assurance that the funds relative to that item, and listed under "Miscellaneous Transfers" on page 41, will be completely offset by assessment districts. Responses by Bill Davis, Rick Benson and Peter Rei.

Supervisor Carrier inquired if the \$185,800 transfer out on page 40 is for the History Center and Admin Building. Mary Hodson responded affirmatively, noting that while that item was requested it is not being recommended as that funding source has been recommended to come from the Tobacco Settlement Fund.

Board of SupervisorsBoard of Supervisors, Fish & Game, Forest Reserve HR2389, and Tobacco Settlement

No public comment.

Supervisor Bibby required clarification regarding the Miscellaneous Expense under Tobacco Settlement Funds, and that we are current with the CSA3 Fund. Mary Hodson responded.

Ms. Hodson noted that Administration's unmet needs had not been discussed.

Rick Benson explained the unmet need; requested \$25,000 to review the accounting system for Mariposa County be placed on the white board; and explained the whiteboard process.

Supervisor Bibby inquired if the white board expenditures could be held, and the money put in contingency until the final fund balances are available. Bill Davis clarified the unmet need, noting that a lot of departments feel that the system does not meet the needs of the department, but that the \$25,000 is to have it evaluated to see if it does meet needs, and supply training if/where necessary. Rick Peresan/Technical Services Director advised that they have looked at replacing the system; elaborated on the potential costs; and advised that before spending that money they need to verify that the current system isn't sufficient. Discussion between Supervisor Bibby and Mr. Peresan regarding conversion scenarios.

The Board concurred with placing \$25,000 for an accounting system review on the whiteboard.

AuditorAudits, Auditor, Government Center, and Debt Assessment CSA #3

No public or Board comment.

Treasurer - Tax CollectorTreasurer - Tax Collector, County Clerk, Elections, Yosemite West Bond Administration, Cash Difference - Tax Collector, Lake Don Pedro Bond Administration, Tax Collectors Cost, Vital/Health Clerk, Yosemite West Bond 2004, Yosemite West WWTP Reserve, Lake Don Pedro WWTP Bond, and Lake Don Pedro WWTP Reserve

Public comment opened.

Greg Kittelson concurs with earlier comments about laying off people. CAO noted that those will come up when the Public Works budget is reviewed.

Public comment closed.

The Board required clarification regarding: whether the budget is sufficient for upcoming primaries; security cameras; and Fictitious Business Name statement revenues. Mr. Williams responded to all concerns.

Assessor/RecorderAssessor/Recorder, Recorders Modernization, Recorders Cash Difference, Micro Conversion, Vital/Health Recorder, and Social Security Truncation

No public comment.

Supervisor Bibby required clarification regarding positions being reclassified

and effects on the budget. Mary Hodson and Tessa Pritchard/Human Resources Director/Risk Manager responded.

County Counsel

County Counsel

Mary Hodson noted a small accounting change requesting to transfer the \$100 in the county vehicle expense line item back into the private vehicle use, noting that its inclusion in the previous fiscal year was a one-time only need. That amount was added to the whiteboard.

No public comment.

Human Resources Director/Risk Manager

Human Resources, and Risk Management

No public comment.

Supervisor Bibby required clarification of the \$25,000 under professional services. Tessa Pritchard responded. Supervisor Bibby inquired as to any progress on the workers comp issue, and the ramifications of same. Mary Hodson responded to the former issue; Bill Davis responded to the latter issue.

Supervisor Cann discussed the consequences to another county that went without their Human Resources Director for a year.

Technical Services Director

Technical Services

No public comment.

Supervisor Cann inquired of the impact to the Department's infrastructure from additional monies given in earlier budgets. Rick Peresan responded. Supervisors Cann, Stetson and Bibby commended the department on the technologies that have been implemented.

Child Support Services Director

Child Support Services, and Child Support Advance

No public comment.

Supervisor Bibby required clarification that both positions noted on page 44 will be reviewed by Human Resources. Debra Walton/Child Support Services Director responded that her department is governed by Merit Systems who is working with County HR.

Agricultural Commissioner

Agricultural Commissioner

No public comment.

Supervisor Jones commended Cathi Boze/Agricultural Commissioner-Sealer of Weights & Measures for the job that she does with the amount of her staff.

Ms. Boze discussed that the Rim Fire is obliterating the leading edge of weeds. Supervisor Cann and Ms. Boze discussed the potential for exotics to move in after fires, and if the fire has destroyed weed seeds.

Farm AdvisorCooperative Extension

No public comment.

Discussion was held with Dr. Fadzayi Mashiri/UC Farm Advisor.

County LibrarianLibrary, and Library Private Donation

No public comment.

Supervisor Cann required clarification of the extra help, as well as the books, audios, videos and magazines accounts. Janet Chase-Williams/County Librarian responded.

Supervisor Jones commended Ms. Chase-Williams for the amount that gets done. Ms. Chase-Williams discussed the devotion of her volunteers noting that she couldn't run without them.

Mary Hodson advised that the Library is requesting to use \$3,000 of the library donation fund to purchase an overdrive platform to allow the use of Kindle e-books.

Community Services DirectorVeterans' Services, Senior Services, Senior Nutrition, and Transit

No public comment.

Supervisor Bibby required clarification regarding revenue in the Transit Fund. Mary Hodson responded.

Supervisor Carrier inquired as to potential effects should the Federal Government withhold transportation funds because of the Governor's pension reform. Terri Peresan/Community Services Director responded.

J. Lunch

11:18 AM Chair Stetson recessed the meeting for lunch.

K. Reconvened

1:32 PM Chair Stetson reconvened the Public Hearing to Consider the Final Budget for Fiscal Year 2013-2014.

Budget Units:**Health Officer**

Health/Air Pollution, Emergency Medical Services, Tobacco Cessation, Realignment Health, Public Health Emergency Program, Local Enforcement Agency, First Five Visiting Public Health Nurse, West Nile Virus, HRSA Bio-Terrorism, Pacific Bell Settlement, CUPA Programs, Pandemic Influenza - State, and CUPA-UST

The Auditor advised that there is still revenue outstanding from a prior year.

No public comment.

Supervisor Bibby inquired if the EMS funds for indigent care can be used for

jail inmates; and inquired about the outstanding revenues. Dr. Charles Mosher/County Health Officer responded.

Supervisor Cann referenced a memo from Dr. Mosher, and inquired as to the impact of those funds. Bill Davis, Rick Benson, and Dr. Mosher responded.

Human Services Director

Behavioral Health Budget Unit

No public comment.

Supervisor Bibby inquired if we would hit our revenue projections. James Rydingsword/Human Services Director responded.

Alcohol and Drug, Social Services, and Social Service Programs Budget Units

Supervisor Bibby inquired if we are expecting to hit the revenue projections for these budget units in a timely manner. Mr. Rydingsword responded.

Family Preservation, Housing Development, Housing Authority (responsibility for same has been transferred to the State and is no longer operative), Energy Grant, Community Programs - CAA, TANF Incentives, Individual Education Plan, Youth Council, Social Services Incentives, Assistance Advance, Children's Trust, Drug & Alcohol Prevention, Welfare Trust, Alcohol Program, Medi-Cal County Bounty, Realignment - Mental Health, Realignment - Social Services, and Mental Health Services Act and its three sub-budgets

Supervisor Bibby inquired that all budget units will meet their revenue projections. Mr. Rydingsword responded.

Supervisor Carrier required clarification of revenues in the Realignment - Mental Health budget.

No public comment.

Supervisor Stetson inquired as to the possibility of expunging the Medi-Cal County Bounty given its small balance. Mr. Rydingsword and Cindy Larca/Fiscal Officer responded.

Mr. Rydingsword discussed growing program complexity; noted that the implementation of Healthcare Reform, which begins on October 1st, has been a major effort; that Cal Works has new programs starting in January; that they are in discussion with John C. Fremont and some health plans regarding emergency mental health assessments under healthcare reform; and he discussed program realignment.

Supervisor Bibby inquired as to whether we are keeping these programs and their funds separate. Mr. Rydingsword and Ms. Larca responded affirmatively.

In-Home Supportive Services Public Authority, Wraparound Services, and 2011 Realignment Budget Units

Supervisor Cann required clarification regarding an earlier issue with IHSS. Mr. Rydingsword responded. Supervisor Cann inquired when that contract will be up. Mary Hodson responded. She also clarified some proposed personnel changes.

Supervisor Bibby inquired as to funding, the building calculations, and space. Mr. Rydingsword responded.

Planning Director

Planning, SDA Camp EIR, South Shore Ranches LLC EIR, Yosemite Cascades EIR, Silvertip Resort EIR, Vallecito Specific Plan EIR, Local Agency Formation Commission, and Mariposa Aggregate

No public comment.

Supervisor Bibby inquired: about the unmet needs list of the Historical Sites and Records Preservation Commission that was withdrawn, and if it includes getting the Courthouse Federal recognition; about the length of time South Shore has been dormant; whether the Mariposa Aggregate amount will be sufficient to do all of the work; and if we anticipate an increase in fees to make sure we have the funding source coming in on mining.

Supervisor Cann noted that he was pleased when the twice a month planning meeting with the other department heads/staff regarding processing of applications was reinstated, and inquired if they are still held; inquired about Title 16 and 17 time lines; and inquired if the General Plan calls for a noise ordinance. Supervisor Bibby discussed the noise issue. Supervisor Jones inquired if the compliance officer has relieved the department; and required clarification on the microfilming cost. Supervisor Carrier required clarification of whether noticing and mailing costs for the Midpines Plan have been anticipated and budgeted. Supervisor Stetson discussed the department's unmet needs, specifically inquiring about the plotter. Supervisor Bibby required clarification of the GPS unit price.

Sarah Williams/Planning Director responded to all questions/concerns.

Building Director

Building

CAO recommended a General Fund subsidy for this department, and noted that the department has also requested additional personnel.

No public comment.

Supervisor Cann requested an update regarding the Building Department. In response, Mike Kinslow/Building Director noted that he thinks Mariposa County is doing better than most; noted that his department has noticed a substantial increase over last year; expects that to continue to grow; and noted that more people are needed to process the additional workload. He remarked that he would, ultimately, like to have the department stable and secure enough that it could function with any of them gone; noted that he will be coming before the Board in the future for a backup inspector and Deputy Director; and informed the Board that they will probably be looking to raise fees in the future.

Supervisor Jones inquired if fee increases will offset the cost of extra help; and inquired as to potential impacts if Debbie Willis was not there. Mr. Kinslow responded.

Supervisor Bibby reminded that any positions will have to go through an open recruitment process; discussed online services to do property searches; discussed fees in other counties; noted that we seem to be giving a lot of free services; and inquired if we can charge as those are public records. Mr. Kinslow responded, and noted they would also like to be able to accept credit cards.

Supervisor Jones remarked that this is an easy county to work with; thinks credit cards are a good idea; but hopes that we do not nickel and dime everyone. Mr. Kinslow discussed his observations of other counties where more time and overhead is spent trying to acquire a small fee than providing the service, noting that consideration will need to be given to prevent that. Supervisor Bibby discussed her thinking regarding when fees should be implemented.

Supervisor Carrier inquired if the Professional Services line item is for the plan checker. Mr. Kinslow responded.

Bill Davis noted that permit revenues have been fairly consistent over the last three years but that this particular budget has built in a 17% increase in revenue,

and inquired if the department is anticipating 17% revenue growth. Mr. Kinslow responded that they anticipate some growth; that they will be asking for a 14%-15% fee increase; but that he can't be sure of the exact amount of growth.

Supervisor Cann discussed when current projects would have been permitted, and when revenue from a fee increase might be seen. Mr. Kinslow noted he would like to see the Board approve a fee increase; and noted that there will be a code change effective January 1st which, traditionally, causes a temporary increase in permits prior to the change.

Supervisor Bibby inquired if the fire inspections for MPUD are yielding any revenue; and where it will be reported. Debra Willis/Senior Development Services Technician noted from the audience that right now that revenue is listed under Miscellaneous. Supervisor Bibby also inquired if the churches have been inspected for sprinklers when they have overnight stays. Mr. Kinslow responded.

Other Issues

Bill Davis discussed the issue of salary adjustments for confidential employees. He noted that the last time he broached the issue it was declined but that mention was made that there would be a review by the Board on all of the confidential employees with adjustment of salaries as needed depending on the outcome of that review; and he inquired as to the status.

Supervisor Cann noted that there is a \$25,000 line item in the budget of the Human Resources Director to fund a comprehensive salary study. Mr. Davis inquired if there would be follow through should the study indicate that there is some inequity in the salaries for these individuals who have no representation in any of the various union groups. Supervisor Cann expressed his hopes for same.

Supervisor Bibby expressed her hope that the Board will get rough numbers from HR, so that those amounts can be considered when funding things.

L. Items removed from Consent Agenda

None.

M. Continue Meeting to August 28, 2013, at 9:00 AM at the Mariposa County Government Center

2:57 PM Chair Stetson recessed the meeting in memory of Darlene Madewell and Justine Kirchner, and continued it to tomorrow, August 28, 2013 at 9:00 AM.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



MARIPOSA COUNTY

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LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

August 28, 2013

Meeting Continued from August 27, 2013

A. Call to Order and Roll Call

9:07 AM Chair Stetson reconvened the continued meeting at the Mariposa County Government Center.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:07 AM
Merlin Jones	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
John Carrier	District V Supervisor	Present	9:07 AM

B. Pledge of Allegiance

The Pledge was led by Supervisor Jones, followed by a moment of silence for those battling the Rim Fire.

C. Public Presentation

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

None.

D. Regular Agenda Items

1. **Administration (ID # 2749)**

PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2013-2014
(A Tentative Budget Hearing Schedule is Available at the County

Administration Office and at www.mariposacounty.org and is Subject to Change.)

Bill Davis/County Auditor and Mary Hodson/Deputy County Administrative Officer were present to respond to questions and to track any changes.

Budget Units:

Rick Benson/County Administrative Officer provided brief overviews of each of the following budget units:

Presiding Superior Court Judge

Grand Jury, and Law Library

No public or Board comment.

District Attorney

District Attorney - Prosecution

No public comment.

Supervisor Bibby required clarification that Human Resources will be looking at the reclassifications. Mr. Benson responded

Vertical Prosecution Grants, Drug Enforcement Grant, Victim Witness, District Attorney Asset Forfeiture, Department of Justice, Sund-Pellosso Advance, State Parole - Section 30027

Supervisor Bibby inquired if we would go for another Domestic Violence grant again. Thomas Cooke/District Attorney responded. Supervisor Carrier inquired as to the negative cash balance on page 214. Mary Hodson responded.

No public comment.

Regarding his request to reclassify staff, Mr. Cooke noted that since they submitted the budget they have received notice that Kim Fletcher, the Senior Trial Deputy, is going to retire at the end of the year and he, therefore, feels that any issues in terms of budget and monies available will be met at the end of the year.

Sheriff-Coroner-Public Administrator

Sheriff-Coroner-Public Administrator

Public comment opened.

Bill Yaley remarked that he feels that Sheriff Binnewies is the best Sheriff that we've ever had; noted that public safety should be the number one expenditure; gave examples of the salaries of sheriffs in other counties; and urged raises for the Sheriff and his deputies.

Public comment closed.

Doug Binnewies/Mariposa County Sheriff: briefed the Board on services; reported that because of minimized departmental costs they have been forced to forego purchasing safety equipment; discussed other potential detrimental impacts including the inability to replace vehicles, escalating costs to provide jail services, and loss of employees to other jurisdictions that pay more; and noted that patrol officers currently have to work 12 hour shifts to maintain minimum staffing in the community. He also noted that they received more in

public safety sales tax revenue than they had forecast, and he requested that the budget be modified to reflect the \$30,000 revenue increase, and redirect it to assist with their narrowbanding radio communication project.

Supervisor Bibby required clarification of the public safety revenue increase. Sheriff Binnewies responded. Mr. Benson noted that it would be appropriate to put this revenue and expenditure on the whiteboard. Supervisor Cann required clarification as to the whiteboard item and Mr. Benson responded. Ms. Hodson clarified that any changes the Board is entertaining during these budget hearings needs to be submitted in writing to the Board tomorrow afternoon.

Supervisor Cann discussed staffing/salary issues, and discussed the idea of additional salary steps. Supervisor Bibby discussed that the community needs to take notice of these issues, and that public safety is a necessity.

Boating Safety, Jail, Asset Forfeiture, Sheriff Asset Forfeiture, SLESF, Rural County Crime Prevention, DNA Identification, County Inmate Welfare, Fingerprint ID, and Animal Control

No public comment.

Supervisor Bibby discussed: the amount that is provided to Merced Irrigation District (M.I.D.) which goes to another county; that Mariposa County responds to the emergencies at the lakes; and the amounts of money and services provided. Supervisor Cann agreed with Supervisor Bibby's comments and discussed ongoing litigation in the matter. Supervisor Bibby noted public comment from the evening meeting pushing for economic development, and stressed the importance of the pending litigation.

Public Administrator, Criminalistics Lab, Standards and Training Corrections Program, Automated Warrant System, Civil Matters, Sheriff - Civil GC26746, CalMMET, Drug Enforcement Agency (DEA) Grant, and Bailiff-Court Security

No public comment.

Supervisor Bibby discussed with Sheriff Binnewies the Public Administrator amount on page 227 of the Recommended Budget and the possibility of getting it off of the books. Supervisor Bibby also discussed the Jail, noting that we need to start planning ways to increase the number of inmates that can be housed. She also discussed the CalMMET program.

Supervisor Cann inquired as to the implications that might be now apparent from the implementation of AB109. Sheriff Binnewies responded.

Board members commended the Sheriff and his department for their efforts.

Supervisor Bibby discussed the number of hours that SCOPE members provide throughout the year.

Sheriff Binnewies thanked Undersheriff Joel Bibby, Captain Byron Robles, Captain Sterling Cramer, and Jail Lieutenant Codie Hart for their work on the budget, or on behalf of the department.

Chief Probation Officer

Probation Corrections and Probation

No public comment.

Supervisor Bibby complimented Pete Judy/Chief Probation Officer regarding AB 109. Supervisor Carrier commended Chief Judy for his foresight

with the Probation Department planning.

Discussion ensued between Supervisors Carrier, Cann and Bibby regarding the timing for the annual budget process.

Chief Judy discussed salary issues, and encouraged a salary increase for the Sheriff. He also discussed challenges with AB109, noting that they have been successful because of the community and the collaborative efforts of the department heads. He stated that he feels no person has gone unpunished and discussed taking \$30,000 of the CCP to put towards the Sheriff for equipment, in order to give the Sheriff a raise. Supervisor Bibby required clarification on returning money, and discussed funding with Chief Judy. Supervisor Carrier inquired if that should go on the whiteboard. Ms. Hodson advised that this is something that should be looked at, but not during these hearings. Discussion by Board members ensued regarding the salary issue.

Supervisor Carrier commended Chief Judy on all of his efforts. Chief Judy commended his staff.

Supervisor Bibby required clarification of Chief Judy's suggestion. Bill Jones discussed County policy regarding fund expenditures. Discussion ensued with Chief Judy regarding utilization of AB 109 funds.

Juvenile Justice Crime Prevention Act, Domestic Violence, Probation - Drug Program, Revenue & Recovery, Youthful Offender, Community Corrections, Community Corrections - SB678

No public or Board comment.

County Fire Chief

Fire, Fire - Special Grants, Fire - SAFER Grant, and Disaster Recovery

No public comment.

Supervisor Cann discussed the Fire Chief's responsibilities and accomplishments. Supervisor Bibby commended the Chief on his efforts and for reducing his budget. She inquired if volunteers will be staffing the Bridgeport station. James Wilson/Fire Chief responded.

Supervisor Bibby congratulated Chief Wilson on his retirement and extended best wishes.

Supervisor Carrier commended the Chief for bringing in grant revenue. He required clarification regarding a project; and inquired if the Chief is anticipating increased utility costs for electricity and propane. Chief Wilson responded. Supervisor Carrier also inquired if there has been any estimate of the cost of snow removal for the Fish Camp station; if there has been any indication that OES will audit the disaster recovery grant; and whether the cost of the snow removal should go on the whiteboard. Chief Wilson responded to the first two concerns. Mr. Benson discussed the current snow removal costs and suggested that it not be addressed at this time.

Mr. Benson commended the Chief on his efforts to construct the new fire stations. Supervisors Bibby and Jones commended the Chief for all that he has done.

Recess

10:52 AM Recess for break.

11:06 AM Board reconvened.

Public Works DirectorFacility Maintenance

Public comment opened.

Greg Kittelson noted that he had tried to comment on layoffs on the wrong day, but has since had a chance to speak with the Public Works Director and no longer has an issue.

Public comment closed.

Supervisor Bibby required clarification regarding a reduction in revenue. Peter Rei/Public Works Director responded.

Supervisor Carrier commended Facilities staff for the amount and quality of the work that is performed.

Surveyor & Engineering

No public comment.

Supervisor Cann required clarification regarding the considerations that went into the layoff decision. Mr. Rei responded, elaborating on options. Supervisor Cann inquired as to the effect of more revenue. Mr. Rei responded.

Supervisor Jones required clarification regarding the current amount of work. Mr. Rei responded.

Supervisor Bibby noted that this issue was delayed last year, and she discussed same. Mr. Rei responded, noting that they are almost grant driven and many of the grants are exhausted. He also discussed the increasing need for specialists on projects. Supervisor Carrier inquired if there is anything we can do in-house that will allow retention of these positions. Mr. Rei responded. Supervisor Carrier requested assurances that we will be able to complete the projects that we've requested without these positions. Mr. Rei responded.

No additional public comment.

Public Works Administration, Regional Transit Services, Parks & Recreation, Local Transportation, and State Transit Assistance

Supervisor Bibby inquired if we will be closing the gap on the transit revenue shown on page 128. Barbara Carrier/Assistant Public Works Director - Support Services responded. Mary Hodson also noted that the fund balance in the year-to-date column is not included in the revenue.

Supervisor Carrier inquired regarding the State Transit Services and potential budget shortfall if foreseen actions occur on the Federal level. He also inquired about general funding. Ms. Carrier and Mr. Rei responded. Supervisors Cann and Carrier discussed the State/Federal unfunded pension liability issue.

Supervisor Cann complimented Parks and Rec on the services provided for the money they receive; and inquired about the services provided at the cemetery and funding source. Mr. Rei responded, making special note of an upcoming cemeteries meeting.

Supervisor Jones commended the whole department. Mr. Rei thanked Shannon Hansen for the scholarship program that she implemented. Supervisor Bibby added thanks to the Community Action Agency.

Transportation Planning, Pedestrian Bikeway, Roads, and Roads - Special Projects

No public comment.

Supervisor Bibby noted that she thinks roads should rank up there with public safety and homeland security; and discussed the amount of work that the road crews do. Supervisor Carrier agreed.

County Service Area #3, Lake Don Pedro Fire District, Water Agency, Coulterville Lighting, Coulterville Service Area, Don Pedro Service Area 1M, Don Pedro Sewer, Hornitos Lighting, Mariposa Lighting, Mariposa Parking, Mariposa Pines Sewer, Wawona Service Area, Yosemite West Maintenance, Hazardous Material Clean Up, and Energy Efficiency Grant

No public comment.

Supervisor Carrier referenced page 148 regarding the Coulterville Service Area and inquired whether current rates will be able to keep up with maintenance demands and improvements; and service area vs district. Mr. Rei responded. Supervisor Carrier required clarification regarding the Don Pedro Service Area, as to why the lease land revenue goes to that district rather than the general fund and whether it would be appropriate to put this into a separate line item. CAO and Mr. Rei responded. Supervisor Carrier inquired if the Don Pedro Sewer fees are sufficient to cover the current services. Mr. Rei responded.

Supervisor Bibby inquired if we can take a look at the land donation to make sure that it meets conditions.

12:06 PM Chair Stetson recessed for lunch.

1:31 PM The Board reconvened and the Budget Hearing continued.

Barbara Carrier inquired if there were any questions relative to the budget units after Don Pedro Sewer. There was no response from the Board.

Mr. Rei noted that there is one issue regarding Yosemite West to complete the project. Mr. Benson clarified that it is suggested that the Board put \$10,000 on the whiteboard which will be a loan to the district for the HOWK contracted repairs. Supervisor Carrier inquired if it would be better to put \$11,000 on the whiteboard in case it goes over. Mr. Rei agreed. The Board indicated concurrence with adding that item to the whiteboard.

Capital Improvement Projects

Rick Benson noted that there is a change to the budget, and he recommended that the Board not appropriate funds for the repairs of the Government Center at this time. He remarked that funding was supposed to come from the Tobacco Settlement Fund, but those funds are going to be needed to finish the Bridgeport Fire Station. He also noted that funds from another source are anticipated later in the year which will be available to allow the building repairs to be done. Mr. Benson requested that the funds earmarked for the Government Center repairs be put on the whiteboard.

Supervisor Stetson inquired if the delay might result in the possibility of additional damage to the Government Center. Mr. Benson and Mr. Rei responded. Supervisor Stetson required clarification as to when funds might be available to effect repairs. Keith Williams noted that it would be available around October 1st.

Supervisor Bibby required clarification as to the reason for the Tobacco Fund shortfall. CAO responded that the bid for the Bridgeport Fire Station came in \$100,000 higher than anticipated, and a \$42,000 contribution towards the cost of building the Fish Camp Fire Station from the local volunteers did not materialize as expected as they applied those funds to other purposes in the Fish Camp Station. Supervisor Bibby expounded on the issue. Supervisor Carrier noted that verbal agreements need to be followed with a written document. He also inquired if the \$140,000 is a solid shortfall. Mr. Rei and Ms. Carrier responded. Supervisor Bibby agreed with committing future agreements to writing.

Supervisor Carrier restated his understanding that the CAO is recommending taking the money for the repairs of the Government Center and applying it to the construction of the Bridgeport Fire Station. Mr. Rei commented that would allow them the ability to award Bridgeport. Supervisor Bibby noted that would not allow change orders. Mr. Rei responded that the Board always has the authority to scale down.

CAO noted that they are confident that the other funding source will happen, but he urged caution as it is not yet ready to bring forward.

Supervisor Jones inquired if there are any mold issues in this building. Mr. Rei responded that he didn't know. Supervisor Jones remarked that the cost of mold remediation increases the longer one waits. Supervisor Carrier urged acceptance of the CAO's recommendation. The Board concurred with adding the funds currently budgeted for Government Center repairs to the whiteboard

Supervisor Carrier inquired as to the status of the Catheys Valley well. Mr. Rei responded, noting that the Department of Public Health has waived the requirement for storage so he feels they might still come in under budget. Supervisor Carrier inquired if the Courthouse study for recommended repairs has been budgeted. Mr. Rei responded affirmatively.

Supervisor Bibby remarked that \$10,221 was set aside years ago for the Catheys Valley Park Expansion, but suggested that it could go to either Bridgeport or to a Health and Safety need, with the understanding that it be replenished in the future. Mr. Rei noted that it is impossible to anticipate future change orders at this time. CAO recommended leaving it where it is for now but to make note that it is possibly available, especially for the Catheys Valley Park well project.

Solid Waste & Recycling

No public comment.

Supervisor Carrier inquired if taking on the Administrative functions for the landfill will interfere with any Public Works projects or workload. Mr. Rei and Greg Ollivier/Solid Waste and Recycling Manager responded. Ms. Carrier explained the reduction.

Supervisor Carrier remarked that he is glad to see that we're putting some money into heavy equipment replacement, but if additional revenues become available we should consider upping that line, as well as the landfill closure funds. Mr. Rei responded. Mr. Ollivier noted that the landfill closure cost is recalculated every year. Bill Davis discussed what is actually getting calculated and accumulated.

Supervisor Bibby inquired about the aerial study. Mr. Rei responded.

Supervisor Cann discussed the likelihood of regulations changing between

now and when the landfill actually closes; discussed the level of funding; noted that he does think Mr. Ollivier and his staff have brought in good changes; and inquired as to the difference between the recycling reimbursement and the CRV process center charges. Mr. Ollivier responded.

Supervisor Jones commended Mr. Ollivier on his efforts; and agrees with the Auditor that we're going to need a substantial amount of money when the landfill closes.

Supervisor Stetson required clarification regarding the \$25,000 land purchase. Mr. Ollivier responded that it is for three additional monitoring wells that need to be placed offsite to come into compliance with a Regional Water Board requirement. Supervisor Cann inquired if that purchase will be moving forward soon. Mr. Rei responded.

Airport Operations, Airport Project DTFA08, Special Aviation, and Airport Slurry Seal

Mr. Rei noted that the slurry seal is a completed project.

No public comment.

Supervisor Carrier inquired if an issue with the fuel line going from the fuel tanks to the fuel pumps will be addressed this fiscal year. Mr. Rei responded that they have an invoice, but have not yet done the repair, but that it will be funded out of operations. Supervisor Carrier required clarification of the \$75,000 professional services contract. Mr. Rei responded.

Plant Operations

No public comment.

Supervisor Bibby required clarification that no general funding will be needed. Discussion between Supervisor Bibby and Mr. Rei regarding the number of staff and how much ground they cover.

Supervisor Carrier offered a correction noting that Wawona is not part of this. He also inquired if there is a way to account for the time of workers in such a way that it gets apportioned to the correct fund. Mr. Rei responded that the individual workers keep time cards which are used for accounting purposes.

Supervisor Bibby inquired if they are going to break the revenue down further by site. Mr. Rei responded that they can. Ms. Carrier responded that they calculate it by district, so it would be easy to implement if the Board so desires. Supervisor Carrier indicated his agreement. Supervisor Stetson noted his agreement.

Supervisor Jones and Mr. Rei discussed the rate study and the completion time for that.

Fleet Maintenance

No public comment.

Supervisor Bibby discussed the result of past rate lowering, and inquired as to the condition of the Fleet. Mr. Rei responded. Discussion ensued regarding the issues with older vehicles. Supervisor Bibby inquired if there are any vehicles that departments have kept but that should have been removed. Ms. Carrier and Mary Hodson responded. Supervisor Bibby requested that problem vehicles be brought to the Board's attention so they can be remedied. Mr. Rei reported that he also brought this issue up at the department heads meeting and noted that he thinks there might be some things that can be done

to economize.

Bill Davis recounted that the State contacted his department a few weeks ago to inquire about the vehicle replacement fund. He remarked that the funds they have set aside are insufficient to even replace those vehicles that are fully depreciated. Mr. Davis discussed vehicle funding.

Supervisor Cann commented on the State's interest, given how underfunded the county is; and required clarification regarding the depreciation rates. Ms. Carrier and Ms. Hodson responded.

Discussion ensued regarding vehicles purchased with grant monies, vehicle allocation and utilization, and potential management ideas.

Ms. Hodson reminded the Board that they will get an opportunity to review county assigned vehicles in September. She also recounted Admin's findings when the issue of having an assigned vehicle was investigated.

Supervisor Bibby inquired if accident reports are being filed timely. Joe Halencak/Fleet Superintendent responded. He reported that one of the biggest operational challenges is to cover immediate repairs/needs and keep the departments in vehicles.

Solid Waste Equipment Replacement, Fire Vehicle Replacement, Vehicle/Heavy Equipment Replacement

No public or Board comment.

E. Continue Meeting to August 29, 2013 at 9:00 AM

2:53 PM Chair Stetson recessed the meeting for the evening and continued it to 9:00 AM August 29, 2013.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



MARIPOSA COUNTY

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LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

August 29, 2013

Meeting Continued from August 28, 2013

A. Call to Order and Roll Call

9:02 AM Chair Stetson reconvened the continued meeting at the Mariposa County Government Center.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:02 AM
Merlin Jones	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
John Carrier	District V Supervisor	Present	9:03 AM

B. Pledge of Allegiance

The Pledge was led by Supervisor Bibby followed by a moment of silence for those defending this County.

C. Public Presentation

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

Kathy McCorry reminded everyone that the Chamber is kicking off the Save the Fairgrounds mural project this weekend. She also invited the Board to take a special VIP excursion on Friday, September 13th at 5:00 PM, which will culminate in the new walking tour.

Susan Bramson invited everyone to the CoyoteFest in Coulterville on September 28, 2013, and handed out a flyer.

Ruth Catalan inquired if the CAO's compensation will be revisited since he no longer has Risk Management responsibilities.

A. **Clerk of the Board of Supervisors (ID # 2781)**

Handouts from the Public Presentation Portion of the August 29, 2013 Meeting

D. Regular Agenda Items

1. **Administration (ID # 2750)**

PUBLIC HEARING to Consider the Final Budget for Fiscal Year 2013-2014 (A Tentative Budget Hearing Schedule is Available at the County Administration Office and at www.mariposacounty.org and Subject to Change.)

Bill Davis/County Auditor and Mary Hodson/Deputy County Administrative Officer were present to respond to questions and to track any changes.

Budget Units:

Rick Benson/County Administrative Officer provided brief overviews of the following budget units:

Community/Cultural Services (Tourism)

Rick Benson noted a minor recommended change regarding the Fair Parade, requesting an additional \$135 for same. The Board concurred with putting that on the whiteboard.

Public comment opened.

Lester Bridges/Past President of the Mariposa County Chamber of Commerce recounted Visitors Center statistics for last week; noted that their daily visitor count has doubled since 2007; and urged extra funding for the Chamber of Commerce. He reported that the visitor count has risen significantly with the Rim Fire; discussed the visitor growth over the last few years; and noted that the Chamber needs help. Mr. Bridges also discussed that the Chamber now helps to place visitors in Mariposa lodging; reported that they placed 2221 visitors in overnight lodging since February of this year; gave an estimate for the amounts of money generated to the community and in Transient Occupancy Tax (T.O.T.) from those bookings, noting that the Chamber is a revenue generator; and commended the Executive Director for her energy and efforts. Supervisor Stetson required clarification regarding the amount being requested.

Kathy McCorry/Executive Director of the Chamber of Commerce responded to Supervisor Stetson's inquiry. Supervisor Cann inquired what that money will fund. Ms. McCorry responded that they would be able to hire one part time employee for lunch coverage. She also noted that with the \$156,000 they would have to cut winter hours; discussed the Chamber's workload; and correlated the increase to the efforts of the Visitors Bureau. Supervisor Jones commended Ms. McCorry for her efforts; inquired as to the potential amount of reduction to the Northern County area; discussed his reasons for supporting funding to the Chamber; and proposed increasing their support to \$168,000. Supervisor Bibby inquired where the Chamber would propose the County cut money in order to increase funding for the Chamber. Ms. McCorry responded that she didn't know that she could answer, but discussed the T.O.T. amount that the Chamber has generated by assisting with visitor lodgings. Supervisors Bibby and Cann discussed statistics. Supervisor Cann noted that we only need \$30,000 for Townsend so the extra \$10,000 can go on the whiteboard.

Supervisor Jones encouraged the additional funding for the Chamber.

Ruth Catalan stated that she feels the Visitor Centers are very important; inquired if they should go out for a contract renewal or bid; and noted that she thinks the Coulterville Visitor Center should be a separate contract, and that it could use more attention. Supervisor Cann clarified that it was a separate bid and the Chamber won both contracts. Ms. Catalan inquired as to how often the contract comes up for bidding. Supervisor Cann responded.

Julie Hadzega/Yosemite Mariposa County Tourism Bureau Marketing Coordinator noted that Terri Selk is sick and she read a statement from him. Supervisor Bibby noted that it would be nice to get feedback from Tourism, the Chamber, and the Arts Council on the funding allotment. Ms. Hadzega noted that she would relay the request to Mr. Selk. Supervisor Carrier remarked that he has heard that NPS is projecting a 20 percent reduction next year because of the fire. Ms. Hadzega responded that her office has not received that information but will investigate it. Supervisor Carrier also inquired on the returns from advertising in Europe; suggested that the B.I.D. be raised in the future to replace the contribution from the County; and discussed advertising with Ms. Hadzega. Supervisor Bibby noted that the Townsend Group was recently added to the discretionary funding; requested feedback regarding funding allocation from the recipients; and discussed the county services also used by tourists. Supervisor Cann responded to Supervisor Carrier's concerns, noting that he doesn't foresee any large reduction in tourism next year; and discussed that our T.O.T. doesn't necessarily correspond with the Park's tourism numbers. He also discussed DNC advertising; and noted how the groups work together.

Joy Schultz/Past President of the Mariposa Chamber of Commerce discussed that the Tourism Bureau is getting extra money to bring people in, which the Chamber will have to deal with; and urged that the Board consider giving the Chamber a portion of the amount allotted to the Tourism Bureau. She also discussed the resource and activities guide that the Chamber is producing.

Lester Bridges noted that the Chamber has given measurable results.

Roger Biery/President of the Economic Development Corporation (E.D.C.) and Advisor to the Tourism Bureau discussed the relation between ADRs (average daily rates) and occupancy rates. Mr. Biery also discussed the T.B.I.D. formation, as well as the amount of the General Fund that is applied to revenue generating items.

Mary Ann Huff/President of the John Muir Geotourism Center noted that she is very connected to the community and feels that these funds should not be cut; discussed the corroboration between the entities; and encouraged full funding for all programs.

Debbie Peters/Chamber of Commerce Director noted that she doesn't feel it is appropriate to ask the entities to decide how funds are allocated, as it will pit them against one another.

Ruth Sellers noted that all of the tourism does nothing for her; noted that when the \$500,000 for the Tourism Bureau was originally allocated, it was supposed to be seed money to help them get started; feels that the Tourism Bureau should be self-sufficient and sees no reason for General Fund money to go to them, especially considering their B.I.D. revenue; feels that the money would be better applied elsewhere; urged a raise for the Sheriff; and discussed the growth of Social Services and its funding.

Susan Bramson/President of the Northern Mariposa County History

Museum discussed the letter that she sent yesterday urging extra funding for that museum; recounted the history of the museum; and remarked on the visitors that they receive.

Ron Iudice noted that he lives in town and walks through town at night, and recounted some of his observations. He also noted that when he had his business he really counted on the European trade; and he encouraged funding to all the groups.

Cara Goger/Executive Director of the Arts Council noted that the funds they receive support the Mariposa Storytelling Festival, Mariposa Evenings, the Mariposa Symphony Orchestra, numerous education programs, and is used to leverage grants. She discussed an upcoming grant that will be administered with the Social Services program; and discussed various Arts Council programs.

Public comment closed.

10:28 AM Chair Stetson recessed for a break.

10:42 AM The Board reconvened.

Mr. Benson clarified that he is recommending a four percent increase for the Visitors Center, but because they have asked for a twelve percent increase this is being portrayed as a cut; he noted that no County Department is getting a twelve percent increase and that, in fact, two County employees lost jobs in order to stay within guidelines; and noted that he is a big advocate of the Chamber of Commerce but we contract with them for a service.

Supervisor Bibby encouraged people to look back at the old budget books from the 1990s; discussed that in order to fund these things the County has had to cut positions and other things; noted that she sees no harm in tracking visitors; discussed the things that are considered in balancing budgets; urged that we analyze the value that we get from these funds; and discussed some past statistics.

Supervisor Jones commended Cara Goger for her efforts in District II; discussed funding to that area; noted the efforts of private citizens over there to beautify the community; discussed changes to the Northern Mariposa County History Center, noting that volunteers do a lot for that organization; remarked that he would like to see the increase to their funding; and discussed the importance of the T.O.T. and the things that drive it.

Supervisor Cann extended his best wishes to Terri Selk; recounted statistics from one of the hotel owners; discussed the CAO's revenue pie chart and what it represents; noted that only a handful of jobs within the county are not tourist related; noted that the County budget relies on tourism; discussed various county demographics that rely on tourism; extended kudos to the Chamber of Commerce for their services; discussed T.O.T. rates; and recommended that we pass this budget item.

Supervisor Bibby stressed that there is no elimination here, that it is just the request for additional funding that is in question; discussed that it is about balance; noted that Williamson Act and Ag are important for the county ambiance which fuels tourism; announced that this is her last term as she will not be running again, and noted that she hopes future Boards realize the importance of that open land; discussed various projects and noted that funds are strategically placed; discussed the importance of investing in county employees as well; discussed the General Plan; complimented the Chamber on

their efforts placing people, noting that she feels it is a good team effort; and urged caution in spending.

Supervisor Stetson responded to Supervisor Bibby's comment that she will not run again; and discussed her scrutiny of, and caution with, county funds.

Supervisor Jones noted that the Coulterville Visitor Center is looking at a fifty percent cut, and discussed the amount of visitors through that area. He also discussed the funds available and things that have impacted it, noting that he would like to see the requested additional amounts of \$3000 for the history center and \$12,000 for the chamber on the whiteboard.

Supervisor Carrier asked for a recap of what is currently on the whiteboard. Ms. Hodson responded.

Supervisors Bibby and Carrier discussed the need for final fund balances.

Mr. Benson clarified that the whiteboard is just a tracking tool for proposals; and explained the process.

Supervisor Carrier suggested taking \$200,000 from the Tourism funding to apply to contingency or to put on the whiteboard to hold pending the final numbers.

Supervisor Cann required clarification of the amount of T.O.T. revenue that was programmed. Ms. Hodson responded. Discussion ensued regarding T.O.T. revenues, and how they have been projected in the past; and deferring certain items until the final fund balance is available.

Rick Benson discussed and clarified the whiteboard entries. He also clarified that the Chamber received \$150,000 last year; that they have said that they need \$168,000 to provide the same level of service; that he has recommended \$156,000 which is an increase over last year; that it is the Chamber who is saying that they will have to reduce services; and concluded that there is not a cut in their funding.

Supervisor Jones reiterated his recommendation that \$3000 for the Northern Mariposa County History Center go on the whiteboard.

Supervisor Carrier required clarification regarding the Bridgeport Fire Station budget. Rick Benson responded.

Supervisor Cann required clarification on the increase that the History Center received last year; and noted that he sees no reason that Supervisor Jones' requests can't be added to the whiteboard for consideration. Supervisor Stetson concurred with the latter and requested an indication from the Board of concurrence.

Bill Davis noted that the fund balance in the general fund is not necessarily all available for discretionary funding. Supervisor Bibby noted that much of the budget is categorical funding and has to be applied, by statute, to specific things. She also discussed cash flow; impacts to it from Federal reimbursements; and fluctuations that can occur. Supervisor Bibby also noted that she doesn't feel Yosemite West can be delayed; that the \$26,000 can be delayed until the fund balance; and she agrees with putting the \$10,000 for Townsend in the contingency.

Supervisor Carrier noted that he would like to put an addition to the contingency fund on the whiteboard. Bill Davis agreed that he, too, would like to see the contingency fund higher than it is now, but the only way to raise that contingency is either to cut from someplace else, or if the fund balance comes in higher than anticipated.

Supervisor Stetson noted that he has always supported quality of life issues such as those before the Board today, and he does not want to reduce

that support in any way.

Supervisor Bibby inquired as to when an item regarding raising the T.O.T. will be coming before the Board. Mr. Benson responded. Supervisor Bibby encouraged a T.O.T. increase; and discussed the time that will be needed to pursue such an increase. Supervisor Cann discussed the T.O.T. issue noting that they are best done in a general election, rather than a primary.

1. **Clerk of the Board of Supervisors (ID # 2789)**

Communications from the Public Regarding the FY 2013-2014 Budget

Contingency - General

Rick Benson noted that it would be prudent to have more contingency set aside, but this is all that could be earmarked for that and still have a balanced budget; noted that, based on past years, this dollar amount should be adequate; and recommended increasing contingency should any additional funds come in.

Mr. Benson explained the procedures that the Board normally follows at this point in the budget proceedings.

Public comment opened.

Ruth Catalan feels that money should be taken from Tourism and put in the contingency, as well as applying some to economic development outside of tourism.

Public comment closed.

11:57 AM Chair Stetson recessed the Board to allow printout of the whiteboard material.

Budget Consideration

12:06 PM The Board reconvened.

Supervisor Cann noted that the Deputy County Administrative Officer thinks the final numbers should be available in early October and proposed the Board consider only those whiteboard items which cannot wait until then.

Discussion was held concerning which items should be considered today.

Supervisor Carrier proposed committing \$300,000 to Tourism at this time, and placing the remaining \$200,000 on the whiteboard until the final figures are available. Supervisor Bibby concurred. Supervisors Cann, Jones, and Stetson disagreed.

The Board considered each line of the whiteboard and agreed that the following items should be considered today:

County Counsel's Transfer of \$100;

The Sheriff's increase to sales tax revenue and application of same to safety equipment;

The Yosemite West Maintenance District repair cost shortfall noting, for the record, that this would only be a loan and would need to be repaid;

Deferral of the Government Center repairs from Tobacco Settlement funds, with those funds being applied to the Bridgeport Fire Station; and

Reducing the amount currently budgeted for Townsend Group by \$10,000.

Mary Hodson noted that the budget is still out of balance by \$1,135.

Mr. Benson recommended that the Board approve lowering the contingency by \$1,135. The Board concurred.

Ms. Hodson requested a break to allow printout of the changes.

12:17 PM The Board Recessed.

12:22 PM The Board Reconvened.

Mary Hodson clarified the process noting that there will be a formal resolution to adopt the fiscal budget for FY 2013-14 on Tuesday's agenda.

Action was taken to accept the recommended budget, with the incorporation of the noted changes.

Jones (M); Cann (S); Passed Unanimously.

Mr. Benson congratulated the Board; thanked the department heads for their cooperation; reminded the Board that the departments are making do with what we have; and noted that an increase in the T.O.T. could make a significant difference. He also thanked Mary Hodson for all of the work that she did, as well as the entire staff in the office.

Supervisor Jones thanked Mary Hodson and the rest of the staff.

Supervisor Stetson concurred, also thanking the Auditor.

E. Adjournment

12:29 PM Chair Stetson adjourned the meeting.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



MARIPOSA COUNTY

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LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

September 3, 2013

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	9:00 AM
Merlin Jones	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
John Carrier	District V Supervisor	Present	9:00 AM

B. Pledge of Allegiance

9:02 AM The Pledge was led by Supervisor Cann, followed by a moment of silence to acknowledge the nearly 5,000 people dealing with the Rim Fire.

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.*

No public comment.

Supervisor Bibby noted that the agenda shows CA9 requires a 4/5ths vote, while the budget action attached to the item shows 3/5ths; and requested that the budget action form be corrected.

Supervisor Cann requested an update on CA5, the Carstens Fire Local Emergency. Rick Benson/County Administrative Officer briefed the Board, noting that no decision has been made by the Governor's office to date.

Chair Stetson acknowledged receiving an email from Dr. Mock regarding CA6, noting that there has been no time to investigate the issue raised.

Supervisor Bibby required clarification regarding the OCAP funds mentioned in CA8; discussed text stating that there is no 211 number, noting that we do have the 966-1133 line and inquired if that number should be included; noted some text discussing why people are leaving positions at Human Services, and inquired if they offer exit interviews; and discussed stipends. Jim Rydingsword/Human Services Director responded.

Supervisor Cann discussed an item that had previously come before the Board for the reduction of a stipend on a half-time position; discussed the self-assessment survey commenting on the number that went out and noting that none were received back; and extended his compliments to Nancy Bell for the survey. Mr. Rydingsword responded. Supervisor Stetson also commended the report.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

CA1. Planning RES-2013-364

Approve a Resolution Recognizing Robert "Bob" Rudzik Posthumously for His Service to the Community

CA2. Planning RES-2013-365

Approve the Second Amendment to an Agreement with Scanning Service Corporation for Scanning Planning Department Files Extending the Term of the Agreement to November 23, 2013, and Authorize the Board of Supervisors Chair to Sign the Amendment

CA3. Administration RES-2013-366

Resolution Continuing the Local Emergency Due to the Wild Land Fire Known as the Rim Fire

CA4. Administration RES-2013-367

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

CA5. Administration RES-2013-368

Resolution Continuing Local Emergency Due to the Wild Land Fire Known as the Carstens Fire

CA6. Administration RES-2013-369

Approve a Resolution Adopting the 2013-2014 Fiscal Year Budget and Authorizing Certain Actions in Order to Implement the Fiscal Year 2013-2014 Budget

CA7. Administration RES-2013-370

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

CA8. Human Services/Social Services RES-2013-371

Approve the 2013 County Self Assessment for California's Child and Family Services Review, Authorize the Board of Supervisors Chair to Sign and the Department to Submit to the California Department of Social Services

CA9. Human Resources/Risk Management RES-2013-372

Approve the Reclassification of an Office Assistant II Classification in the Human Services Administration Budget to an Office Assistant III and Approve the Use of the County's Title of Senior Office Assistant for the Reclassed Position, Effective September 1, 2013; Approve the Budget Action Form Transferring Funds Within the Human Services Administration Budget to Accommodate the Reclassification 4/5ths Vote Required

CA10. Human Services/Behavioral Health & Recovery Services RES-2013-373

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

CA11. Human Services RES-2013-374

Approve the 2013 Medi-Cal Privacy and Security Agreement with the Department of Health Care Services (DHCS), and Authorize the Human Services Director to Sign the Agreement

CA12. Public Works 2013-92

Accept the Resignation of Ron Loya from the Parks and Recreation Commission

CA13. Health 2013-93

Accept the Resignation of Sergeant Sam Arrington as Representative for CHP from the Mariposa County Emergency Medical Care Committee (EMCC), Appoint Lieutenant Rebecca Hagen to Mariposa County EMCC as Representative for CHP and Appoint Sergeant Chris Michael as Alternate Representative to Mariposa County EMCC

CA14. Victim Witness RES-2013-375

Approve the 2013-2014 District Attorney's Office Victim/Witness Program Grant Application Administered through the State of California Emergency Management Agency in the Amount of \$85,195, and Authorize the District Attorney to Sign the Grant Application

E. Presentations

None.

F. Minutes Approval

1. Tuesday, August 20, 2013

No public or Board comment.

The Minutes were accepted as presented.

Bibby (M); Cann (S); Passed Unanimously.

G. Departmental Presentation

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

James Wilson/Fire Chief noted that as of this morning the Rim Fire is 75% contained, with approximately 6,307 acres of Mariposa County inside the fire perimeter.

Doug Binnewies/Mariposa County Sheriff briefed the Board on the lifting of evacuation orders on August 31st; there is a continued threat from sporadic spot fires in that area; and reported that they continue to man the fire. Supervisor Jones thanked the Sheriff for all of the updates. Supervisor Bibby commended everyone at the Sheriff's Department especially considering the vast size of the fire, its location, and it also being Fair time. Sheriff Binnewies recognized and commended the volunteer staff, noting that they will tally up the volunteer hours at the end of the event. Supervisor Cann commended the deputies on their commitment to the County.

Rich Drozen/CAL FIRE Mariposa Division Chief reported on the Rim Fire; discussed the fuel conditions noting that commercial kiln dried lumber has a moisture content of 15%, while our forests are showing moisture contents of 6% to 8%. He also noted that this is the fourth largest fire in the history of the State; noted that we still have a lot of fire season still to go; stressed the 100 foot clearance; stressed the need to make sure there are spark arrestors on weed trimmers; discussed that lawn mowers and automobile catalytic converters can cause fires; discussed spread components on the Rim Fire noting that it followed a brush model; and stressed the fact that we still have all of the same fire conditions so could have another one. Supervisor Cann discussed that, even once it is contained, the Rim Fire will probably burn until there is rain. Chief Drozen discussed the difference between containment and control. Supervisor Stetson required clarification regarding when Tioga Road will be opened. Chief Drozen discussed the containment operations going on there; and noted that they will seek to open as soon as they can, but will not risk the public. Supervisor Bibby discussed the low losses, especially considering the large size of the fire. Supervisor Cann noted that it will be interesting to see what kind of input the IC gets from the East side to open the road. Chief Drozen discussed, at Supervisor Jones' request, the difference the SWIFT program made in the fire suppression efforts. Supervisor Bibby discussed how beneficial the old logging roads were with past fires. Chief Drozen discussed current overgrowth of those roads. Supervisor Stetson noted being able to see the fire from the Briceburg Grade.

Chief Wilson noted the local teams that have been demobilized.

Sheriff Binnewies gave a report on the County Fair noting that there were only 11 arrests during the Fair weekend in the entire county, with only three of

those being at the Fairgrounds, and he commended Brian Bullis for his planning foresight. He also noted that there was one fatal solo vehicle accident just after midnight on Sunday, and introduced Lt. Becky Hagen from the CHP to give that report.

Lt. Hagen reported that the CHP provided training to Fairgrounds staff prior to the Fair regarding recognition of gang affiliation; they provided traffic control for ingress and egress into the Fairgrounds on Friday, Saturday and Sunday nights, as well as for the parade on Saturday, and the Amigo de Oro Run on Sunday morning; discussed the Saturday night checkpoint; reported on an accident on Highway 140 at Smith Road on Saturday at about 7:10 PM, noting that a cell phone was involved; elaborated on the fatal collision reporting that Sunday morning at 12:30 AM a 20 year old man out of Atwater allowed his vehicle to travel off the right roadway edge and up the embankment, and that he was pronounced deceased at John C. Fremont Hospital; and reported that at 12:30 PM on Sunday afternoon, there was a motorcycle accident involving a man from Atwater who went off of Hornitos Road at La Paloma and needed to be flown to Modesto with massive injuries after being extricated from a fence. Supervisor Stetson inquired how we know a cell phone was involved in the Smith Road accident. Lt. Hagen responded. Supervisor Cann noted that both the Sheriff and Lieutenant helped to park cars at the Fair. Supervisor Bibby extended her compliments to everyone. Supervisor Jones thanked the Sheriff and Lieutenant for their efforts, noting that he thinks this is the safest Fair that he has ever attended.

H. Public Presentation

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

Wendy Brown-Barry referred to last week's Declaration of Emergency, stated that she was hoping for a document with a broader reach, and read a prepared statement. She also recommended two books: Beyond the Rangeland Conflict and Gardeners of Eden.

1. Clerk of the Board of Supervisors (ID # 2795)

Handouts from the Public Presentation Portion of the September 3, 2013 Meeting

I. Board Information

Supervisor Carrier: thanked all public service departments, noting that our public safety departments are planning, working and communicating well; noted that the public can help during emergencies by listening and following directions; commented on forest overgrowth; and discussed household items to have ready in case of evacuation. Supervisor Carrier reported: attending the August 31st Fish Camp Fire station open house; attending the Friends of the Library fundraiser in Wawona on August 31st; attending the August 31st Cedar Valley Volunteer Fire Department Barbeque; attending the Fish Camp Fire Rescue fundraiser on September 1st; and visiting the evacuation center at the Sonora Fairgrounds on September 2nd. Supervisor Carrier advised that he will be attending: an RCP meeting Wednesday at 5:00 PM; a CSAC Board Meeting Thursday in Sacramento; a Wawona Area Property Owners Association meeting on Saturday; and the bi-monthly Mariposa Court/Mariposa County meeting at the Courthouse on the following Monday. He also noted that the September 4th

and 5th open forum meetings advertised by the Tourism Bureau have been cancelled.

Supervisor Jones discussed the SWIFT organization and all that they do. He reported attending: budget hearings August 27th through August 29th; an August 29th meeting with Kathy McCorry, Mary Bass and Rick Benson regarding Coulterville Visitor Center funding issues; the Fair on August 30th; on a conference with the Sheriff on August 31st, and thanked him for all of the updates regarding the fire; the Fair on September 1st where he went to 4H and FFA functions and the rodeo, and he discussed the need for supporting the Fair; and a Coulterville Beautification Project meeting on September 2nd, and advised that they will have an October 6th dinner/fundraiser with a cost of \$20.00 per person.

Supervisor Bibby expressed her thanks and appreciation to our Ag Leaders and all of the parents, noting that not once were the barns left unattended. She also expressed her compliments to all those who made the Auctions happen; advised that the Livestock Committee presented a plaque to the Board of Supervisors and read the inscription. Supervisor Bibby advised that she will be attending: a meeting with Jim Rydingsword tomorrow; a Mental Health Governing Board meeting on September 5th; and a First Five meeting on September 9th. Supervisor Bibby also discussed the SRA Fee noting that: Cal Fire and other emergency personnel were deployed to protect Hetch Hetchy, the water source for San Francisco; San Francisco is not in the State Responsibility Area and pays no SRA fees; she feels that the State should charge SRA fees to everyone in the state; and the funds should go to actual firefighting activities.

Supervisor Cann responded to the SRA comment noting that: there will be a telephone Town Hall meeting regarding the SRA fees, hosted by a gentleman from the Board of Equalization; you have to reserve your number to call in; and he will have more information at the Board meeting next week. He also discussed: the number of volunteers at different events throughout the Fair weekend; and working in the Fair parking lots, noting that he had many people from other areas saying they loved the fair, as well as commenting on how safe it is. Supervisor Cann advised that he will be attending: a September 4th meeting with Jim Rydingsword and Human Services staff regarding the Roadhouse, as well as a more in depth discussion regarding the self-assessment; and a few meetings with people on sign issues for downtown businesses.

Supervisor Stetson reported on a meeting with Brian Foucht/Planning on Friday regarding a website feature that has been setup for interactions regarding the Midpines Community Plan; and noted that there will be a Midpines Planning Advisory Committee meeting next Tuesday where they will be discussing same.

Recess

10:17 AM Chair Stetson recessed the meeting for a break.

10:30 AM The meeting was reconvened.

J. Regular Agenda Items

1. **Board of Supervisors (ID # 2730)**

Presentation by Caltrans to Provide an Update Regarding the Ferguson Slide on Highway 140

Margaret Lawrence and Grace Magsayo from Caltrans presented a brief update regarding the Ferguson Slide, noting public meetings from 4:00-7:00 PM on September 11th at the El Portal Community Center and from 4:00-7:00 PM on September 12th here at the Chambers. After those meetings, they will be accepting public comments via email or letters and they will address and respond to concerns. Ms. Lawrence discussed the two alternatives under consideration; noted that once the final alternative is selected they will present the Findings and provide a statement of overriding considerations and the Environmental Impact Report (EIR) will be certified finishing the CEQA process. They are looking at having the final environmental document approval in the Spring of next year. Ms. Lawrence also discussed legislation regarding limestone salamander mitigation; and mitigation parcels.

Supervisor Stetson required clarification regarding: who would, ultimately, control the mitigation parcel(s) that may need to be purchased; and the costs of the two alternatives. Ms. Lawrence responded to the former, and Ms. Magsayo responded to the latter.

Supervisor Bibby required clarification of whether the public meetings will be walk around, or a formal overhead presentation, and urged the public to attend one of the meetings. Ms. Lawrence responded that it would be the walk around format. Supervisor Bibby also required clarification of what will happen if another slide occurs during construction. Ms. Magsayo responded. Supervisor Cann noted that slide stabilization is one good thing from the drought.

No public comment.

2. Planning ORD-2013-1097**Waive the Second Reading and Adopt an Ordinance Amending the Mariposa County Zoning Ordinance Pursuant to Zoning Amendment No. 2013-053; the Ordinance Will Amend Section 17.16.010.A.1.B. Conditional Uses of the Zoning Ordinance Pursuant to Zoning Amendment No. 2013-053; the Section is Amended to Include "...Public Stables and Arenas on Parcels of 15 Acres in Size or Greater, Where Arenas May be Used for Organized Competitive Events" Marla Kertzman and Ken Corallo, Project Applicants**

10:43 AM Supervisor Bibby recused herself as she was not present at the meeting and was unable to access the documents online to review, and left the Chambers.

10:44 AM Supervisor Jones recused himself due to his involvement with the Planning Commission, noting that he does not have a financial interest in the project, and left the Chambers.

Staff presentation by Sarah Williams/Planning Director.

No public comment.

The item was moved and seconded.

The Clerk of the Board read the Ordinance number and its title for the record.

The matter passed 3-0; Bibby and Jones excused.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Lee Stetson, Kevin Cann, John Carrier

EXCUSED: Merlin Jones, Janet Bibby

3. Public Works RES-2013-376

Approve a Contract for Services with Lee-Way Construction for the Bridgeport Fire Station in the Not-To-Exceed Amount of \$606,440.00, and Authorize the Public Works Director to Sign the Agreement

10:47 AM Supervisors Jones and Bibby returned to the Chambers.

Staff presentation made by Gary Taylor/Public Works Assistant Director - Public Works.

Supervisor Bibby required clarification regarding the projected finish date. Mr. Taylor responded.

Supervisor Carrier discussed past fire station overruns, and required assurance that it will also be within budget. Mr. Taylor responded.

Supervisor Cann required clarification that the site work is done, and the pad is prepared. Mr. Taylor affirmed, and responded that there are site issues regarding the road.

Supervisor Jones required clarification regarding language in the item discussing the financial impact. Rick Benson responded, noting that he is confident that all of the funds have been identified.

No public comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

4. County Counsel RES-2013-377

Resolution Authorizing the Board to Open the Sealed Bids Received for the Property Located in Hornitos in Open Session and Accept or Reject the Highest Bid and Possibly Offer a Five Year Lease to Highest Bidder

Steven W. Dahlem/County Counsel gave the staff presentation.

Public comment opened.

Greg Kittelson inquired if there is a limit on the amount of cattle allowed on the property. Mr. Dahlem responded.

Supervisor Bibby noted that with any use of ground, animal control can get involved.

Public comment closed.

At the Chair's direction, the Clerk of the Board opened the sealed bid and announced that it is from Richard and Carlos Ortiz in the amount of \$2,601 per year. County Counsel noted that the bid does exceed the minimum required bid.

No public comment.

Supervisor Jones inquired as to the minimum bid amount. County Counsel responded.

Action was taken to accept the bid and approve offering a lease to the winning bidders.

Bibby (M); Jones (S); Passed Unanimously.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

K. Items removed from Consent Agenda

None.

L. Closed Session

1. Human Resources/Risk Management 2013-94

CLOSED SESSION: Public Employee Employment Title or Position to be Filled: (Government Code Section 54957 (B) (1); Fire Chief/Emergency Planning Coordinator

No public comment.

This session was held at 11:17 AM.

RESULT: HOLD CLOSED SESSION [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

2. County Counsel 2013-95

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

No public comment.

This session was held at 11:32 AM.

RESULT: HOLD CLOSED SESSION [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

Report Out

11:52 AM Chair Stetson reported that Information was Received and Direction was Given on both closed session items.

M. Adjournment

11:53 AM Chair Stetson adjourned the meeting in memory of Denise Southerland, John O. Crosby, Danny B. Stepp, and Larry Lee Mayes.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



MARIPOSA COUNTY

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LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

September 10, 2013

A. Call to Order and Roll Call

9:05 AM Chair Stetson called the meeting to order at the Mariposa County Government Center.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:00 AM
Merlin Jones	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
John Carrier	District V Supervisor	Present	9:00 AM

B. Pledge of Allegiance

The Pledge was led by Supervisor Carrier followed by a moment of silence to acknowledge the heroes, particularly those from Mariposa County, who are still engaged fighting the Rim Fire.

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.

No public comment.

Supervisor Bibby noted, for the public, that she has clarified with the Public Works Director that CA2 is not taking anything away from any existing road projects.

Chair Stetson noted that CA7 will require a 4/5ths vote.

Supervisor Cann complimented the Building Department and Mariposa Public Utility District on CA8.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

CA1. Public Works RES-2013-378

Approve a Program Agreement for the Oak Grove Bridge Project No. HPLUL 5940(093), and Authorize the Public Works Director to Sign the Agreement

CA2. Public Works RES-2013-379

Approve a Program Agreement for the Mariposa Creek Signage Project No. HPLUL 5940(095), and Authorize the Public Works Director to Sign the Agreement

CA3. Public Works RES-2013-380

Approve a Program Agreement for the White Rock Rd Over Deadman Creek Bridge Project No. BRLO 5940(108), and Authorize the Public Works Director to Sign the Agreement

CA4. Public Works RES-2013-381

Adopt a Resolution Authorizing the Solid Waste and Recycling Manager to Submit Various Grant Applications to the Department of Resources Recycling and Recovery (CalRecycle); and Execute All Documents Necessary to Secure and Implement the Grant

CA5. Public Works RES-2013-382

Approve the Program Supplement Agreement with the State of California Department of Transportation for the Safe Routes to School Project No. SR2SL 5940(109) Located on Bullion Street, and Authorize the Public Works Director to Sign the Agreement

CA6. Human Services/Behavioral Health & Recovery Services 2013-96

Reappoint William 'Bill' Leonard to the Alcohol and Drug Abuse Advisory Board for a Term Expiring September 2016

CA7. Probation RES-2013-383

Adopt a Resolution to Participate in the Federal Juvenile Accountability Block Grant, Evidence-Based Practices to Improve Public Safety Project and Approve Budget Action Increasing Revenue and Appropriations in the Probation Budget for the Grant (\$108,800) 4/5ths Vote Required

CA8. Administration RES-2013-384

Agreement with the Mariposa Public Utility District Providing the Services of the County Building Director to Conduct Fire Inspections

CA9. Administration RES-2013-385

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

CA10. Administration RES-2013-386

Resolution Continuing Local Emergency Due to the Wild Land Fire Known as the Carstens Fire

CA11. Administration RES-2013-387

Resolution Continuing the Local Emergency Due to the Wild Land Fire Known as the Rim Fire

E. Minutes Approval

1. Monday, August 26, 2013

No Board or public comment.

Supervisor Bibby clarified that the SAFER grant was not new but, rather, renewed.

The Minutes of August 26, 2013 were accepted as presented.

Bibby (M); Cann (S); Passed Unanimously.

2. Tuesday, August 27, 2013

No Board or public comment.

The Minutes of August 27, 2013 were accepted as presented.

Jones (M); Cann (S); Passed Unanimously.

F. Departmental Presentation

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

Dr. Mosher/County Health Officer noted the air quality and reported that the winds have shifted and we can anticipate smoke in the area through next week. He reported that his department will continue to send out daily air quality reports for Greeley Hill, Lake Don Pedro, and now the town of Mariposa, as well. He also discussed a current Air Quality page that has been put on the website (<http://www.mariposacounty.org/index.aspx?NID=1356>) and reported that they are getting approximately 100 hits per day. Supervisor Stetson asked if there will be anything similar to the cooling centers for the smoke. Dr. Mosher responded. Supervisors Bibby and Jones thanked Dr. Mosher for all of the updates.

Becky Hagen/Mariposa Area CHP Commander recounted the actions of Officer Tony Lassos to prevent a suicide on the William Sell Bridge on November of 2012; spoke to his humility; and presented him with a Commissioner's Commendation. Supervisor Stetson thanked Officer Lassos for the heroism he displayed. Supervisor Bibby thanked them, on behalf of the community, for sharing the story.

G. Public Presentation

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

Brad Aborn announced his intention to run for supervisor in next year's election.

Kathy McCorry/Executive Director of the Mariposa County Chamber of Commerce reported the Visitor Center statistics for August. She announced the Art Hop and walking tour this coming weekend, and issued an invitation to the Board to the Friday event.

Wendy Brown-Barry read a prepared statement regarding the yellow-legged frogs and Yosemite toad.

Marvin Wells commented on the poor sound quality in the Chambers and inquired as to whether the County was going to address it; and discussed speed bumps in El Portal. He also recounted an email that he sent to the Board on May 9th; noted that Supervisor Jones replied that he would respond after the budget was finished; and remarked that he would still like a response. Mr. Wells also inquired if Shawnee Long and Samantha Chambers had ever gotten certificates. Supervisor Cann responded that those had been done a couple of weeks ago. Mr. Wells also discussed M.I.D. litigation and wondered as to who will be making the final decision, and if it will be done in a public forum; requested an update on the SRA; commended Supervisor Stetson for his work on extending the park in Midpines and discussed the implementation of same; requested a list of all volunteer commissions in the County so that he can tally the amount of volunteer time; commended Supervisor Bibby for the work that she does and for always getting back to him; and commended Supervisor Carrier for his work with the Airport Authority. Supervisor Stetson clarified that no public money was spent by the County on the speed bumps in El Portal. Supervisor Jones discussed the sound system, and Mr. Wells' request for property valuations noting some of the problems in compiling that data. Supervisor Stetson noted that the commission information is online. Supervisor Cann discussed the PA system noting that it has been checked several times and one problem is that people aren't speaking directly into the microphone.

1. Clerk of the Board of Supervisors (ID # 2800)

Handouts from the Public Presentation Portion of the September 10, 2013 Meeting

H. Board Information

Supervisor Cann reported that this week he was contacted several times about whether Mariposa County will join the State of Jefferson, noting that Siskiyou County has voted to approve same. He also reported that he interacted: on continuing Parking District issues; and with someone who is interested in developing a high-end RV Park, and a potential 4 star hotel. Supervisor Cann advised of the SRA Telephone Town Hall on September 17th at 6:00 PM, and noted that you must register in advance and can do so by calling 1-916-324-4970 or by registering online at www.boe.ca.gov/townhall. Supervisor Cann also discussed an issue with the Fire Safe Council, regarding mechanical clearing by the Conservation Corps and the costs for same; and he noted that the cost of the Rim Fire just today went over 100 million dollars and his fear is that the Governor can raise the SRA fee at any time. He also reminded of the Caltrans Ferguson Slide public meetings this Wednesday at 4:00 PM in El Portal, and here in the Chambers on Thursday at 4:00 PM. Supervisor Cann advised that he will be in Sequoia on Wednesday and Thursday for the Sierra Conservancy meeting, but hopes to be back in time to attend the Thursday night meeting.

Supervisor Carrier noted that he looked into some of the grant funding for the

Fire Safe Council and he discussed issues there. Supervisor Carrier reported that he: attended the Ponderosa Basin Fire station meeting last Wednesday; stopped by the History Center, noting that the work looks good; went to the Lushmeadows Coffee Club meeting; attended the CSAC meeting in Sacramento on Thursday and discussed some recent legislation involving pension reform, and AB84 which was their plan to counter the release of 10,000 inmates by the end of September; attended the last meeting of the year for the Wawona Area Property Owners on Saturday; attended the Historic Sites Preservation Commission meeting yesterday; and attended a Courthouse meeting discussing a draft plan of the Courthouse condition. Supervisor Carrier advised that he will be attending: a meeting in Sonora later today to listen to a rehab team discuss the Stanislaus Forest; the 9/11 Memorial Ceremony at 8:30 AM on Wednesday; a Tourism Town Hall meeting at The Redwoods in Wawona on Wednesday at 10:00 AM; the Airport meeting Wednesday evening; the Ferguson Slide meeting on Thursday; and another Tourism meeting here at the Chambers at 10:00 AM on Friday.

Supervisor Jones reported that he has received an SRA Fee Audit and discussed same. Supervisor Jones reported attending: a Northern Mariposa County History Center meeting on the 4th where they discussed a fundraiser that they are planning; a meeting on the 5th with a group of timber owners where they discussed options for milling; a Coulterville Beautification workgroup on the 7th; the Coulterville Breakfast; and a Coulterville Beautification meeting on the 9th. Supervisor Jones advised that he won't be able to make the 9/11 Memorial Service but urged everyone to take a moment to remember those who were lost. He also responded to some Letters to the Editor by discussing his involvement in the formation of eight businesses in the County, and noting that he has an open door policy. Supervisor Jones also advised that he will be in the dunk tank at the CoyoteFest on September 28th.

Supervisor Bibby advised that they are looking for a Commission on Aging representative for District III and requested that interested people contact her. She also noted that new members are needed on the Mental Health Governing Board, as well as Mother Lode Job Training which has some openings for private sector members on the Workforce Investment Board. She noted that US Fish and Wildlife contacted Mariposa County requesting a venue for a public hearing on the yellow-legged frog and Yosemite toad, and that we have made our building available to them but we have not yet heard back from them with a date. She also noted that she stressed to them that it would be very helpful if they could put on a presentation as well. Supervisor Bibby reported attending: a September 4th meeting with Jim Rydingsword regarding the Human Services Roadhouse; and the Mental Health Governing Board meeting on September 5th noting that they are on track for payback and, contrary to rumor, they are current on their rental payments. Supervisor Bibby advised: of the September 11th Memorial ceremony; that there is a Mental Health First Aid program tomorrow which provides training on interacting with suicidal youth; that she is interviewing for the District III Planning Commissioner position on September 12th; and of a JCF Garden Project meeting. She also: stressed that not all legislators are bad and asked that people realize that everything is driven on the majority; extended her compliments to the Mariposa County High School for Back To School night; and reminded everyone that Bob Rudzik's Celebration of Life will be at 11:00 AM on September 14th at the Senior Center.

Supervisor Stetson reported meeting with Chief Wilson and the CAO on Friday regarding an ongoing Yosemite West issue. Supervisor Stetson advised: that he will be attending the Midpines Advisory Plan meeting tonight at 6:00 PM; that there is also an El Portal Advisory Board meeting tonight at 7:00 PM; and that he will be

attending the September 11th Ceremony at the Arts Park. He also reminded of the Caltrans Ferguson slide presentations tomorrow in El Portal, and Thursday here in the Chambers; and that he is in need of a District I Parks and Recreation Commissioner and requested interested parties to contact him.

Rick Benson/County Administrative Officer reported on the sound system in the Chambers noting that efforts have been undertaken to determine what's wrong, and that an expert has been contacted for an assessment.

Supervisor Cann agreed with Supervisor Bibby's comments regarding our legislators. He also noted that Merced County Supervisors are voting today on a medical marijuana regulation that will limit the number of plants that one can have to a maximum of 12 plants per parcel.

I. Regular Agenda Items

1. Treasurer-Tax Collector-County Clerk RES-2013-388

PUBLIC HEARING: Approve a Fee Increase for the Tax Collector's Cost on Delinquent Annual Secured Tax Bills and Refer to Department and County Counsel to Prepare an Ordinance

10:15 AM Chair Stetson opened the Public Hearing.

Presentation by Keith Williams/Treasurer-Tax Collector-County Clerk. He requested that the Board allow the requested fee increase.

Supervisor Bibby required clarification that the requested amount was carefully analyzed. Supervisor Cann required clarification of the \$24.69 which exceeds the requested fee. Mr. Williams responded to both.

No public comment.

Mr. Williams noted that he will be working with County Counsel and coming back with an Ordinance.

Supervisor Bibby inquired if there were any communications from the public. Mr. Williams responded that there were none.

Supervisor Bibby moved to approve as presented with the understanding that an ordinance will be coming forward and that an item will be brought back to reduce the amount should it lead to a surplus.

10:21 AM The Public Hearing was concluded.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

2. Public Works RES-2013-389

Approve an Agreement with Mark Stephens Construction for the Permanent Restoration of the Ben Hur Road Erosion Project from P.M. 26.486 to P.M. 26.600 in the Not-To-Exceed Amount of \$218,193.46, and Authorize the Public Works Director to Sign the Agreement

Peter Rei/Public Works Director made the staff presentation.

Supervisor Cann inquired if there is an engineer's estimate for the work; required clarification that the contractor's net will be approximately \$165,000; and required assurance that the Public Works Director is comfortable that the

contractor has the ability to do the work, and will do the work, for that amount of money. Mr. Rei responded.

Supervisor Stetson required clarification that the County can terminate the agreement. Steven W. Dahlem/County Counsel responded.

Supervisor Jones discussed his concerns regarding the initial cost of the asphalt, and regarding the experience level of the bidder given the issues with the bid. Supervisor Bibby required assurance regarding the legality of the fee adjustment; and required clarification regarding stated dollar amounts, and nullification of bids. Supervisor Carrier required clarification: that we can proceed having received only one bid; and regarding the contractor needing to pay prevailing wage. Supervisor Cann discussed his professional experience with single bids; discussed terminating for convenience under the Federal system; and the need to pay the contractor for costs to that point. Supervisor Bibby required clarification regarding contract termination for convenience. Mr. Rei responded to all concerns.

No public comment.

Supervisor Jones moved to accept this as presented, conditioned upon the Public Works Director negotiating a lower price with the contractor. Seconded by Supervisor Carrier. Mr. Rei requested clarification of whether he is being authorized to negotiate and sign the change order since this represents a decrease of less than ten percent. The Board concurred. County Counsel clarified that the motion is to approve the item as presented, and authorize the Public Works Director to execute a Change Order as requested. The Motion Maker and the Second concurred.

The item passed unanimously.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

J. Items removed from Consent Agenda

None.

K. Adjournment

10:43 AM Chair Stetson adjourned the meeting in memory of Collin Robert McDonough, Robert Taylor, and Pearl Carter Williams.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



MARIPOSA COUNTY

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LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

September 17, 2013

A. Call to Order and Roll Call

9:04 AM The meeting was called to order at the Mariposa County Government Center.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:04 AM
Merlin Jones	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
John Carrier	District V Supervisor	Present	9:04 AM

B. Pledge of Allegiance

The Pledge was led by Supervisor Jones, followed by a moment of silence for the Washington, D.C. Navy Yard shooting victims.

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.

No public comment.

Supervisor Cann commented on CA4 and commended the Arts Council for their efforts. He also inquired what prompted the increase in CA5. Terri Peresan/Community Services Director responded.

Supervisor Carrier commented on the increase in demand for senior services and commended Ms. Peresan.

Supervisor Bibby also commended Ms. Peresan and the Arts Council for their efforts.

Supervisor Carrier congratulated the Arts Council on receipt of a new grant which will fund a new digital photography class for seniors.

Supervisor Jones commended Cara Goger/Mariposa County Arts Council Executive Director for her efforts planning an Art Show in Greeley Hill.

Chair Stetson indicated that CA5 requires a 4/5th votes.

Supervisor Stetson noted that he will not be voting in favor of CA10 and pulled it from the Consent Agenda.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

CA1. Administration RES-2013-390

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

CA2. Administration RES-2013-391

Resolution Continuing Local Emergency Due to the Wild Land Fire Known as the Carstens Fire

CA3. Administration RES-2013-392

Resolution Continuing the Local Emergency Due to the Wild Land Fire Known as the Rim Fire

CA4. Administration RES-2013-393

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

CA5. Community Services RES-2013-394

Approve Amended Agreement with Area 12 Agency on Aging Not to Exceed the Maximum Number of 556 Service Units at \$15.00/Per Units for the Title III-B Transportation Program Amending the Compensation Amount to \$8,344 for the Three Month (3 Mo.) Contract; Authorize the Board of Supervisors Chair to Sign the Amended Agreement; Approve the Budget Action Increasing Revenue and Appropriations in the Transit Fund to Correspond with the Amended Agreement (\$754) 4/5ths Vote Required

CA6. Health RES-2013-395

Authorize Health Officer to Assign an Alternate Work Schedule to the Position of Health Educator

CA7. Human Resources/Risk Management RES-2013-396

Approve the Allocation of One Full-Time Child Support Specialist II Position in the Child Support Services Department and Authorize Filling the Position with a Promotional Recruitment Effective October 1, 2013; Approve the Elimination of One Full-Time Child Support Office Technician Allocation; and Approve Budget Action Transferring Funds Within the Child Support Budget to Accommodate the Request (\$32,904)

CA8. Auditor RES-2013-397

Designate that the Method by Which Appropriation Limits Are to be Computed for the Fiscal Year 2012-13 for Each Jurisdiction is to be the Percentage Change in California Per Capita Personal Income in Conjunction with the Annual Percentage Change in the Population of Mariposa County

CA9. Auditor RES-2013-398

Adopt a Resolution Establishing the Appropriation Limits for Fiscal Year 2012-13

10. CA10 was pulled by Supervisor Stetson and moved to after the Regular Agenda

CA11. Health RES-2013-399

Approve CalRecycle Local Enforcement Agency (LEA) Grant Agreement for Fiscal Year 2013-2014, and Authorize the Health Officer to Sign the Agreement

E. Board Recognitions**1. Board of Supervisors 2013-97****Proclaim November 8 - 10, 2013, as "Mariposa's Open House" and Trans Valley Football League "Super Bowl Weekend" Hosted by the Mariposa Business Community (Bob Kirchner)**

Public comment opened.

Bob Kirchner thanked the Board for its support of this event over the last five years.

Supervisor Cann noted that the testimony of the event's success is that the businesses now contact Mr. Kirchner. Supervisor Bibby extended her thanks and appreciation to Mr. Kirchner.

Brad Aborn began commenting about the Airport Advisory Meeting. Chair Stetson noted that this is the time to speak on the TVYFL Super Bowl Proclamation. Mr. Aborn returned to the audience.

Mary Bass noted that she spends a lot of time in the valley, and she hears a lot of positive comments down there about the event.

Public comment closed.

Supervisors Carrier and Jones also thanked Mr. Kirchner for all of the work that he puts into this event.

Chair Stetson presented the Proclamation to Bob Kirchner.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

2. Board of Supervisors 2013-98

Proclaim September 17 - 23, 2013, as "Constitution Week" (Cathy Lander, Merced River Chapter, National Society of the Daughters of the American Revolution)

No public or Board comment.

Chair Stetson presented the Proclamation to Kathy Lander.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

3. Administration/Economic Development 2013-99

Proclaim September 21, 2013, as the "Great Sierra River Cleanup"

Public comment opened.

Autumn Hutchings/Sierra Nevada Conservancy noted that this is the fifth year that the Conservancy has hosted the Great Sierra River Cleanup through the Sierra Nevada region; noted that there will be three cleanups in Mariposa County on Saturday morning, one meeting at El Portal Market, the second at Briceburg, and the third one here in town behind the Arts Park on the Mariposa Parkway. She also noted statistics from last year's cleanup, and invited the Board to attend.

Supervisor Bibby discussed her shock at the amounts of garbage collected, and extended her compliments to the group. Supervisor Cann noted discussion at the Sierra Nevada Conservancy Board meeting last week regarding how the event has grown under the Conservancy.

Public comment closed.

Chair Stetson presented the Proclamation to Autumn Hutchings, Tara Schiff/Community Development-Grant Coordinator, and Madelyn McGrath/Boy Scouts.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

F. Minutes Approval

1. Wednesday, August 28, 2013

No public or Board comment.

The Minutes of August 28, 2013 were accepted as presented.

Jones (M); Bibby (S); Passed unanimously.

2. Thursday, August 29, 2013

Chair Stetson announced a correction to the Minutes, noting that language on page 5 should state: "the requested additional amounts of \$3000 for the history center and \$12,000 for the chamber on the whiteboard." Supervisor Bibby required clarification that the correction had been verified against the recording. The Clerk of the Board responded affirmatively.

No public comment.

Supervisor Jones moved to accept the August 29, 2013 Minutes with the noted correction.

Jones (M); Carrier (S); Passed unanimously.

3. **Tuesday, September 03, 2013**

No public or Board comment.

The Minutes of September 3, 2013 were accepted as presented.

Bibby (M); Jones (S); Passed unanimously.

4. **Tuesday, September 10, 2013**

No public or Board comment.

The Minutes of September 10, 2013 were accepted as presented.

Carrier (M); Jones (S); Passed unanimously.

G. Departmental Presentation

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

Peter Rei/Public Works Director provided an update regarding the Courthouse noting that they met last week with the consultant from Architectural Resources Group (ARG) and they have completed their structural and historical analysis; that ARG was now working on how to meet as many of the courthouse operation guidelines as possible and will be formulating three different plans ranging from minimal parameters to beyond; and discussed other meetings and processes that need to happen. Supervisor Carrier required clarification as to meeting dates and requested that the CAO be included in the next meeting. Mr. Rei responded.

Terri Peresan noted that she is looking forward to working with the Arts Council on the digital photography classes; reported that she is already receiving calls regarding the wood program; and discussed the amount of wood that is available in District II. Supervisor Jones requested Ms. Peresan to contact him if anyone in his District is in dire need of wood. Supervisor Cann inquired if Cal Fire is looking for wood as he has 10 to 15 cords of downed wood after a PG&E operation. Ms. Peresan discussed how the wood is acquired. Supervisor Carrier and Ms. Peresan discussed recent legislation in relation to transit workers. Supervisor Jones inquired if this is an all-volunteer program. Ms. Peresan responded. Rick Benson/County Administrative Officer noted that there are a few hundred dollars remaining that could be used to reimburse volunteers for their mileage to make deliveries.

H. Public Comment on Non-Agenda Items

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

Mary Bass/Mariposa County Chamber of Commerce invited the Board to a ribbon cutting and celebration at Yosemite Elite spa this Thursday at 5:30 PM; and October 5th is Casa's Night of the Child Fundraiser at 6:00 PM at the Fairgrounds with tickets costing \$30.

Brad Aborn discussed his attendance at the Airport Meeting last week; feels that the operation of the Airport needs to come back to the County; feels this airport has incredible potential; feels that with the cost of gas so high people would rather fly than drive; and discussed the airport's proximity to Yosemite National Park.

Wendy Brown-Barry announced upcoming presentations by Defend Rural America and provided flyers for same; noted that she has available a letter on the frog and toad conditions; reported that Congressman McClintock has responded to HR 1526 and urged everyone to read it; and discussed the Rim Fire.

1. Clerk of the Board of Supervisors (ID # 2821)

Handouts from the Public Comment Portion of the September 17, 2013 Meeting

I. Board Information

Supervisor Carrier reported attending: a meeting in Sonora last Tuesday where the Burn Area Emergency Response team spoke about the Rim Fire and their role in mitigating its effects; the Tourism Town Hall meeting in Wawona on September 11th; the Airport Advisory meeting on September 11th; the Caltrans public forum on Thursday regarding the Ferguson Slide options; the Tourism Town Hall meeting here in the Chambers on Friday; a meeting with a citizen regarding Fish Camp and Wawona; and the Ethos fundraiser Friday evening, followed by the Chamber tour of the downtown area. Supervisor Carrier also discussed CAL FIRE tactics during yesterday's fire on Trabucco Road which he credited for the fire's quick resolution.

Supervisor Jones discussed a conversation with the manager of the Standard Sawmill who said they still have not decided whether they will be taking any timber at all. He also discussed the low water levels in Lake McClure. Supervisor Jones reported attending: the Airport Advisory Meeting on the 11th; the CSEDD Board meeting in Sonora on the 12th; the Town Hall meeting at the John Muir Geotourism Center on the 13th; the Lake Don Pedro Homeowner's Association meeting on the 14th; a September 14th celebration in appreciation of local volunteer, Shirley Kendrick; and a Coulterville Beautification meeting on the 16th. Supervisor Jones advised that Tara Schiff will be in Coulterville on the 18th to work with businesses. He also discussed Frank Bigelow's increase in the fines for cattle rustling, and the Healthy Forest and Communities bill noting that we need to manage our forest's better. Supervisor Jones also responded to an earlier request from Marvin Wells noting that the county owns 152 private properties; discussed some of the parcels and their issues; noted that there is very little disposable property; invited Mr. Wells to call and make an appointment to go over the data; and concluded that the County does not have much property that they can sell to generate funds.

Supervisor Bibby wanted it known that she is not going to endorse anyone running for her district, and asked the public not to misinterpret it should they see her with various community representatives as she is more than willing to meet with anyone. She noted that she will forever be grateful for the support and kindness that the people of her district have afforded her; extended special thanks to her family for all of their support; expressed her thanks for the support of people countywide; and expressed her appreciation for County staff, as well as State and Federal agencies. She also extended special thanks to all of the responders of yesterday's fire noting that it could have been a major disaster. Supervisor Bibby reported attending: the 9/11 Memorial Ceremony at the Arts Park; the Mental

Health First Aid Training, noting that if you missed this one please call and let them know that you would be interested in attending in the future; a Garden Committee meeting at JCF, noting that she hopes they give a presentation sometime in the future; the Caltrans meeting on September 12th; and the Celebration of Life for Bob Rudzik on the 14th. Supervisor Bibby also reported that she has interviewed one applicant for the District III Planning Commissioner position; noted that she has a total of three applications; and advised that the other two interviews are scheduled for September 18th and 19th. She also reported that she just received word that the Mt. Bullion community group wants to have a meeting.

Supervisor Cann reported: attending the Sierra Nevada Conservancy Board meeting last Wednesday and Thursday, noting that they have a grant program for abandoned mines which he will take to our Planning Director; that we were notified that the Merced River Plan has been extended to December of this year; that abnormal bear behavior is being seen due to the failure of this year's acorn crop, which is the primary food for bears as they prepare for the winter; on the Sierra Nevada Conservancy/National Geographic geotourism website noting that it has grown to have links to 1600 destination pages with quite a few in Mariposa County, has 160,000 copies of their map in print, and now has a mobile app as well; attending the Tourism Town Hall meeting; attending the historic tour of downtown Mariposa on the 13th; camping in Tuolumne Meadows on Sunday; and reviewing some of the burned area around White Wolf yesterday.

Supervisor Stetson reported attending: the Midpines Advisory meeting last Tuesday; the 9/11 commemoration at the Arts Park; the El Portal Ferguson slide presentation; the Friday Tourism Town Hall; and Bob Rudzik's Celebration of Life on Saturday, noting that he has never seen a more moving tribute than the Naval presentation of the flag. Supervisor Stetson advised: he will be attending a Yosemite West Maintenance meeting on Thursday at 2:00 PM at the Wawona library; and that he is still looking for a District I Parks and Rec commission member.

10:30 AM Chair Stetson recessed the Board for a break.

10:47 AM The Board reconvened.

J. Regular Agenda Items

1. Administration (ID # 2785)

Discussion and Possible Board Position Regarding Options for a Permanent Fix to the Ferguson Slide

Rick Benson made the staff presentation. He discussed the options currently under consideration by Caltrans. Mr. Benson also noted that the deadline for comments to Caltrans is next week.

No public input.

Supervisor Bibby noted that she thinks we can rule out any support for a "no build;" and discussed that Incline Road will have to be restored to its previous condition. Supervisor Carrier discussed his analysis of the two options; and recommended the rock shed. Supervisor Cann discussed the rock shed option, and recommended that as the best option. Supervisor Jones discussed the differences in construction time between the options; and indicated his support of the rock shed. Supervisor Bibby discussed potential closure due to reconstruction, and urged everyone to be patient when those times happen; noted that she is happy

with either option; but, concurs with the rock shed option for monetary reasons. Supervisor Cann noted: the importance of emphasizing early and often the need for continued traffic flow especially since 2016 marks the 100th Anniversary of the Park Service; and that Yosemite is being heavily featured in advertising for same. Supervisor Bibby noted that it may be best to discuss the economic importance, as well as health and safety importance, of keeping the road open and active to through traffic. Supervisor Stetson concurred with the rock shed alternative.

Mr. Benson noted that he can put the letter together and bring it back to next week's agenda for the Board's final approval.

The Board indicated agreement with that idea.

K. Items removed from Consent Agenda

A. Board of Supervisors RES-2013-400

Authorize the Board of Supervisors Chair to Sign a Letter Supporting HR 1526 - Restoring Healthy Forests

Supervisor Stetson noted that he has difficulty supporting this legislation; that he is keenly aware of the necessity of addressing the issue of Healthy Forests but feels this legislation has insurmountable difficulties including: a weakening of the Endangered Species Act in language stating that the Secretary of Agriculture has the mandate to issue a determination that a proposed covered project will not jeopardize the continued existence of a species; as well as language granting a categorical exemption from the requirements of the National Environmental Policy Act for areas of 10,000 acres (approximately 15 square miles) or less.

Supervisor Carrier noted that those are the parts that he likes; noted that he thinks that providing 25% of the timber harvests for Secure Rural Schools or county roads is not sustainable; but he thinks it is a good start.

Supervisor Bibby discussed options noting that, in similar situations in the past, the Board has directed that the Vice-Chair sign, which leaves the Chair free to send an individual letter; or, the Board could individually comment.

Supervisor Stetson noted that he is not comfortable with either option.

Supervisor Cann required clarification of procedure of what happens if the majority of the Board passes something and the Chair refuses to sign. CAO noted that the Board could adopt this with a majority vote; and discussed different ways it could be signed. Supervisor Cann noted that he doesn't think this bill has any chance of passing; doesn't feel that it will get out of the House as written; noted that even though he thinks that this bill has no chance, it's better than the one they did last year; there's going to be a major effort on it; and he feels that the Board should support it to some degree, even if a letter is framed to say that the Board does not universally support everything in it.

Supervisor Stetson noted that he cannot support this as it stands.

Supervisor Jones noted that he doesn't feel this will pass with all of its current flaws; noted that after taking Rim Fire tours he feels that the Federal Government is not doing a good job managing the forests and they make it virtually impossible for the timber industry to help; but, he feels that we need to start someplace, so he is in favor.

Supervisor Bibby noted that in the past we have included Minute Orders with letters so that those who read it can see the actual vote; and have also provided direction for the Vice Chair to sign instead of the Chair. She also read language from the bill discussing its purpose as being, among other things, "to restore employment and educational opportunities and improve the economic stability of

counties containing national forest lands," and noted that she feels that we need to give the legislature courage because we need healthy forests.

Supervisor Cann noted he would like the letter that we write to be a little bit specific; noted that he will be happy to sign it as Vice Chair if that is what the Board wants; but, he would like to help with the verbiage.

Supervisor Stetson remarked that he has heard six objections by the Board; noted that he might be inclined to sign it if they would like to delineate those objections in the letter; but, he cannot support it until then.

Supervisor Carrier noted that this letter is stronger than the RCRC and CSAC letter, and he thinks it addresses some of Supervisor Cann's concerns; noted that the hearing is tomorrow so this is more symbolic than anything; and feels that it is important to give legislators encouragement to bring something back.

Supervisor Cann noted that the Board's comments are warranted no matter where they are in the process; doesn't know how specific he might advocate; thinks we need to firmly support the process and expediency that this bill indicates and applaud the effort; and thinks we can easily craft a letter of support that doesn't necessarily blindly follow everything.

Supervisor Bibby noted that the Minute Order can get very in-depth and capture their conversations on their concerns.

CAO suggested that Supervisors Carrier and Cann could get together and work on another draft to bring back to the Board; or they could also entertain a motion to go with the letter as-is, or with alterations.

Supervisor Stetson remarked that in his mind you don't endorse something you disagree with, as it becomes a record of your intent; he will not be endorsing it; but, he will entertain any motion in relation to the issue.

Supervisor Carrier moved to accept the letter as presented. Supervisor Bibby seconded.

The Motion Passed 3-1-1; AYES: Jones, Bibby and Carrier; NAYS: Stetson; ABSTAIN: Cann.

Supervisor Cann noted that he clearly supports the process, but would like a different letter.

Supervisor Bibby moved to attach a Minute Order to the letter. County Counsel approved the appropriateness of the motion.

Supervisor Cann requested that action be held on the motion currently on the floor; remarked that he has made it very clear that he wants some action; noted that he is strongly in support of the Board acting positively; and inquired of County Counsel if he could change his vote since there hasn't been another vote taken yet. County Counsel responded that the matter can be reconsidered prior to the end of the meeting. Supervisor Cann clarified that he does not want to reconsider the matter, just change his vote.

Chair Stetson noted that there is a motion on the floor.

Supervisor Bibby withdrew her motion, and asked that the floor be returned in order to clarify the first matter.

Supervisor Cann noted that this is such a vital issue that the Board must act; noted that he supports them acting even though he may not be 100% in agreement; and requested that his vote be changed from ABSTAIN to AYE. With that change, the Motion to Accept the Letter as Presented was passed 4-1; AYES: Jones, Bibby, Cann and Carrier; NAYS: Stetson.

Supervisor Bibby moved that a Minute order be forwarded with the letter.

Supervisor Jones seconded the motion.

The motion passed unanimously; 5-0.

The Clerk of the Board inquired if public comment was necessary. CAO responded that this item was originally on the Consent Agenda and public comment was opened at that point, before this item was pulled.

RESULT: ADOPTED [4 TO 1]

MOVER: John Carrier, District V Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Merlin Jones, Janet Bibby, Kevin Cann, John Carrier

NAYS: Lee Stetson

L. Closed Session

1. Administration 2013-100

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

No public input.

This closed session was held at 11:33 AM, and reported out at 12:16 PM.

RESULT: HOLD CLOSED SESSION [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

Report Out

12:16 PM Chair Stetson reported that Information was Received at the Closed Session.

M. Adjournment

12:15 PM The meeting was adjourned in memory of Becky Bradshaw, Marcus Shouse, Robert Lee Cason, Donald Dare, and David Lawrence Meek.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors



MARIPOSA COUNTY

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LEE STETSON, CHAIR
KEVIN CANN, VICE-CHAIR
MERLIN JONES
JANET BIBBY
JOHN CARRIER

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

MINUTES

September 24, 2013

A. Call to Order and Roll Call

9:01 AM The meeting was called to order at the Mariposa County Government Center.

Attendee Name	Title	Status	Arrived
Lee Stetson	District I Supervisor	Present	9:01 AM
Merlin Jones	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
John Carrier	District V Supervisor	Present	9:01 AM

B. Pledge of Allegiance

The Pledge was led by Supervisor Bibby, followed by a moment of silence for all those who defend Mariposa County.

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 Stetson noted that CA14 has been withdrawn today.

Keith Williams/Treasurer-Tax Collector-County Clerk advised that the Secretary of State has declared today National Voter Registration Day; remarked that this coincides with the relaunching of online Voter Registration; and noted that there is a link for same

on the website. Supervisor Jones discussed the right to vote.

No public comment in relation to the Consent Agenda.

As to CA16, Supervisor Bibby required clarification of any impact on the general fund. Sarah Williams/Planning Director responded that there will be none; that a transfer is being made from the current salary for this position to a new line item for the position, with salary savings covering the remainder. Supervisor Bibby inquired as to next year. Ms. Williams responded, noting that she believes it will be an increase of seven to eight thousand dollars from this year, which doesn't include benefits. Supervisor Bibby required clarification of the salary range. Ms. Williams responded, noting that this position is 80% permanent part-time. Supervisor Bibby inquired if we will start billing so this position will be offset by revenue when we provide those services. Ms. Williams and Rick Benson/County Administrative Officer responded. Supervisor Bibby required clarification regarding the desk audit. Tessa Pritchard/Human Resources Director-Risk Manager responded, noting that it was a full-fledged desk audit; and she discussed the criteria used. Supervisor Bibby inquired if funding has been addressed for the unfunded liability. Ms. Pritchard responded. Supervisor Bibby inquired if extra funds need to be added to PERS, as they always run one year behind. CAO responded that it will be captured.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

CA1. Administration RES-2013-401

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

CA2. Administration RES-2013-402

Resolution Continuing Local Emergency Due to the Wild Land Fire Known as the Carstens Fire

CA3. Administration RES-2013-403

Resolution Continuing the Local Emergency Due to the Wild Land Fire Known as the Rim Fire

CA4. Administration RES-2013-404

Authorize the Chairman of the Board of Supervisors to Sign a Letter to CalTrans Stating the Board's Preferred Option for a Permanent Fix to the Ferguson Rockslide

CA5. Administration RES-2013-405

Approve a Business Associate Agreement with the County Medical Services Program Governing Board, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA6. Administration RES-2013-406

Approve Amendment 5 to Cooperative Agreement P12AC30157 with the National Park Service (NPS) Increasing the Financial Assistance Amount by \$52,000; and Authorize the Board of Supervisors Chair to Sign the Amendment
CA7. Administration 2013-101

Receive the List of Contracts Entered into by the County Administrative Officer (CAO) Pursuant to Ordinance 3.08 with Terms Commencing in April, July, and August 2013

CA8. Human Services/Behavioral Health & Recovery Services RES-2013-407

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

CA9. Human Services/Behavioral Health & Recovery Services RES-2013-408

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

CA10. Human Services/Behavioral Health & Recovery Services RES-2013-409

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

CA11. Human Services/Behavioral Health & Recovery Services RES-2013-410

Approve an Agreement with Heritage Oaks Hospital to Provide Psychiatric Inpatient Services to Mariposa County Behavioral Health in an Amount Not to Exceed \$18,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA12. Human Services/Behavioral Health & Recovery Services 2013-102

Terminate the Alcohol and Drug Abuse Advisory Board Membership of James Tucker Effective September 24, 2013

CA13. Human Services RES-2013-411

Approve Recruiting and Filling an Account Clerk II Position in the Human Services Administration Budget Effective Immediately

14. CA 14 was withdrawn by the Department

CA15. Human Services RES-2013-412

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

CA16. Human Resources/Risk Management RES-2013-413

Approve the Class Specification of Senior Geographic Information Systems(GIS) Specialist; Set the Annual Salary Range at \$52,345.28-\$63,625.12; Assign the Senior GIS Specialist to the Service Employees International Union(SEIU) Bargaining Unit; Approve the Reclassification of an 80% Permanent Part-Time (PPT) Planning Technician to an 80% PPT Senior GIS Specialist Retroactive to April 1, 2013; Approve Budget Action Transferring Funding Within the Planning Budget to Accommodate the Reclassification (\$53,000). Additionally: Approve the Class Specification of a GIS Specialist I/II; Set the Annual Salary Range at \$45,116.64-\$55,325.92; and Assign the GIS Specialist I/II to the SEIU Bargaining Unit

CA17. Human Resources/Risk Management RES-2013-414

Approve Amendments to the Fire Chief/Emergency Planning Coordinator Class Specification; Authorize a Recruitment Effective Immediately; and Authorize Filling the Position Effective No Earlier Than January 2, 2014

CA18. Treasurer-Tax Collector-County Clerk 2013-103

Proclaim September 24, 2013 as National Voter Registration Day

E. Minutes Approval

1. Tuesday, September 17, 2013

Chair Stetson advised of a correction, noting that packet page 145, paragraph 5, line 1, should read:

"Supervisor Cann required clarification of procedure of what happens if the majority of the Board passes something and the Chair refuses to sign."

No public or Board comment.

Action was taken to accept the Minutes with that noted correction.

Jones (M); Bibby (S); Passed Unanimously.

F. Departmental Presentation

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

Doug Binnewies/Mariposa County Sheriff updated the Board on two recent investigations. He reported on the vandalism at Mariposa Elementary School (MES) and at the High School; noted that they located four individuals on the MES campus; immediately arrested two for the vandalism, with another one arrested for intoxication; that the high school staff alerted them later to additional damage; and he believes that a third warrant will be issued for one of the additional suspects. He also noted that the Mariposa Burger King reported a burglary early yesterday morning; that one of its employees was arrested; and further arrests will most likely be coming today. Supervisor Stetson required clarification of the additional damage at the school. Sheriff Binnewies elaborated on the damage. Supervisor Bibby

thanked the Sheriff for the quick response, and for providing the information. Supervisor Jones expressed his appreciation for the update; and urged people to remember that most kids and young adults are good, so don't focus on the small minority who do things like this.

G. Public Comment on Non-Agenda Items

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

Prapai Wanlarbkam/Director of Horisons Unlimited Healthcare discussed the welcome and support they received in this community. Mr. Wanlarbkam also invited the Board to a Stakeholders Luncheon for the FQHC from 11:30 AM to 12:30 PM on October 1st. Supervisors Bibby and Cann welcomed Mr. Wanlarbkam and discussed the need for healthcare services in Mariposa.

Kathy McCorry/Mariposa County Chamber of Commerce Executive Director announced a ribbon cutting for the new Grace Note Chimes Store on Friday at Noon where Cousin Jack's used to be. She also announced that the next Meet and Greet will be at Sierratel on October 8th, from 5:30 PM to 7:00 PM.

H. Board Information

Supervisor Cann reported on a conversation with the Senate Natural Resources Committee Staff; discussed the Secure Rural Schools Act and its history; noted that the Senate staff assured him that they will do the Secure Rural Schools side; and reported that they attached the Secure Rural Schools funding to the Helium Reserve Conservation Act, which both houses have indicated will pass. He noted: that there is still a lot of work to do on a forest bill; that the two ranking Senators on this sub-committee have committed to taking up a forest health bill, but not until December; and that after the Board's action last week on HR 1526 (Restoring Healthy Forests,) he wrote an opinion letter on the issue as Chair of the RCRC, which was printed in the Sacramento Bee. Supervisor Cann advised that he will be: attending a Parking District Owners meeting next Monday; and on the panel interviewing on Monday for the new permanent CEO of JC Fremont Healthcare District.

Supervisor Bibby commented on the need for a forest bill; and extended a special thanks to PG & E for the donation of the bleacher at Mariposa County High School. Supervisor Bibby reported that she: attended the Mariposa Farm Bureau Meeting on the 18th; conducted Planning Commissioner interviews on September 18th; attended a citizen meeting on September 19th regarding broadband and telecommunications; attended a September 19th meeting onsite at a 29 acre piece of County property in Bear Valley; met with the Mt. Bullion community on September 19th, where Jim Middleton made a presentation; attended the memorial for Becky Bradshaw last Friday, and extended her thanks to Ms. Bradshaw's family. Supervisor Bibby advised that she will be attending a September 30th meeting of the Community Action Agency in San Andreas.

Supervisor Carrier noted that today is the 92nd birthday of his Great Aunt Rose who resides in Boston, and he wished her a Happy Birthday. Supervisor Carrier reported: spending a couple of days hiking in the South County; spending time helping someone look for house insurance, and advised people not to change if they have an existing policy as insurance has gotten hard to get since the State of California has deemed this area an extreme fire hazard area; attending a cemetery meeting last Wednesday; and meeting with a few citizens yesterday who had concerns with our website. Supervisor Carrier advised that he will be: attending the

Yosemite-Mariposa Regional Water Advisory meeting on Wednesday; attending a Thursday meeting in Wawona regarding the Yosemite West Wastewater and Water Treatment Systems; and meeting with Jim Rydingsword/Human Services Director on Monday.

Supervisor Bibby advised to keep an open mind regarding the Bear Valley property as some of it has a history, and some of it does not.

Supervisor Jones extended thanks to Parks and Rec for the new fence in Coulterville. Supervisor Jones advised: of the CoyoteFest on September 28th; of the October 6th fundraiser for the Coulterville Beautification Project; and of an October 20th Art Show that will be hosted in his home. Supervisor Jones reported: on a September 17th meeting with a member of the Fire Department where he learned more about that department; on a meeting at the Gold Rush Charter School on the 17th, noting that the school continues to grow; that he helped pour concrete at 6:00 AM on the 18th for the project in Coulterville; that, at 3:30 PM, Tara Schiff/Community Development-Grant Coordinator set up for a workshop in Coulterville for the businesses; giving a talk on Economics for Youth on the 19th, and discussed mentoring young people in the pitfalls of credit card debt; and that he spent the 21st reading the agenda packet. He also commented on QuickBooks classes in Coulterville that Ms. Schiff setup; and commended Sheriff Binnewies for his proactive stance with issues like marijuana farms and vandalism.

Supervisor Stetson discussed the need to cancel last week's Yosemite West Maintenance Committee meeting in Wawona, and the time involved to do so; and advised that the meeting has been rescheduled to this Thursday at 2:00 PM at the Wawona Library. Supervisor Stetson reported on a conversation with the Friends of Bear Creek yesterday; and advised of a meeting with Jim Rydingsword on the 30th.

Supervisor Cann noted that: the Cemetery Committee met last week; they are preparing a release on the status of the County cemeteries; they are hoping to identify a donation of land near the town of Mariposa for a permanent, new cemetery; and it must stay at five acres, otherwise we have to create a cemetery district and charge everyone.

9:50 AM Chair Stetson recessed the Board of Supervisors.

I. LOCAL TRANSPORTATION COMMISSION

(Chair - Commissioner Lee Stetson, Vice-Chair - Merlin Jones)

Public Comment:

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-2013-13

Approve the Allocation of Funds from the Pedestrian Bikeway Fund for the Purchase of Land in Midpines, the Bullion Street Safe Routes to School Sidewalk Match, and the Replacement Steps for Mariposa Park Access

The staff presentation was made by Barbara Carrier/Assistant Public Works Director - Support Services.

No public comment.

Supervisor Cann required clarification of which grant requires matching funds. Ms. Carrier responded.

Supervisor Bibby noted that the cost for the steps seems high; required clarification that we would be able to build them to ADA compliance for that amount; and inquired whether we have a property agreement in place. Ms. Carrier responded. Supervisor Bibby requested that Ms. Carrier carry back to Public Works that the Board will need to see the agreement before any construction starts. Supervisor Bibby also required clarification of the \$60,000 for the land acquisition for the Midpines Park, and inquired if that will require an appraisal. CAO responded that the property has been appraised at slightly less than that, and he doesn't expect to spend that full amount. Supervisor Bibby also required clarification that no other projects are losing out by allocating this money for these projects. Ms. Carrier affirmed that understanding; updated the Board on the current fund balance; noted the effects on the fund if this is approved; and discussed the source of the funding.

Supervisor Jones required clarification of the amount of money being budgeted for the steps. Ms. Carrier responded.

Supervisor Cann clarified that, at this point, the Board is just giving them approval to use this funding; and noted his understanding that they are just allocating the funds, and that Public Works will need to come back to the Board with the final conceptual design. Ms. Carrier affirmed that this is just to allocate the funds.

Supervisor Bibby discussed her understanding of the matter; noted that she hasn't heard any discussion regarding settlement or a financial exchange for the steps, which is why she is asking if there is going to be additional cost; and noted her understanding that it will be coming back. Ms. Carrier affirmed that it will be coming back.

Supervisor Carrier remarked that the \$83,000 encompasses the entire project; requested that be communicated to the Public Works Director so that plans, specs, construction, and any easements or land acquisition is in that \$83,000 total; and inquired whether Ms. Carrier knows the status of the Safe Routes to Schools project. Ms. Carrier responded.

Supervisor Stetson required clarification regarding the balance of the fund. Ms. Carrier responded that it would be \$76,429.

Supervisor Bibby noted that these are categorical dollars so they are limited in how the funds can be applied.

Supervisor Stetson noted his delight that these items are moving forward.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

2. Public Works LTC-2013-14

Update the Social Service Transportation Advisory Council (SSTAC) Members by Re-Appointing Laurel Crose, Social Service Provider for the Disabled for a Term Expiring September 24, 2016

Supervisor Stetson noted that on packet page 155, the letter indicates that Ms. Crose is being appointed to the Social Services Technical Advisory Council, and inquired if that should be Social Services Transportation Advisory Council. Ms. Carrier affirmed.

No public comment.

Action was taken to approve the item with the noted correction to the letter.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

J. 10:05 AM Reconvened as Board of Supervisors.

K. Regular Agenda Items

1. Public Works RES-2013-415

Approve Budget Action Transferring Funds from the Pedestrian Bikeway Fund to the Land, Building, Improvements Fund for the Purchase of Land in Midpines, the Bullion Street Safe Routes to School Sidewalk Match, and the Replacement Steps for Mariposa Park Access (\$192,800) 4/5ths Vote Required

The staff presentation was made by Barbara Carrier.

No public or Board comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

2. Administration RES-2013-416

Adopt a Resolution Approving, Authorizing and Directing Execution of Certain Financing Documents in Connection with the 2013 Refunding Certificates of Participation (1997 County Government Center Project); and Providing for Other Matters Properly Related Thereto Including Appointment of and Approval of Agreements with Financial Advisor and Bond Counsel

The staff presentation was made by Rick Benson who noted that, essentially, this will be replacing the 1997 Certificate of Participation (COP) with a new COP; that there is no extension of the term; and that the only thing that is being done is lowering the payments. He also noted that in addition to the item's recommendation, he would also recommend that the Board give staff the latitude to make minor changes and alterations to the documents in order to insure flexibility for processing this item. He also noted that the interest rate will change from the current rate of 5% per annum to 1.98% per annum.

Supervisor Stetson required clarification of any other buildings involved in the COP. Mr. Benson noted that there was another building at Public Works involved in the original COP. Keith Williams responded from the audience that the other building will be paid off, and the only building involved in the new COP will be the Government Center.

Supervisor Bibby required clarification that there is no additional cost associated with the payoff, and inquired if the refinancing will affect Mariposa

County's rating in any way. Keith Williams and Joshua Cooperman/Independent Public Finance Advisor indicated from the audience that there is no additional cost, and that it will not affect the County's rating. CAO remarked that, if anything, it would improve the County's position. Supervisor Bibby also required clarification that the \$271,000 can only be used for capital improvements in the County. CAO affirmed. Supervisor Bibby noted that page 162 discusses the cost of Bond Counsel and Financial Advisor, and inquired if we have the total dollar amount for any and all costs. CAO noted that all costs are incorporated in the agreements; there are no other expenses other than those that the Board is seeing today as part of this project. Keith Williams reported that there is an \$1800 Title Insurance Fee, but noted that it is included in the fees that are part of the financing. Supervisor Bibby inquired if the Auditor supports this action. Mr. Williams affirmed. Supervisor Bibby noted a sub-leasing clause and inquired as to the reason for its inclusion. CAO explained that, legally, a COP has to be structured in a certain way; and noted that this follows that structure so that the County owns the property, leases it to the Public Finance Corporation, and then the Corporation subleases it back to the County. Supervisor Bibby also required clarification of various items of the transaction. Mr. Cooperman responded to those concerns. Supervisor Bibby expressed concern regarding authorizing Staff to make changes and inquired if the Board will be advised of significant changes. CAO noted that Staff will not make changes of significance; that he is only seeking authorization to make minor changes, many of which could be defined as clerical changes.

No public comment.

Supervisor Carrier urged that no part of the funds be committed to any other projects until the Government Center repairs are completed. Supervisor Stetson noted his agreement with that suggestion.

Supervisor Cann commended Mr. Williams and CAO for being proactive in this matter. Supervisors Carrier and Bibby extended thanks and compliments.

Action was taken to approve the item as requested, as well as additionally authorizing staff to make minor, and clerical, changes in order to process these documents.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

10:23 AM Chair Stetson recessed the Board of Supervisors.

L. Mariposa County Public Finance Corporation

(President - Supervisor Lee Stetson, Vice-President - Supervisor Kevin Cann)

Public Comment:

For Items within the Jurisdiction of the Mariposa County Public Finance Corporation and not on Today's Agenda (Speakers Limited to Five Minutes)

None.

1. Administration (ID # 2829)

Adopt a Resolution Approving, Authorizing and Directing Execution of Certain Financing Documents in Connection with the 2013 Refunding Certificates of Participation (1997 County Government Center Project)

The staff presentation was made by Rick Benson. Mr. Benson noted the same adjustment to the recommendation, i.e., that the Corporation allow staff to make minor changes to the documents, as necessary, as described in the previous item.

No public or Board comment.

Action was taken to approve the item as presented, including the direction authorizing staff with the flexibility to make those minor changes and modifications needed in order to make the transaction complete.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

M. 10:25 AM Reconvened as Board of Supervisors.

1. Treasurer-Tax Collector-County Clerk(ID # 2814)

Waive First Reading and Introduce Ordinance Amending the Cost Recovery Schedule for the Collection of Delinquent Secured Property Taxes

The staff presentation was made by Keith Williams.

No public or Board comment.

Supervisor Bibby moved that the Board waive the first reading and introduce the Ordinance.

Supervisor Jones seconded the motion.

The Clerk read the name of the Ordinance into the record before the vote was taken.

RESULT: INTRODUCED [UNANIMOUS] Next: 10/8/2013 9:00 AM

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

10:28 AM Chair Stetson recessed the meeting for a break.

10:44 AM The Board reconvened.

2. Administration (ID # 2808)

Approve Department Head Severance Policy

The staff presentation was made by Rick Benson, who noted that he thinks not having a policy in place can be an impediment to recruitment. Mr. Benson also reported that the policy has been reviewed by the Department Heads, County Counsel and Human Resources.

Public comment opened.

Ronika Johnson questioned how this policy benefits the County; noted that it seems to be open-ended; doesn't feel that it addresses whether the Department Head's departure is voluntary or if they are being asked to leave; feels that there is a lot that needs to be questioned; and asked that the Board give it a little more time to discuss before considering.

Marilyn Saunders discussed her understanding that as a severance policy, the policy would only apply when the County chooses to sever the relationship, and would not apply if a Department Head chooses to resign. CAO affirmed that the

policy would only apply if the Board made the decision to end a Department Head's employment; and would not apply if a Department Head retires or voluntarily moves on to a new job.

Public comment closed.

Discussion among Board members ensued, as well as clarification of points.

Supervisor Bibby requested that the item be delayed to allow further input.

Action was taken to continue this item until October 1, 2013.

**RESULT: CONTINUED BY MOTION [UNANIMOUS] Next: 10/1/2013
9:00 AM**

MOVER: Merlin Jones, District II Supervisor

SECONDER: Janet Bibby, District III Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

3. Planning (ID # 2806)

Status Report on the Midpines Community Plan

The staff report was made by Brian Foucht/Deputy Planning Director, with Sarah Williams in attendance. He discussed elements of the attachments, noted that there is no Midpines Planning area boundary that is stable at this point; noted that they are a little behind in the schedule that is listed on page 4 of the Midpines Community Plan Progress Report (M.3.a); discussed the processing steps on page 5 of the Midpines Community Planning Area Program (M.3.b); noted what's being developed now; and discussed the internet forums.

Supervisor Stetson noted that he has been to all of the meetings, and has appreciated Mr. Foucht's guidance.

Supervisor Bibby extended her thanks and compliments to the Planning Department staff and the Midpines Community Advisory Committee; noted that she likes the idea of the boundary being larger and then fine tuning it down; discussed the challenges of the scenic highway; and urged the public to bring forward concerns early so that they can be addressed. She also inquired about the \$50,000 cost, and whether they will be continually funded with the amount of money that they need. Ms. Williams responded. Discussion ensued between Supervisor Bibby and Ms. Williams regarding the Catheys Valley Plan.

No public comment.

N. Items removed from Consent Agenda

A. Human Services (ID # 2767)

Accept the California Mental Health Services Authority (CalMHSA) Mini Grant for Mental Health Stigma Reduction Activities and Authorize the Board Chair to Sign the Agreement; Approve the Budget Action Increasing Revenue and Appropriations in the Mental Health Services Act Fund (\$8,000) to Accommodate the Grant and Increasing Revenue and Appropriations in the Human Services Administration Budget for Overhead Costs Associated With the Grant (\$1,200) 4/5ths Vote Required

RESULT: WITHDRAWN

O. Closed Session

1. Human Resources/Risk Management 2013-104

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

No public or Board comment.

This item was held at 12:17 PM and reported out at 12:50 PM.

RESULT: HOLD CLOSED SESSION [UNANIMOUS]

MOVER: Janet Bibby, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

2. Human Resources/Risk Management 2013-105

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

No public or Board comment.

This item was held at 12:28 PM and reported out at 12:50 PM.

RESULT: HOLD CLOSED SESSION [UNANIMOUS]

MOVER: John Carrier, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Jones, Bibby, Cann, Carrier

Report Out

12:50 PM Chair Stetson reported that Information was Received and Direction was Given in both closed session items.

P. Adjournment

12:51 PM The meeting was adjourned in memory of Daniel James Henning, and Francis Donohoe.

Respectfully submitted,

RENÉ LaROCHE
Clerk of the Board

LEE STETSON
Chair, Board of Supervisors