



# MARIPOSA COUNTY

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



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

**DISTRICT IV**  
**DISTRICT II**  
**DISTRICT I**  
**DISTRICT III**  
**DISTRICT V**

## MINUTES

October 7, 2014

### A. Call to Order and Roll Call

**9:01 AM** Chair Cann called the meeting to order at the Mariposa County Government Center, noting that there was a quorum with all members present.

| Attendee Name | Title                   | Status  | Arrived |
|---------------|-------------------------|---------|---------|
| Lee Stetson   | District I Supervisor   | Present | 8:53 AM |
| Merlin Jones  | District II Supervisor  | Present | 8:53 AM |
| Janet Bibby   | District III Supervisor | Present | 8:53 AM |
| Kevin Cann    | District IV Supervisor  | Present | 8:53 AM |
| John Carrier  | District V Supervisor   | Present | 8:53 AM |

### B. Pledge of Allegiance

The Pledge was led by five members of 4-H, followed by a moment of silence for our men and women in uniform around the globe.

### 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 Stetson requested clarification regarding CA6. Supervisor Cann by providing an overview of the JPA, and noted that he can schedule an agenda item if the Board so desires. No response was noted.

Regarding CA7, Supervisor Jones discussed the events that the Arts Council puts on which include the Storytelling Festival, the Mariposa Symphony, and classroom programs.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Janet Bibby, District III Supervisor

**SECONDER:** Merlin Jones, District II Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**CA1. Administration RES-2014-502**

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

**CA2. Administration RES-2014-503**

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

**CA3. Administration RES-2014-504**

Resolution Continuing the Local Drought Emergency

**CA4. Administration RES-2014-505**

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

**CA5. Administration RES-2014-506**

Approve Amendment 7 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

**CA6. Administration RES-2014-507**

Approve the Amended and Restated California Home Finance Authority (CHF) Joint Powers Authority (JPA) Agreement, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA7. Administration RES-2014-508**

Approve an Agreement with the Mariposa County Arts Council for Performing Arts, Visual Arts, and Arts Resources and Education Services in the Amount of \$61,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA8. Auditor RES-2014-509**

Adopt a Resolution Establishing the Tax Rate of 0.028047 (2.8047 Cents Per \$100 Assessed Valuation) for the Bass Lake Joint Elementary School District Bond in the Bass Lake Elementary/Yosemite High School Tax Rate Areas of Mariposa County

**CA9. Auditor RES-2014-510**

Adopt a Resolution Establishing the Tax Rate of 0.026243 (2.6243 Cents Per \$100 Assessed Valuation) for the Yosemite High School Bond in the Bass Lake Elementary/Yosemite High School Tax Rate Areas of Mariposa County

**CA10. Auditor RES-2014-511**

Adopt a Resolution Establishing the Tax Rate of 1% of the Cash Value on the Secured Tax Roll for the 2014-15 Fiscal Year

**CA11. Auditor RES-2014-512**

Adopt a Resolution Establishing the Appropriation Limits for Fiscal Year 2013-14

**CA12. Auditor RES-2014-513**

Designate that the Method by Which Appropriation Limits Are to be Computed for the Fiscal Year 2013-14 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

13. This Item was removed from the Consent Agenda.

**CA14. Human Services RES-2014-514**

Approve the First Amendment to the Capacity Consulting Agreement by Amending the Scope of Work, and Authorize the Board of Supervisors Chair to Sign the Amendment

**CA15. Human Services 2014-87**

Accept the Resignation of Inez Terra from the Alcohol and Drug Abuse Advisory Board

**CA16. Human Services RES-2014-515**

Reduce the Allocation of a Full-Time Office Assistant II Position in the Human Services Administration Budget to a 50% Permanent Part-Time (PPT) Position Effective October 8, 2014

**CA17. Human Services/Behavioral Health & Recovery Services RES-2014-516**

Approve an Agreement with Davis Guest Home to Provide Community Residential Treatment Services for Mariposa County Behavioral Health in an Amount Not to Exceed \$25,500, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA18. Public Works 2014-88**

Accept the Resignation of Steven Wright from the Water Agency Advisory Board

**CA19. Public Works RES-2014-517**

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

**CA20. Sheriff's Office RES-2014-518**

Approve Budget Action Transferring Funds Within Sheriff's Bailiff Budget to Purchase New Equipment for Bailiff and Court Security (\$12,659)

## **E. Board Recognitions**

**1. Cooperative Extension 2014-89**

**Proclaim the Week of October 5Th-11Th, 2014 "National 4-H Week"**

Donna Wice thanked the Board of Supervisors for 65 years of support; noted that since 2001 they have also assisted with Ag in the Classroom, and she provided an overview of the participating schools; noted that they added two new clubs this year; noted that they hosted the regional presentations, kids night, teen night, a sock hop, and will be hosting Achievement Night at the New Life Christian Fellowship at 3:00 PM on October 26th, and a rigatoni dinner on November 8th from 5:00 to 8:00 PM at the Senior Center. Supervisor Bibby requested introductions of the 4-H members and leaders in attendance. Ms. Wice introduced Robbie Stark and his mother, Tammy; Linda Brower, the new Hornitos Club leader, with Khiera and Khily; Nyra, the town Club leader, members Bayleigh Davis and Bernadette Wall, and Karen Cutter, former leader. Robbie Stark thanked the Board for supporting them at the Fair. Chair Cann noted that there is rarely a family in Mariposa County not affected by 4-H. Ms. Wice stated that 4-H also has other projects that do not require animals like archery. Supervisor Jones extended his thanks to the great number of volunteers who are never seen. Bailey Davis provided the Board members with a 4-H notepad. Supervisor Carrier remarked that the program would not exist without the volunteers as well as the children, and that it instills lifelong values.

Chair Cann presented county pins to the 4-H members, and presented the Proclamation to Ms. Wice.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** John Carrier, District V Supervisor

**SECONDER:** Janet Bibby, District III Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**2. Board of Supervisors 2014-90****Proclaim October 5Th - 11Th, 2014, as "Habitat Awareness Week" and October 6Th, 2014, as "World Habitat Day" (Al Johnson, and Beth Tomsick)**

Al Johnson noted that they are now working on their third home; discussed the Habitat Awareness Week eating out campaign, noting that High Country Cafe and Steve's Sportsman Cafe are the establishments donating a portion of their proceeds today; and advised that next Wednesday Dave Lawson will be framing the house for free. Beth Tomsick thanked the Board for their support through the years; noted that World Habitat Day is celebrated around the world and that there are approximately 4 million volunteers worldwide; and noted that this Habitat chapter has raised the most money with Cars for Habitat than any other county with a similar population.

**No public input.**

Supervisor Bibby discussed the amount of work that the local Habitat organization does. Supervisors Stetson and Cann extended thanks for all of their work.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Janet Bibby, District III Supervisor

**SECONDER:** Lee Stetson, District I Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**3. Board of Supervisors 2014-91**

### **Approve a Certificate of Appreciation to Pacific Gas & Electric for Its Community Support (Supervisor Carrier)**

Supervisor Carrier noted that Pacific Gas and Electric Company (PG & E) has been very involved in the community and discussed some of their past and future programs.

#### **No public input.**

Supervisor Bibby noted that we have never had such a good relationship with PG & E before, and she extended her compliments. Supervisor Cann concurred and discussed some of the interactions that he has had with them.

Chair Cann presented the Certificate to Richard Dye of PG & E.

Mr. Dye then discussed fuel reduction through the Yosemite/Sequoia Resource Conservation JPA and the Mariposa Fire Safe Council, and presented a check for \$358,575 to Megan Atkinson of the Fire Safe Council. Mr. Dye also recognized Richard Darnell/PG & E Vegetation Management Leader for his efforts. Megan Atkinson/Fire Safe Council Executive Director noted her appreciation and thanked PG & E for their efforts and support for hazardous fuels reduction.

Supervisor Carrier noted that a lot of the fuel reduction programs would not be able to operate without partners like CAL FIRE, County Fire, and others.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** John Carrier, District V Supervisor

**SECONDER:** Lee Stetson, District I Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

## **F. Departmental Presentation**

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

Dr. Mosher reported on the ebola epidemic in the United States and the fear that has been ensuing; noted that ebola is not a new disease; reported that the Health Department has been working with entities throughout the county should a case show up locally; reported that they are training ambulance personnel and first responders now, as well as working with the hospital and others in town; and commented that they are prepared but want to combat the fear. Supervisor Bibby thanked Dr. Mosher for the presentation and noted this is not unlike the pandemic flu trainings; and remarked that the County continually does readiness trainings. Supervisor Cann requested an update regarding the enterovirus d68 that is hitting the country. Dr. Mosher noted that this virus has been around for some time but was rare; discussed the past progression of the disease; and noted that a hand full of previously exposed children are being found to have neurological disease but that it is not clear if it is related to the enterovirus.

## **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)*

Marshall Long noted that he is a past Clover-Pioneer 4-H leader, and requested everyone who is a past 4-H member or leader to stand up; and noted that without the 4-H training he would not be running for office now.

Jim Dulcich speaking on his own behalf, discussed the transition of the Fire Department stating that no one is asking the volunteers what needs to be done to fix issues; noted that he went to the Officers meeting last night and came away really disappointed in what is happening; stated that there are a lot of rumors floating around out there; noted that an opportunity to provide an update was missed on Sunday when so many volunteers were in one place; and remarked that Supervisor Bibby came and expressed appreciation of the volunteers, but closed her remarks noting that there were a lot of changes and "this is the way it's going to be." Supervisor Bibby responded that she

never used those words, and that she said we didn't know where the situation was taking us but that we were exploring options and that everyone has the volunteers' backs and we will continue receiving information, and some of the changes will be as a result of information received back from the volunteers; and that what she did say is that the Board is routinely hearing the same complaints come up regarding unhappiness with the past fire chiefs. Mr. Dulcich discussed past fire chiefs; noted that he heard last night that the last fire chief was hired to make the fire department look bad; remarked that the Board and the Sheriff need to be more open with the volunteers as it is leading to speculations from the volunteers. Supervisor Bibby reiterated that what she said to the volunteers is to have patience as we are still compiling and receiving information; and noted that none of the supervisors hoped for anything but the best for the fire chiefs that were hired. Chair Cann advised Supervisor Bibby that the meeting is currently in Public Comment; and assured Mr. Dulcich that the Board has heard the complaints and takes the issue seriously. Mr. Dulcich also discussed an org chart that has been going around, and noted that a chief should be next to the Undersheriff.

Dennis Buck speaking on his own behalf, noted that it is important that the Board recognize the extent of the contributions made by the volunteers; noted that he asked the Sheriff to make a presentation in honor of Don Westin at the Volunteer Appreciation picnic on Sunday; remarked that the volunteers are getting concerned with the direction of County Fire; discussed his concern with the low applicant base before the hiring of the last fire chief, and his suggestion to raise the pay scale; noted his discomfort with the previous fire chief; stated that there was another applicant who would have fit well in the position; inquired if the past chief was hired to fail; discussed Chief Wilson, noting that you can't please everyone all the time when you are in the public arena; remarked that his concern is where we are going and requested the consideration be given to the volunteers; remarked that the Fire Chief position should be raised to the same level as the Undersheriff so that they have full representation as a department; noted that members are becoming uneasy as to the direction that this is going; and remarked that a lot of people may turn in their resignations if they are not happy with the way it is reorganized. Supervisor Cann reminded that the entire arrangement is on an interim basis, and that it is an attempt to deal with these exact types of issues which are not new. Supervisor Bibby noted that she has never said that the Board could not please them; that what she said was that the Board has consistently received complaints no matter who the chief was; remarked that Chief Wilson had some amazing traits and no one will ever know what all he did behind the scenes; noted that the org chart discussed was one presented in an open meeting precisely to get feedback; stated that the Board never hires anyone to fail; stated that there are challenges with the new PERS rules with career fire fighters; and remarked that nothing is firm, and the Board is looking for direction and input.

David Taylor/Lake Don Pedro Subdivision read a prepared statement discussing a Pedestrian & Equestrian indemnity policy and requesting information regarding same.

## **H. Items removed from Consent Agenda**

### **1. Health (ID # 4022)**

**Approve Nine Memorandums of Understanding (MOU's) with Anthem Blue Cross to Establish a Relationship for Future Billing of Medi-Cal Managed Care Services, and Authorize the County Health Officer to Sign the MOU's**

**RESULT: WITHDRAWN**

## **I. Announcement**

**10:10 AM** Supervisor Stetson noted that there is a Fire ready meeting in Midpines this evening.

## **J. 10:00 AM Closed Session**

**10:11 AM** Chair Cann recessed the meeting into Closed Session, noting that it would reconvene at 2:00 PM.

1. **County Counsel (ID # 4068)**

**Closed Session: Conference with Legal Counsel; Existing Litigation: Merced Irrigation District V. County of Mariposa, Et Al.; Tulare County Superior Court Case No. 13-252209**

No Board or public comment.

This closed session was held at 10:21 AM and reported out at 4:13 PM.

**RESULT: CLOSED SESSION HELD**

2. **Human Resources/Risk Management (ID # 4101)**

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

No Board or public comment.

This closed session was held at 3:01 PM and reported out at 4:13 PM.

**RESULT: CLOSED SESSION HELD**

3. **Human Resources/Risk Management (ID # 4102)**

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

No public input.

Supervisor Carrier recused himself from this item as his wife is a member of MCMCO.

This closed session was held at 4:00 PM and reported out at 4:13 PM.

**RESULT: CLOSED SESSION HELD**

## **K. Noon Recess**

## **L. 2:00 PM Regular Agenda Items**

**2:04 PM** Chair Cann reconvened the meeting.

1. **Assessor-Recorder RES-2014-519**

**Approve Amendments to the Assessment/Recording Office Manager Job Description; Increase the Monthly Salary to \$3,354.53-\$4,077.59 Effective October 1, 2014**

Becky Crafts/Assessor-Recorder gave the staff report noting that the funding needed will only be \$2300 rather than the \$8500 that was put on the whiteboard during budget

hearings because she has salary savings that will be continuing due to the under filling of a position.

Supervisor Jones required clarification of how long it has taken to get to this point. Ms. Crafts responded that it has taken two and a half years. Supervisor Cann remarked that he is supportive of the item because it appears warranted given the edited job description. Supervisor Jones noted his support of the item. Ms. Crafts responded that she is not fighting for an individual, but for the position. Supervisor Bibby extended her thanks for the job description.

**No public input.**

Ms. Crafts extended her thanks to the Board for their consideration of this matter.

**RESULT: ADOPTED [UNANIMOUS]**  
**MOVER:** Merlin Jones, District II Supervisor  
**SECONDER:** Lee Stetson, District I Supervisor  
**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**2. Human Resources/Risk Management 2014-ORD-1107**

**Waive Second Reading and Adopt an Ordinance Removing Section 2.08.030 Entitled “The Clerk of the Board of Supervisors” from Chapter 2.08 of the Mariposa County Code and Adding it as a New Chapter 2.10 Entitled “Clerk of the Board of Supervisors” and Amending it Accordingly**

Steve Dahlem/County Counsel and Interim Human Resources Director - Risk Manager made the staff presentation.

**No public input.**

**RESULT: ADOPTED [UNANIMOUS]**  
**MOVER:** Janet Bibby, District III Supervisor  
**SECONDER:** Merlin Jones, District II Supervisor  
**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**3. Administration RES-2014-520**

**Approve a Resolution Adopting Balancing Adjustments to the Fiscal Year 2014-2015 Adopted Budget 4/5ths Vote Required**

Mary Hodson/Interim County Administrative Officer gave the staff report and provided an overview of the adjustments being presented.

Supervisor Cann discussed the need to upgrade the HTE system, as well as the need for Courthouse repairs, noting that the numbers are still in flux; remarked that it makes no difference whether money is placed in dedicated accounts, or put into contingency until hard numbers are available; and noted that doing the latter will make the contingency fund look larger than normal. Ms. Hodson remarked that she did not think that Technical Services had a cost estimate yet, and that the Courthouse repairs are still in the planning phase; and noted that these items can be revisited at a later date with a separate Board item with the funds coming from contingency. Supervisor Bibby noted that if everything is put into contingency, then a Board item can be scheduled to address the expenditures as they come up.

**No public input.**

**RESULT:**      **ADOPTED [UNANIMOUS]**  
**MOVER:**       Janet Bibby, District III Supervisor  
**SECONDER:** John Carrier, District V Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

#### **4.    *Board Information***

Supervisor Jones responded to earlier public comments regarding the Fire Department noting that he and Supervisor Bibby have gone to numerous meetings where they have always asked for input; and noted that they have been told that there has been no leadership for a number of years. He also took exception to the suggestion that the former chief was hired to fail; and he requested that gossip be ignored. In response to Mr. Taylor's comment, Supervisor Jones noted that an item for an indemnification policy for the Pedestrian & Equestrian trails will be coming back to the Board as well as, potentially, an item regarding the Pedestrian & Equestrian Advisory Board. Supervisor Jones reported that he: attended a meeting with the Doug Binnewies the Interim Fire Chief, Doug Wilson the Interim Public Works Director, and Ralph Felix at the Don Pedro Fire Station; worked to fell bug trees for the senior wood program on the 25th and 26th; attended the CoyoteFest on the 27th, and commented on the number of visitors served at the Visitor Center in four hours; met with Planning on the 25th, and discussed the need to get permits for projects; attended the Greeley Hill Breakfast on the 5th; and attended a meeting with Supervisor Stetson and Phil McKinney on the 6th. Supervisor Jones also thanked County Counsel for making a special trip to the north county to deliver papers to him.

Supervisor Stetson reported that he attended the meeting with Supervisor Jones and Mr. McKinney; attended the Friday meeting with the fire focus group for the Midpines Advisory Committee with Supervisor-elect Smallcombe at the Bug Hostel. Supervisor Stetson advised that he will be attending the quarterly Gateway Partners meeting on Thursday morning. He also advised that there will be a Fire Ready workshop beginning at 8:30 AM on Saturday, the purpose of which is to instruct land owners in the essentials of fire safety and fuel reduction, and registration is \$10.00.

Supervisor Bibby reported attending the Firemen's Picnic on Sunday; noted that she asked the volunteers to not read more into this fact finding process than what it is; remarked that it will be a public process, and encouraged that information be submitted to the Board members or the Interim Fire Chief; urged patience and cautioned that not all of the details may get worked out until after fire season; clarified that the only thing that has been adopted was to make the Sheriff the Interim Fire Chief; noted that the Board is trying some new things, and is being reactive to the input of the volunteers from over the years; thanked everyone for their input and ideas; noted that if a design does not work, it can be amended; stated that the Board would never hire a department head with an intention to fail as that is cost prohibitive; and noted that Mariposa County is going through struggles with the new PERS rules. Supervisor Bibby also reported attending: the Mental Health Governing Board meeting on the 2nd, noting that there are two more people interested in serving on that Board. Supervisor Bibby advised that she will be attending: the Farm Bureau Dinner on Saturday; and a First 5 meeting on Monday. She also reported touring some roads with the Roads Manager; extended compliments to the road crew; and noted that if anyone has a road problem, they should contact Public Works who will put the issue on their list.

Supervisor Carrier noted that he did not make it to the Fire appreciation lunch on Sunday as he never received an invitation; noted that he supports the county fire department and its volunteers, without whom we could not function; discussed the money invested into new engines and equipment; and remarked that he was surprised by the comments received today. Supervisor Carrier reported that he attended the Area 12 JPA meeting on Monday, and noted that they received an additional \$78,000 in one-time only money which will go to the senior nutrition program costs in the Area 12 JPA counties. He also noted that they appointed Kristin Millhoff to replace Pauline White as Executive Director. Supervisor Carrier advised that he will be attending the Ponderosa Basin Fire

Department tri tip dinner next Saturday, followed by the Farm Bureau Dinner at the Courthouse afterwards; and that he will be attending the San Joaquin Valley Regional Association of Counties Conference tomorrow through Friday. Supervisor Carrier also announced that there are vacancies on the Fish Camp Planning Advisory Committee, the Water Agency Advisory Board, and the Assessment Appeals Board; noted that he read the book Lone Survivor which is one of the movies that Marvin Wells has been asking the Board to watch; and congratulated YARTS on their two new buses, and reported that Julia Parker was recognized as their one millionth rider and that she has been riding the bus since its inception.

Supervisor Cann reported attending the RCRC annual meeting two weeks ago,; remarked that a lot of subjects were covered there starting with rural economic development; noted that he facilitated a discussion between all of the county supervisors and the representatives of the Fish and Wildlife Service; and explained that each year each county brings a basket to sell with the money going back to the county of the Chair, and noted that Mariposa's basket sold for \$850 and he extended his thanks to staff member Marie Jacobsen for her efforts in assembling that basket. Supervisor Cann also reported attending the western states National Association of Counties (NACo) meeting the following week, noting that they discussed forest health issues; the Payment In Lieu of Taxes (PILT), which looks like it will pass with the current levels; the Secure Rural Schools subsidy which is languishing, and he noted that he has some sample letters if the Board would like to consider sending one; the Endangered Species Act; and the proposed changes to the Waterways of the US for which the comment period has been extended to November 14th. Supervisor Cann also reported that he: met with the Chamber of Commerce Board Chair and Executive Director on Saturday; went to the christening of Tillie's Terrace at St. Joseph's Catholic Church on Sunday; met with Mr. McKinney from the recruitment firm yesterday; and met with the Tourism Bureau Director yesterday. Supervisor Cann advised that he will be: addressing the Master Gardeners Conference at The Tenaya Lodge tomorrow; and speaking to the Woodland 8th grade class on Thursday afternoon regarding county government, followed by the agenda review meeting.

### ***Recess***

**2:34 PM** Chair Cann recessed the meeting to Closed Session.

### **5. *Report Out***

**4:13 PM** Chair Cann reported that information was received and direction was given in all three closed sessions.

### **M. *Adjournment***

**4:14 PM** Chair Cann adjourned the meeting in memory of Sharon Wittkoph, James Donahue, Steven Rhoan, Ronald Trabucco, Mary Gillespie-Look, Richard Kennedy, and Grace Haussman.

Respectfully submitted,

RENÉ LaROCHE  
Clerk of the Board

KEVIN CANN  
Chair, Board of Supervisors



# MARIPOSA COUNTY

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

**DISTRICT IV**  
**DISTRICT II**  
**DISTRICT I**  
**DISTRICT III**  
**DISTRICT V**

## MINUTES

October 14, 2014

### A. Call to Order and Roll Call

**9:02 AM** Chair Cann called the meeting to order at the Mariposa Government Center, noting that there was a quorum with all members present.

| 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 in memory of Craig Hunt, the pilot who lost his life fighting the Dog Rock 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.*

Chair Cann noted that CA5 will be considered separately, and that public comment will be taken on it at that time.

#### **No public input.**

Regarding CA12, Supervisor Carrier inquired if it is a requirement that the dollar amount be set aside annually, and required clarification of whether or not we are doing it if

it is required. Doug Wilson/Interim Public Works Director noted that it is not a requirement to set aside the specific amount; noted that the County is pledging the amount from the general fund; and he discussed the legislative history. Supervisor Carrier noted that there is a Notice of Violation with the State Water Board in which this item was a part, and inquired if that notice will be rescinded with the passage of this pledge. Mr. Wilson responded that this is a step in that direction. Supervisor Cann noted that it was his understanding that the biggest modification is that they have gone from a 10 to 20 year period. Greg Ollivier/Solid Waste & Recycling Manager affirmed. Supervisor Cann required clarification of the number of other small dumps out there. Mr. Ollivier responded that he did not know the precise number but it was very few.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** John Carrier, District V Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

CA1. **Administration RES-2014-521**

Resolution Continuing the Local Drought Emergency

CA2. **Administration RES-2014-522**

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

CA3. **Administration RES-2014-523**

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

CA4. **Administration RES-2014-524**

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

CA5. Considered separately from the Consent Agenda

CA6. **Administration RES-2014-525**

Approve First Amendment to Contract for Services with Mariposa County Chamber of Commerce for the Operation of the Mariposa County Visitors' Center by Amending Termination Language and Modifying Language in Exhibit a Regarding Closure of the Center, and Authorize the Board of Supervisors Chair to Sign the Amendment

CA7. **Board of Supervisors**

Approve the Minutes of Tuesday, September 9, 2014

CA8. **Board of Supervisors**

Approve the Minutes of Tuesday, September 16, 2014

CA9. **Board of Supervisors 2014-92**

Appoint Supervisor Carrier as the California State Association of Counties (CSAC) Director and Name the Remaining Board Members as Alternate for 2015

**CA10. Human Resources/Risk Management RES-2014-526**

Approve the Medical Malpractice Extended Participation Agreement with the California State Association of Counties Excess Insurance Authority (CSAC-EIA), and Authorize the Board of Supervisors Chair to Sign the Extended Participation Agreement

**CA11. Human Services/Behavioral Health & Recovery Services RES-2014-527**

Approve a Field Practicum Agreement with California State University Stanislaus to Allow Social Work Student Placement at Mariposa County Human Services, and Authorize the Human Services Director to Sign the Agreement

**CA12. Public Works RES-2014-528**

Rescind Resolution No. 2012-287 and Approve a Revised Pledge of Revenue Agreement with CalRecycle, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA13. Public Works RES-2014-529**

Accept the Ben Hur Road Reconstruction Project as Complete and Authorize the Public Works Director to Record the Notice of Completion and Release the Retention

**CA14. Technical Services RES-2014-530**

Approve a Geographic Information Systems (GIS) Data Sharing Agreement with Sierra Telephone, and Authorize the Board of Supervisors Chair to Sign the Agreement

**E. Board Recognitions****1. Board of Supervisors 2014-93**

**Proclaim October 2014, as "Domestic Violence Prevention Awareness Month" (Audrey Davis & Kristen Fiester, Mountain Crisis Services)**

**Public comment opened.**

Pete Judy/Chief Probation Officer and resident of District IV thanked Mountain Crisis for all of their services, noting that they work closely with the Probation Department; discussed the effects of domestic violence on children and their families; and referenced recent news regarding domestic violence and in the National Football League and remarked that many people just do not understand.

**Public comment closed.**

Supervisor Bibby noted that violence is all inclusive of the family, and without Mountain Crisis, Mariposa's homicide rate would probably increase; and she extended her thanks to all of the Mountain Crisis staff for their efforts. Supervisor Carrier discussed domestic violence, noting that it is a learned behavior; and remarked that we need to get the message out that violence against anyone is unacceptable. Supervisor Jones discussed helping to start the charter school; and noted that the thing that has affected him the most is seeing the effects on the children. Supervisor Stetson noted his support for the Proclamation. Supervisor Cann discussed the growth of Mountain Crisis, and its services, since 1990 when he and his family moved to the community.

Chair Cann presented the Proclamation to Audrey Davis and Kristen Fiester who thanked the Board for their support. Ms. Davis also noted that a big part of prevention is

educating and involving the community.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Janet Bibby, District III Supervisor  
**SECONDER:** John Carrier, District V Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

## **Items Considered Separately**

### **2. Administration RES-2014-531**

#### **Approve a Contract for Services with Sara Zahn for the Operation of the Coulterville Visitors' Center in a Not to Exceed Amount of \$25,000**

Mary Hodson/Interim County Administrative Officer gave the staff report. Supervisor Jones advised that he has been working with a committee in Coulterville, and remarked that the traffic almost doubles over there when there is a fire on Highway 140; noted that while the annual expenditure is increasing from approximately \$17,000 to \$25,000, the hours of operation are being doubled; and noted that the History Center has agreed to staff it in an emergency. Supervisor Carrier inquired of the CAO if a tracking and reporting process has been established. CAO responded that she will meet with Ms. Zahn regarding same should the Board approve the contract. Supervisor Carrier recommended that the process be streamlined between the Chamber of Commerce and the Coulterville Visitor Center to ensure that the Board is seeing comparable statistics. Supervisor Cann noted his agreement with that suggestion. Supervisor Cann also noted that there is a requirement in the contract for a Certificate of Insurance, and inquired if that has been received. CAO noted that the insurance requirement was part of the RFP process, and the contractor just needs to provide the document to the County so that it can be provided to Risk Management. Steven W. Dahlem/County Counsel noted that the contract should be executed immediately but that it will not be effective, and payment will not be made, until the Certificate is provided.

#### **Public comment opened.**

Sara Zahn noted that the insurance is all lined up and that she can most likely have the certificate back tomorrow.

#### **Public comment closed.**

Supervisor Jones also noted that someone will provide monthly updates to the Board the way the Chamber has been doing, and the person will use the same reporting format.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Merlin Jones, District II Supervisor  
**SECONDER:** Lee Stetson, District I Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

## **F. Departmental Presentation**

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

Doug Binnewies/Sheriff - Interim Fire Chief updated the Board on the Dog Rock Fire, noting: that Highway 140 is open and all evacuations have been lifted; that overhead management has been transitioned to a Type III team; that the fire's origin was due to a passing motor vehicle that ignited the area; and that it was a tragic fire as CAL FIRE pilot Geoffrey "Craig" Hunt, was killed performing his duties.

Rich Drozen/CAL FIRE Battalion Chief read a message from CAL FIRE Director

Pimlott, which: stated that Geoffrey "Craig" Hunt was laid to rest yesterday at a private ceremony in Indiana; requested that badges be unshrouded and flags be returned to full staff at the close of business today; noted that a memorial service will be held in California on Tuesday, October 21st, and requested that badges be shrouded, and flags again be lowered then. Chief Drozen remarked that the tragedy illustrates how dangerous a job firefighting is, and how bad this fire season is; noted that it was great to see so many turning out to honor Craig; and noted that he was driving his son to Sacramento and got to see all of the flags at half-staff along the route. Chief Drozen also noted that his son worked with Craig in Hollister.

Chevon Kothari/Human Services Director announced the hiring of Dr. Michael Bishop as the Behavioral Health Deputy Director, noting that he will start on November 3rd; and extended thanks to Chief Judy, and Ruth Catalan from the Mental Health Board and some others for participating on the interview panel. She also expressed her appreciation to the Board for participating in the clothesline project for Domestic Violence Awareness Month, and invited the public to the Human Services Building to see more shirts.

## **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)*

Dianne Fritz and Anita Starchman-Bryant from Soroptimist International discussed the number of children who trick or treat in town on Bullion and Jones Streets; noted that Soroptimists is conducting a drive for candy and cash to help pay for candy for those residences; discussed the drop off points around the county; and requested permission to put one in the Government Center office. The Board indicated agreement with the request.

## **H. Board Information**

Supervisor Carrier reported attending the San Joaquin Valley Association of Counties Conference Wednesday through Friday, noting that they discussed: public safety; AB-109; lack of jail space; evidence based evaluations; water and natural resources, noting that they discussed the need for replenishing groundwater, and cited Westlands Water District which estimates that sustainable groundwater depletion is considered 250,000 acre feet per year, but which pumped 700,000 acre feet last year while this year they are approaching 900,000 acre feet; economic development and education, noting that most of the counties commented that they are not creating enough jobs to keep the young people in the counties; healthcare and the Affordable Care Act, noting that there are 36 hospitals within those 9 counties, 19 of which reported a loss of revenues, and remarked that the healthcare system will be stretched to provide services under the Affordable Care Act without some kind of reform; state budget, noting that revenues are in the positive and are an estimated \$300,000 more this month than estimated; and Federal Transportation Funding, which he noted is not happening. Supervisor Carrier also advised that Mariposa County will be hosting that conference next year, and that a committee to organize it will soon be forming. Supervisor Carrier also reported: attending the Democratic Club breakfast on Saturday; attending the Ponderosa Basin Fire Department tri tip dinner Saturday evening, followed by the Farm Bureau dinner that same evening; and spending much of Monday in the office dealing with issues. He also advised that he will be attending: this evening's Chamber of Commerce Network at Night event at Sierratel; a septage meeting with Environmental Health and Public Works on Thursday; Friday's Chamber of Commerce Cruise Night, noting that they are anticipating approximately 200 cars at the car show on Saturday; the Fish Camp Town Planning Advisory meeting on Saturday, possibly followed by the Car Show at the Fairgrounds; a dinner at Cal Ranch on Saturday; and the YARTS JPA meeting here in the Chambers on Monday. Supervisor Carrier also noted that he may have to be excused from the October 21st meeting as he has been called for jury duty.

Supervisor Bibby noted that her thoughts and prayers are with the family and friends of Geoffrey "Craig" Hunt. Regarding the candy drive, Supervisor Bibby noted that she lived

on Jones Street years ago and discussed how quickly they ran out of candy, and encouraged everyone to participate in the candy drive. Supervisor Bibby reported that she had a meeting last week with the personnel firm that is assisting Mariposa County with department head recruitments, noting that she stressed the amount of work that the department heads do and that they are expected to do all phases of required work, and she extended her compliments to the department heads for same. She also reported attending the Farm Bureau Dinner, discussed the outreach from the community through the years, and extended her thanks and appreciation to: the Mariposa Farm Bureau for their hospitality; Congressman McClintock, Senator Berryhill, Assemblyman Bigelow, and their staffs, for the recognition and kind words; her 89 year old mother-in-law; our local Farm Bureau; and Supervisors Carrier and Jones for their attendance and kind words. Supervisor Bibby also reported attending the First 5 Commission meeting last night, noting that they will not be meeting in November. She also: announced that the Health Department's Dental Program has just been recognized by the California Dental Association; complimented Dr. Mosher for all of his efforts; extended thanks to Health Department staff and the participating dentists; and discussed the need for children to have healthy teeth.

Supervisor Stetson reported: standing with the volunteers and citizens at the Midpines Community Park on Wednesday afternoon to honor the passing of CAL FIRE pilot Geoffrey "Craig" Hunt; traveling to Yosemite Valley via Oakhurst and Wawona for the Gateway meeting to find it was cancelled by the time he got there; and attending the Fire Ready event in Midpines on Saturday. Supervisor Stetson also: advised that he will be attending a meeting with Supervisor Bibby and Dr. Mosher tomorrow morning; noted that he may be challenged to attend the YARTS meeting on Monday; and advised that there will be a meeting of the El Portal Advisory meeting tonight at 7:00 PM. He also discussed a local theater production at the Community Park on Sunday; and announced the flu shot program starting tomorrow at 9:00 AM at the Fairgrounds.

Supervisor Jones reported receiving some phone calls about not being at the Fireman's barbeque, and noted that he would have been there had he known about it but that he and two other supervisors did not receive an invitation. Supervisor Jones reported attending: the SWIFT meeting on the 8th; a meeting on the 9th with a group of business people who are looking at Mariposa for different reasons, noting that some are from Modesto which has the second highest crime rate in the nation; a meeting on the 10th with the people involved with the visitor center, noting that he enjoys going down there and volunteering; the Farm Bureau Dinner on the 11th, and discussed the number of County employees who participate in these events; and the Coulterville breakfast on the 12th. Supervisor Jones also reported hosting a potluck at his home after the breakfast on the 12th and noted that, in response to his queries, the lodging owners of District II indicate full support of measure K; and he discussed his hopes that it will pass and help fund money for roads. Supervisor Jones also discussed the rising cost of water due to the drought, noting that the expense will be passed on to the producers, and that water allotments are not being discussed yet.

Supervisor Cann reported speaking before: the statewide Master Gardeners Conference at the Tenaya Lodge last Wednesday, noting that it was the largest conference that the Tenaya Lodge had ever had; and the 8th grade students in the Woodland Elementary School leadership group, and discussed his experiences and impressions there. Supervisor Cann advised that he will be: participating in the Rotary sponsored downtown cleanup campaign tomorrow morning in preparation of the car show; attending the Tourism Bureau Board meeting here in the Chambers at 1:30 PM on Thursday; and attending the Car Show, which he will be judging on Saturday morning.

## **I. Regular Agenda Items**

### **Recess**

**10:11 AM** Chair Cann recessed the meeting for a brief break and reconvened at 10:23 AM.

- 1. Board of Supervisors (ID # 4100)**

**Provide an Update on Yosemite/Mariposa County Tourism (Terry Selk, Executive Director, Yosemite/Mariposa County Tourism)**

Terry Selk/ Tourism Bureau Executive Director gave a PowerPoint presentation.

**No public comment.**

Supervisor Jones extended his thanks to Mr. Selk for his partnership and work with the Northside. Mr. Selk discussed gaining perspective regarding visitor needs after volunteering time at the visitor center. Supervisor Bibby extended her thanks for the amount of outreach to the outlying areas; discussed the audit report and the \$20,121.49 in miscellaneous expenses from the Rim Fire reported there; noted that she had checked to see if reimbursement was available for things like that but was told it was not but feels it is still important to keep tracking. Supervisor Bibby also required clarification of the extra expense. Mr. Selk responded, noting that they were incremental fees paid to their advertising agency to create specific banner ads. Supervisor Bibby also required clarification regarding the e-blasts expense. Mr. Selk noted that they purchased access to other distribution lists. Supervisor Cann noted that there will always be fires, disasters or other issues, and discussed the importance of having a conduit to disseminate information.

Supervisor Stetson commented that the vitality of the tourist industry here is extremely important; discussed the attractiveness of the county, noting that it's not always attractive to other business interests because of the lack of infrastructure; discussed the Transient Occupancy Tax (T.O.T.) and the Board's attempt to raise funds to build on the infrastructure in ways that will encourage other industries here; noted that there are members on the Tourism Bureau's Advisory Board who are opposed to the T.O.T. but that we need to induce more, and diverse, business interests here; and noted his support of the T.O.T. Mr. Selk noted that any community that relies on a single industry is setting itself up for very difficult circumstances; and the more diverse an economy is the better it is. Supervisor Cann remarked, for the record, that the Tourism Bureau is neutral on the T.O.T. issue. Supervisor Carrier remarked that he knows that Mr. Selk has been proactive in approaching the bed & breakfast establishments; and discussed that our shoulder months are fairly consistent, and inquired what they are doing to enhance the shoulder months. Mr. Selk responded, noting that most of the tour operator clients want to come to Yosemite during the summer months; noted that some operators are promoting the shoulder season; and discussed results seen by some properties that are offering a commission for bookings, as well as reaching out to small group conferences. Supervisor Carrier referred to the San Joaquin Valley Association of Counties Conference, noting that Harris ranch was the only venue in Fresno County that could handle a group of 150 people; and discussed recently speaking with some travelers from Australia who had never heard of Yosemite, and inquired as to how much outreach is done in Australia. Mr. Selk remarked that that is a reminder that Yosemite is not recognized around the world; noted that they have an office in Australia; and discussed the efforts there. Supervisor Cann noted that the Economic Development Corporation has done a lot of research on the shoulder seasons and their conclusion is that we need some kind of conference capability.

**RESULT: INFORMATION RECEIVED**

**2. Administration RES-2014-532**

**Approve an Agreement for Services with the Yosemite/Mariposa County Tourism Bureau in the Amount of \$400,000 to Provide Marketing Services for the County, and Authorize the Board of Supervisors Chair to Sign the Agreement**

Mary Hodson gave the staff report, noting that this is for \$400,000 rather than \$500,000 as approved in previous fiscal years.

Supervisor Cann explained that the Board has not rejected the idea of the full \$500,000 but thought it would be prudent to wait until after the vote on the T.O.T.; and

that they will revisit it during the mid-year budget review.

**No public comment.**

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Lee Stetson, District I Supervisor  
**SECONDER:** Merlin Jones, District II Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

**3.     Health           (ID # 4051)**

**Waive First Reading and Introduce Ordinance Amending Sections  
13.10.020, 13.10.030 and 13.10.080 of Chapter 13.10 of the Mariposa  
County Code Entitled "Greywater Use"**

Dr. Charles Mosher/County Health Officer gave a PowerPoint presentation, with Dave Conway/Environmental Health Manager in attendance; and updated the Board on drought planning, noting that they have been working on locating funding sources for people in need to address well issues. Dr. Mosher also noted that the Planning Department has advised them that the Board will need to declare a Notice of Exemption from CEQA; noted that a Notice of Exemption has been provided to the Board; and remarked that if the Board finds that what is recommended here is protective of the environment and that the ordinance is consistent with state regulations, then the recommendation is to find this project is exempt from CEQA pursuant to that Notice of Exemption.

Supervisor Bibby required clarification of D.6 regarding discharge into storm drain or body of water. Dr. Mosher responded, noting that Section D of the current ordinance reads: "the following application methods will not be allowed," and the language in question will be added under that section. Supervisor Cann required clarification whether fees would be charged on discharges over 250 gallons per day, or whether it would be just from commercial establishments. Dr. Mosher responded, noting that most discharges over 250 gallons per day are going to be larger and probably commercial use. Dr. Mosher also explained that there are three tiers to the regulation: 1) the clothes washing machine going directly outside to greywater which is fairly simple; 2) a simple system which discharges less than 250 gallons per day which would be most households, and he noted that his recommendation is to not charge a fee in this instance because they want to encourage people; and 3) a complex system discharging more than 250 gallons per day which would most likely be commercial, and it would be this particular type of greywater system for which they would propose fees. Supervisor Jones recounted having a contractor come to his home to see what would be required to change over for a greywater system, and discussed his surprise to find out how much could be changed; and he urged anyone wanting to pursue a greywater system to get the appropriate permits. Dr. Mosher also noted that even if someone has a greywater system in their home, they will still need to have a septic system capable of handling all of the water.

**No public comment.**

Supervisor Carrier inquired where people should go for the permits. Dr. Mosher responded that they can start at the Health Department, but that it will also involve the Building Department.

**RESULT:**     **INTRODUCED [UNANIMOUS]   Next: 10/28/2014 9:00 AM**  
**MOVER:**       John Carrier, District V Supervisor  
**SECONDER:** Merlin Jones, District II Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

4.     **Human Services/Behavioral Health & Recovery Services RES-2014-533**

**Approve an Agreement with HomeBase/The Center for Common Concerns, Inc. to Conduct a Community Planning Process to Address Homelessness in Mariposa County in an Amount Not to Exceed \$25,000, and Authorize the Board of Supervisors Chair to Sign the Agreement**

Chevon Kothari gave a PowerPoint presentation updating the Board regarding the Strategic Action Plan to address homelessness.

Supervisor Bibby: noted that she is glad to see the rural portion, as we know one of the biggest barriers will be transportation; discussed historical changes from orphanages to foster care; discussed shelter procedures that usually turn people out in the morning, noting that she hopes they will look at the daytime issue; noted that we have seen a decrease in housing as many homes which used to accept vouchers have converted to transient vacation rentals; noted that she hopes efforts can be focused on the 20-30 homeless who have nowhere to go; and discussed her support of program sustainability. Supervisor Cann extended thanks to Ms. Kothari for bringing this item forward. Supervisor Carrier discussed the many different segments of people within the homelessness categorization; and remarked that he thinks that our numbers are low enough that we ought to be able to fix it.

**Public comment opened.**

Father Steve Bulfur/Pastor of St. Joseph's Church a participant in the Mariposa Open Arms meal and overnight shelter, encouraged support of this issue noting that this group would be able to gather the information and glean the statistics that we need; noted that it is also very important to speak directly to the homeless as their idea of what they need may be different than what we feel they need; discussed the burden that this is becoming to the 13 churches that formed and are participating in the Open Arms service; and urged support of this item.

**Public comment closed.**

Supervisor Bibby inquired if we will be able to ask the consultants regarding potential funding sources that may be available to Mariposa County. Ms. Kothari affirmed.

**RESULT:**     **ADOPTED [UNANIMOUS]**  
**MOVER:**       Lee Stetson, District I Supervisor  
**SECONDER:** John Carrier, District V Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

**J. Items removed from Consent Agenda**

None.

**K. Closed Session**

1.     **Human Resources/Risk Management (ID # 4110)**

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

**RESULT: WITHDRAWN**

## **L. Adjournment**

**11:31 AM** Chair Cann adjourned the meeting in memory of Geoffrey "Craig" Hunt.

Respectfully submitted,

RENÉ LaROCHE  
Clerk of the Board

KEVIN CANN  
Chair, Board of Supervisors



# MARIPOSA COUNTY

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

**DISTRICT IV**  
**DISTRICT II**  
**DISTRICT I**  
**DISTRICT III**  
**DISTRICT V**

## MINUTES

October 21, 2014

### A. Call to Order and Roll Call

**9:02 AM** Chair Cann called the meeting to order at the Mariposa County Government Center, noting that there was a quorum and that Supervisor Carrier was excused due to jury duty.

| Attendee Name | Title                   | Status  | Arrived |
|---------------|-------------------------|---------|---------|
| Lee Stetson   | District I Supervisor   | Present | 8:57 AM |
| Merlin Jones  | District II Supervisor  | Present | 8:57 AM |
| Janet Bibby   | District III Supervisor | Present | 8:57 AM |
| Kevin Cann    | District IV Supervisor  | Present | 8:57 AM |
| John Carrier  | District V Supervisor   | Excused |         |

### B. Pledge of Allegiance

The pledge was led by Supervisor Cann, followed by a moment in remembrance of CAL FIRE pilot Geoffrey "Craig" Hunt whose memorial service is today, as well as for all firefighters across this country who have lost their lives in service to their communities.

### 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 Cann noted that there was a spelling correction to Item L.1 of the September 23, 2014 Minutes regarding the Silvertip Appeal, as the last name of attorney Jeff Reed should be spelled "Reid." Chair Cann also noted that Supervisor Stetson missed that

meeting so will be abstaining from voting on those minutes.

Chair Cann also announced that CA17 has been withdrawn from this meeting by the department, and that CA12 requires a 4/5ths vote.

**No public input.**

Regarding CA12, Supervisor Bibby noted that the item references funding coming from the Mental Health Services Act (MHSA) and requested verification that there will be no impact to the payback schedule. Chevon Kothari/Human Services Director affirmed that there would be no impact to the MHSA funds.

Regarding CA14, Supervisor Bibby noted that there is a four year term on the agreement and requested clarification regarding using the longer term instead of an annual one; noted that there is a termination clause; and remarked that she wants the contractor and public to know that we will continue to monitor and make sure that both sides are meeting the goals and objectives of the funding. Supervisor Bibby and Ms. Kothari discussed the funding, as well as Mariposa Safe Families and their program. Supervisor Cann noted his appreciation of the capabilities of Mariposa Safe Families.

**RESULT: ADOPTED [4-0]**

**MOVER:** Janet Bibby, District III Supervisor

**SECONDER:** Lee Stetson, District I Supervisor

**AYES:** Lee Stetson, Merlin Jones, Janet Bibby, Kevin Cann

**EXCUSED:** John Carrier

CA1. **Administration RES-2014-534**

Resolution Continuing the Local Drought Emergency

CA2. **Administration RES-2014-535**

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

CA3. **Administration RES-2014-536**

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

CA4. **Administration RES-2014-537**

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

CA5. **Administration RES-2014-538**

Cancel the November 18, 2014, Board of Supervisors Meeting

CA6. **Separated from the Consent Agenda**

CA7. **Child Support Services RES-2014-539**

Approve a Plan of Cooperation Between Mariposa County Department of Child Support Services and California State Department of Child Support Services, and Authorize the Director of Child Support Services to Sign the Plan

CA8. **Health 2014-94**

Appoint Dana Tafoya as Alternate Representative for Mariposa County Health Department on the Emergency Medical Care Committee (EMCC) for a Continuous Term

**CA9. Human Resources/Risk Management RES-2014-540**

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

**CA10. Human Services 2014-95**

Appoint Avery Moore and William E. Root, Jr. to the Mental Health Board for Terms Expiring on October 21, 2017

**CA11. Human Services RES-2014-541**

Authorize the Human Services Department to Work with the Human Resources/Risk Management Department on Developing a New Classification of an Assistant Human Services Director

**CA12. Human Services/Behavioral Health & Recovery Services RES-2014-542**

Approve the Allocation of One Full Time Social Worker Supervisor II Position in the Human Services Department Effective Immediately and Approve Budget Action Reducing the Contingency in the Behavioral Health Budget and Transferring Funding Within the Mental Health Services Act Budget to Fund the Position (\$73,874) 4/5ths Vote Required

**CA13. Human Services/Behavioral Health & Recovery Services RES-2014-543**

Approve an Agreement with Mariposa Safe Families to Carry Out Substance Abuse Prevention Activities in an Amount Not to Exceed \$72,236, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA14. Human Services/Social Services RES-2014-544**

Approve a Four Year Agreement with Mariposa Safe Families to Provide Child Abuse Prevention Services in an Amount Not to Exceed \$20,000 Annually, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA15. Planning 2014-96**

Appoint James Hale to the Fish Camp Town Planning Advisory Council with a Term Expiring February 28, 2015 (Supervisor Carrier)

**CA16. Planning 2014-97**

Appoint Frank Milazzo as a Member at Large to the Historic Sites & Records Preservation Commission for a Continuous Term

**CA17. Removed from Consent Agenda**

## **Items Considered Separately**

**Tuesday, September 23, 2014**

The Minutes of September 23, 2014 were approved as presented.  
Bibby (M); Jones (S); Passed (3-0); Stetson abstained; Carrier excused.

## **E. Board Recognitions**

### **1. Sheriff's Office 2014-98**

#### **Proclaim the Week of October 23 through October 31, 2014, as "Red Ribbon Week"**

##### **No public comment.**

Supervisor Bibby extended thanks to all personnel for all of the services associated with Red Ribbon Week; noted that every time law enforcement personnel put on a badge they are putting their lives on the line; discussed what goes on behind the scenes with drugs, and the innocent people harmed by them; noted that this is an important recognition; and requested the Sheriff to provide a history of Red Ribbon Week. Supervisor Jones noted the impact that drugs have on the lives of children. Supervisor Cann expressed his appreciation for the Sheriff bringing this item.

Doug Binnewies/Mariposa County Sheriff presented red bracelets to the Board members; noted that Red Ribbon Week started in response to the death of undercover DEA agent "Kiki" Camarena in 1985; remarked that it is easy to identify children affected by drugs; stated that the Sheriff's Office takes Red Ribbon Week seriously and they appreciate the community's support; and noted that when dealing with the effects of drug addiction, it is hard for law enforcement not to carry it home. Sheriff Binnewies then introduced Mariposa Safe Families representatives, Brittany Sturm and Mariah Tate, who noted that this year's theme is "I mustache you not to do drugs." Mariah Tate advised people with moustaches to not be surprised if a student asks to take a picture with you; discussed the social media campaign that is accompanying it, as well as other activities.

Chair Cann presented the Proclamation to Sheriff Binnewies.

**RESULT: ADOPTED [4-0]**

**MOVER:** Janet Bibby, District III Supervisor

**SECONDER:** Merlin Jones, District II Supervisor

**AYES:** Lee Stetson, Merlin Jones, Janet Bibby, Kevin Cann

**EXCUSED:** John Carrier

## **F. Departmental Presentation**

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

Dr. Mosher updated the Board on local Ebola training, noting that they have done at least six training sessions over the last month; discussed the trainings, noting that he was patient zero in the last one; reported that it took the nurse 19 minutes to put the gear on which was faster than the previous training, and noted that it is not easy to take the protective equipment off; reported that the CDC changed their guidelines to what we have already been doing; noted that they are anticipating having all front line people trained in another week and a half to two weeks; and noted that they will be touching all of the clinics as well. Supervisor Cann inquired if the preparation will be transferable to other issues in the future. Dr. Mosher affirmed. Supervisor Bibby stressed that this was only a drill and that Dr. Mosher does not have Ebola, but he does have a moustache.

Sheriff Binnewies briefed the Board on a Saturday morning structure fire in Midpines on Oak Road, noting that a single wide mobile home was a complete loss but that everyone was able to get out safely. He also reported receipt of a suspicious potential hazmat report

yesterday on Deadman's Curve on Triangle Road where three plastic containers were set on the side of the road containing an unknown liquid which initial hazmat could not identify. Sheriff Binnewies discussed the hazmat MOU with CAL FIRE; noted that CAL FIRE resources were tied up with a competing event in the valley; and reported that the substance was finally identified as food waste which was not a threat. He also reported that at the same time, the Merced City Police Department Bomb Squad was contacted regarding ignition cord and blasting caps that were discovered by the Mariposa Human Services Department when they conducted a welfare check on an elderly gentleman. The Sheriff reported that normal protocols were followed, that the area was cleared, and the Merced bomb squad removed and destroyed the materials. Supervisor Stetson inquired as to the cause of the fire in Midpines. The Sheriff replied that the cause and origin are still under investigation. Supervisor Bibby noted her thanks for the departmental updates; and extended her compliments for the cooperation and coordination between the agencies. Supervisor Cann noted how helpful it is for the Board when the department heads provide such updates.

## **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)*

David Taylor/Lake Don Pedro subdivision resident read from a prepared statement requesting an update on when an action item regarding an indemnification policy for the Lake Don Pedro trail might be anticipated.

Audrey Davis and Caroline Fruth provided a flyer regarding a new program called "Delta Focus" which focuses on healthy teen relationships and preventing dating abuse, and discussed same. Ms. Davis noted that she would be happy to come back and present more information at a later time. Chair Cann indicated that the Board would be interested in such a presentation.

Kathy McCorry/Chamber of Commerce Executive Director reported on the Car Show which was held Friday night and Saturday, noting that they had over 200 registered cars and about 3000 people who came to participate. She also extended thanks to: Rotary for cleaning up downtown Friday morning, as well as the Highway Patrol and Caltrans for help with permits, parking, and traffic control after the mud drags; the Fairgrounds; and the Chamber's Board of Directors who were out at 6:00 AM and who spent the day working. She also gave an update on Relocate.org, noting that they were out yesterday and Sunday to finish filming and should have a new video to release by the end of the year.

### **1. Clerk of the Board of Supervisors (ID # 4175)**

#### **Handouts from the Public Comment on Non-Agenda Items Portion of the October 21, 2014 Meeting**

**RESULT: INFORMATION RECEIVED**

## **H. Board Information**

Supervisor Bibby complimented Mariposa Safe Families on their creativity and services. She reported attending: a meeting on the 17th with the Health Committee; and a portion of the Planning Commission meeting on the 17th, and extended congratulations to Judy Mueller/Planning Department - Planning Commission Secretary on her retirement, and discussed a presentation by Dave Conway on water and fracturing. Supervisor Bibby advised of: the upcoming Mariposa High School 100 Year Anniversary Celebration, noting that the Homecoming game will be held on the 24th with a dinner/dance scheduled for the 25th; and the Coordinated Transportation Plan Update meeting here at the Government Center on October 28th at 6:00 PM.

Supervisor Bibby discussed the proposed entry fee increase for Yosemite National Park noting that, like the County, they are finding that the cost to provide services is going up; she noted that the comment period for that fee increase is open; and discussed the upcoming Transient Occupancy Tax (T.O.T.) ballot measure. Supervisor Bibby also advised that she received notification from Dr. Mosher that Mariposa will be classified as non-compliant with respect to Environmental Protection Agency (EPA) rules pertaining to the ozone category; advised that according to Dr. Mosher, there should be no negative consequences from this category at this time; and noted that she is sure that we are on a watch list.

Supervisor Stetson reported that he attended: the El Portal Advisory Committee meeting last Tuesday; a Wednesday meeting with Dr. Mosher regarding health issues in relation to Dr. Mosher's transition to retirement; and a meeting yesterday to get updates from the YARTS meeting, noting that Julia Parker was celebrated as the one millionth passenger for YARTS, and that the YARTS Board supported a bus connection to Fresno.

Supervisor Jones responded to the inquiries that Mr. Taylor made during Public Comment noting that it is important that we do things the right way, and we are moving forward with an item, so Mr. Taylor can look forward to something being on the agenda in the future. Supervisor Jones discussed his ride over this morning and noted that it is getting harder for the animals to find water. Supervisor Jones reported attending a meeting on the 16th with Supervisor Carrier, Health, Planning, and Mariposa Public Utilities District (MPUD) regarding septic dumping, noting that one of the problems is the lack of water which makes it harder to process septage; and stated that it is not an easy process but the County is working on it. Supervisor Jones also reported attending: a meeting on the 16th with Public Works regarding the DRI grant for the Dogtown Project which started on Monday, noting the amount of work necessary; a meeting on the 20th with Glenn Franklin of the Mariposa Resource Conservation District (MRCD) and volunteers regarding the financing of the MRCD and Natural Resources Conservation Service (NRCS,) noting that the NRCS brings about 1.3 million dollars into this county which, virtually, all stays within the county and that he will be bringing an item back to the Board regarding same; and a luncheon meeting with the Building Department, and discussed the need for people to get permits and do things the right way from the outset of a project. Supervisor Jones also discussed inheriting twenty year old projects when he took office, and advised that he will be having some meetings to straighten those out; noted that he wants to make sure that he doesn't leave projects like this behind when he leaves; and advised incoming supervisors that they can plan on inheriting similar projects.

Supervisor Cann reported that he: has received a notification this morning that Jan Mennig is undergoing a triple bypass today; and attended the Chamber of Commerce reception at Sierratel last Tuesday evening. He also reported attending a Wednesday meeting with Supervisor Carrier and the Integrated Regional Water Management Plan (IRWMP) leadership team regarding the implications of the groundwater law that the governor signed, noting that he followed up with the RCRC specialist and clarified that: the new law only applies to water basins; fractured rock ground water is not included in the new law; basins that are designated as low, and very low, priority are encouraged, but not required, to develop a groundwater sustainability plan; the state is not authorized to take further action if there is no plan for a low, or very low, priority basin; Yosemite Valley is the only water basin in Mariposa County and it is categorized as a very low priority, and is exempted from State regulation; and this new law does not cause or facilitate well monitoring. Supervisor Cann also reported participating in an emergency call of the Western Interstate Region of the National Association of Counties (NACo) on Thursday, and noted that the issue stemmed from a commissioner from Utah being arrested after crossing over BLM land on an ATV to check a water line easement. Supervisor Cann

also reported: that there was a Tourism Bureau Board meeting on Thursday, and noted that he was provided with six or eight items from it; receiving a call from Terry Selk urging support of the sponsorship of the Sustainability Conference which is item 5 on today's agenda; and participating in the Rotary's downtown community cleanup effort on Friday. Supervisor Cann also discussed the weekend Car Show noting that: he has never seen the town more busy, and people were really happy; 7th street was closed off for a band; this is the third year for this event and there were over 200 cars entered; the Chamber has hit a calendar sweet spot and many people came for Friday as well as Saturday; the Chamber Board worked extensively throughout the event; and he was a judge and he discussed the judging process. Supervisor Cann also reported that he attended the agenda review meeting on Monday, and a meeting with the Planning Director. He also advised that he will be attending: a Parking District meeting on Thursday; a Rotary historic plaque meeting; and meetings with the Human Services Director, the Planning Director; and a reception at the Sierra Foothills Conservancy at 6:00 PM.

## **I. Regular Agenda Items**

### **1. Human Services RES-2014-545**

**Approve the Allocation of One Full-Time Maintenance Worker III-Facilities Position and One Full-Time Maintenance Worker I/II Position in the Human Services Administration Budget, and Eliminate the Weatherization Worker Allocation in the Energy Grant Budget Effective November 1, 2014; Approve Budget Action Increasing Revenue and Appropriations in the Human Services Administration, Alcohol & Drug, and Mental Health Services Act Budgets; and Reducing the Contingency in the Social Services, Behavioral Health, Wraparound, and Mental Health Services Act Budgets; and Transferring Funding Within the Energy Grant Budget to Fund the New Positions (\$74,271) 4/5ths Vote Required**

Chevon Kothari/Human Services Director made the staff presentation, noting that historically they have placed these duties on to their senior management positions and have contracted with Public Works; and feel that it is a better use of their time and monies to have someone onsite all of the time. She also noted that, currently, they have 1.5 weatherization workers; noted that these two positions will continue to do the weatherization work; and with that considered, they will only be adding one-half of a position.

Supervisor Bibby required clarification that it will go through the normal hiring process. Ms. Kothari affirmed. Supervisor Jones noted his support of this item. Ms. Kothari also noted that she did have a discussion with Public Works before bringing this item, and they indicated their agreement with transferring the services. Supervisor Bibby noted that there are some set requirements in the lease agreement that are challenging and which justify having the personnel onsite.

#### **No public input.**

Chair Cann noted that this item requires a 4/5ths vote.

**RESULT:**     **ADOPTED [4-0]**  
**MOVER:**     Merlin Jones, District II Supervisor  
**SECONDER:** Lee Stetson, District I Supervisor  
**AYES:**       Lee Stetson, Merlin Jones, Janet Bibby, Kevin Cann  
**EXCUSED:**   John Carrier

**2.     Human Resources/Risk Management RES-2014-546**

**Approve Amendments to the Maintenance Worker I/II-Facilities Job Description and the Maintenance Worker III-Facilities Job Description to Include that These Classifications May be Assigned to the Human Services Department**

Steven W. Dahlem/County Counsel and Interim Human Resources Director-Risk Manager noted that this action is merely supporting the previous action that the Board just took.

**No Board or public input.**

**RESULT:**     **ADOPTED [UNANIMOUS]**  
**MOVER:**     Janet Bibby, District III Supervisor  
**SECONDER:** Lee Stetson, District I Supervisor  
**AYES:**       Lee Stetson, Merlin Jones, Janet Bibby, Kevin Cann  
**EXCUSED:**   John Carrier

***Recess***

**10:09 AM** Chair Cann recessed the meeting for a brief break, and reconvened at 10:21 AM.

**3.     Public Works           RES-2014-547**

**Approve a Contract for Services with George Reed Inc for the Rehabilitation of Bullion Street in the Not to Exceed Amount of \$286,825.76 and Authorize the Interim Public Works Director to Sign the Contract with the Concurrence of County Counsel**

Doug Wilson/Interim Public Works Director gave the staff report with Barbara Carrier/Public Works Assistant Director - Support Services in attendance; remarked that this is the second time this project went out to bid and that the dollar amounts came in at amounts higher than their funds; noted that they are requesting the contract be awarded for the bid amount, with the intention that they will then enter into negotiations with the contractor for a thinner overlay in order to reduce the price; noted that such a reduction will result in an incremental decrease in the life of the road; and discussed his intention to enter into a change order, and have it set up for his authority to sign it so there is no unreasonable loss of time to complete the project before bad weather sets in.

Discussion ensued between Supervisor Cann and Mr. Wilson regarding the anticipated contracted thickness and proposed modifications. Supervisor Cann expressed his concern regarding this road, and noted that money was reinserted into the roads budget and inquired if any of that could be used on this. Mr. Wilson responded that that is

an option. After consulting with Barbara Carrier, Mr. Wilson noted that they might need to bring back a budget adjustment at mid-year, but they could find the additional \$40,000 in road funds if that is the Board's preference. Supervisor Cann required clarification as to any potential reimbursements for the bridges. Mr. Wilson noted that it was doubtful that there would be any. Supervisor Cann remarked that he would like to see the road done properly. Mr. Wilson noted that it would be twenty to twenty-five years before they would be seeing asphalt on that road again. Mr. Wilson remarked that he does feel the full project is the better one; noted that it will strain the road funds to come up with the full \$46,000, but that they could do it. Supervisor Jones noted that the labor is the main expenditure on these projects, so short changing on materials won't yield much. Mr. Wilson concurred, and noted that they are just trying to meet the existing funding. Supervisor Jones noted his support of Supervisor Cann's suggestion. Supervisor Cann inquired if an amount is yet known for the repair of the Foresta bridges. Mr. Wilson responded that they would need \$91,000. Supervisor Cann discussed extra money being added to the Roads Materials budget. Supervisor Bibby required clarification as to the General Fund Contingency Balance. Mary Hodson/Interim County Administrative Officer left the Chambers to look up the balance. Supervisor Jones inquired as to the contingency on this project. Mr. Wilson noted that right now there is none; and a contingency amount would be determined by the change order.

**Public comment opened.**

Greg Kittelson noted that the price of oil is going down, and inquired if it will have any effect on the price of materials.

Ron Iudice suggested not skimping on the project as Bullion Street is heavily used; remarked that it needs a good upgrade; and noted that someone is working on the end of Bullion Street right now.

Ruth Catalan noted that she is curious about the work being done and inquired if it is part of this contract that hasn't been signed yet, or is it something different; and noted her agreement with not skimping on the project.

**Public comment closed.**

Mary Hodson returned and noted that there is approximately \$570,000 in the Contingency Fund and reminded the Board that its balance is high because the County has deferred needed maintenance on the Courthouse; and remarked that it would fall below \$400,000 if the Board funds discussed improvements.

Supervisor Bibby required clarification of the road depth, as item number 4 only shows one-half inch. Mr. Wilson responded that the one-half inch is the size of the aggregate in the asphalt. Supervisor Bibby inquired if the full two inch depth is what was bid. Mr. Wilson affirmed. Supervisor Bibby required clarification that they would be downsizing it one-quarter of an inch. Mr. Wilson affirmed. Supervisor Bibby inquired as to what projects would be impacted if the additional money is routed from other projects. Mr. Wilson noted that he could not give any specific projects at this time; but noted various line items that might be considered. Ms. Hodson remarked that the Board could be comfortable using the Road Fund dollars at this time, as they can bring an item back at mid-year. Supervisor Bibby noted that items were deferred during budget to midyear. Ms. Hodson remarked that the Courthouse construction and I.T. needs were deferred. Supervisor Bibby remarked that she would feel more comfortable not short changing this project; and discussed her concerns about not having any contingency on this project. Mr. Wilson noted his agreement; and stated that there is almost never a project with no change order.

Supervisor Cann suggested that Public Works take materials and contingency for the project, and come back to the Board in February with additional needs which could be dealt with from the general contingency; and inquired if they would have the ability to deal with it, should something happens. Mr. Wilson noted that they will make it work.

***Supervisor Jones moved to fund the contract at the full amount of \$286,825.76, with the extra money being taken out of the Road Materials fund. Supervisor Stetson seconded the motion.***

Supervisor Bibby noted that she would like it better if they left the identification of the funding source to the department head and the CAO. Chair Cann noted that the motion is giving Public Works the authority to fund the full contract out of the Public Works road materials budget and then to come back in February with any specifics which that may affect. Supervisor Bibby noted that she would prefer that the extra funding not be identified as coming out of materials. County Counsel intervened, noting that if the maker and second both agree with Supervisor Cann's summation, then the Board can move forward. The maker and second agreed.

***The motion passed 4-0, with Supervisor Carrier excused.***

**RESULT: ADOPTED AS AMENDED [UNANIMOUS]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Lee Stetson, District I Supervisor

**AYES:** Lee Stetson, Merlin Jones, Janet Bibby, Kevin Cann

**EXCUSED:** John Carrier

#### **4. Public Works (ID # 4094)**

##### **Discussion and Direction Regarding Repairs to Two Bridges Referred to as the Foresta Road Bridges**

Doug Wilson gave the staff report, noting the damage to the bridges; remarked that the likelihood of receiving any state reimbursement is remote at this time; noted that even if there is a reimbursement, it will require funds being spent up front; and stated that, at this point, the bridge with the rail damage will probably get repaired before the end of the year, while the bridge with no deck most likely will not be done by then.

Supervisor Bibby inquired as to rough estimates on each bridge. Mr. Wilson responded that the bridge with the railing should be slightly less than \$30,000, while the other one should be in excess of \$60,000. Supervisor Cann noted that this category of road materials is the one targeted as diminishing because of changes in the gas taxes, and noted that he hopes people take that into consideration when deciding on the Transient Occupancy Tax (T.O.T.). Supervisor Stetson extended his thanks to Public Works and Don Florence for pursuing it as vigorously as they have; and commented that this is a vital repair for both the communities of Foresta and El Portal. Supervisor Cann required clarification regarding the normal function of the bridge without the decking, specifically inquiring as to whether it is an escape route. Supervisor Stetson noted that the whole road is an escape route. Supervisor Bibby required clarification as to which bridge required the \$30,000 in repairs, and which required \$60,000. Mr. Wilson responded. Supervisor Bibby clarified that the recommendation is to proceed with the \$30,000 repair, and hold off on the \$60,000 repair until spring. Mr. Wilson affirmed.

##### **No public input.**

Supervisor Bibby recommended that Public Works proceed with the \$30,000 bridge repair, and hold off on the \$60,000 repair until a window for construction is available. Supervisor Jones concurred, but recommended moving forward with the other bridge if the weather permits. Mr. Wilson noted that their intent is to purchase the materials now. Supervisors Jones and Bibby concurred. The Chair noted Board consensus with the direction.

**RESULT: DIRECTION GIVEN****5. Board of Supervisors RES-2014-548****Approve a \$5,000 Sponsorship for the Yosemite Sustainability Conference and Approve Budget Action Transferring Funding Within the Community Cultural Budget to Fund the Sponsorship (\$5,000)**

Supervisor Jones gave the staff report, discussing the collaborative relationship; noted that this is a median sponsorship; remarked that three other counties have also agreed to sponsor it; and urged approval. Supervisor Stetson concurred that it is a reasonable expenditure of funds; and recommended making the conference passes available to Public Works and Planning staff members. Supervisors Bibby and Cann concurred. Supervisor Cann noted that Tuolumne, Mono and Madera counties have already committed to a sponsorship; remarked that he did not see where the County wanted the exhibit space; and agreed that the CAO can talk to the departments about who can best use those passes. Supervisor Bibby noted that whoever attends should bring information back to share with others, and to the Board. Supervisor Cann concurred that attendees should be asked to report back.

**No public input.**

Supervisor Stetson moved the item, as presented. Supervisor Jones seconded. Supervisor Bibby remarked that the item states that Public Works staff will get the passes, and noted that direction was given to have the CAO work that out among staff members.

**RESULT: ADOPTED [UNANIMOUS]****MOVER:** Lee Stetson, District I Supervisor**SECONDER:** Merlin Jones, District II Supervisor**AYES:** Lee Stetson, Merlin Jones, Janet Bibby, Kevin Cann**EXCUSED:** John Carrier**J. Items removed from Consent Agenda****1. Public Works (ID # 4118)****Approve a Contract for Services with BC Construction in the Not to Exceed Amount of \$183,805.10 for the Midpines Restroom Upgrade, and Authorize the Board of Supervisors Chair to Sign the Contract****RESULT: WITHDRAWN****K. Closed Session****1. County Counsel (ID # 4131)****Closed Session Conference with Legal Counsel; Existing Litigation; William E. Davis, Et Al. V. Board of Supervisors, Et Al.; Mariposa Superior Court Case No. 10429****No Board or public comment.****11:04 AM** The Board recessed into closed session, and reported out at 11:25 AM.

**RESULT: CLOSED SESSION HELD**

## **Report Out**

**11:25 AM** Chair Cann reported out from closed session that Information was Received and Direction was Given.

## **L. Adjournment**

**11:25 AM** Chair Cann adjourned the meeting in memory of Michael Downey, Gerald "Jerry" Hunter, Wilma Olson, Charlotte Scriven, and Donald Lewis.

Respectfully submitted,

RENÉ LaROCHE  
Clerk of the Board

KEVIN CANN  
Chair, Board of Supervisors



# MARIPOSA COUNTY

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

**DISTRICT IV**  
**DISTRICT II**  
**DISTRICT I**  
**DISTRICT III**  
**DISTRICT V**

## MINUTES

October 28, 2014

### A. Call to Order and Roll Call

**9:05 AM** Chair Cann called the meeting to order in the Government Center, noting that there was a quorum with all members present.

| 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 Carrier, followed by a moment of silence for the families, friends and peers of Sacramento County Sheriff's Deputy Danny Oliver, and Placer County Sheriff's Detective Michael David Davis, Jr., who were killed in the line of duty in Northern California on Saturday.

### 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 Cann noted that the date in the letter in CA5 will need to be changed from October 21st to October 28th; noted that the complete contract in CA17 is available in the back of the room as one page is missing from the agenda packet; and noted that CA20 requires a 4/5ths vote.

**No public input.**

Supervisor Stetson urged support of CA8.

Regarding CA9, Supervisor Carrier required clarification regarding the mechanism of having the EDC administering the contract when the Board funds it; and questioned why the County is not contracting with Townsend directly. Supervisor Cann noted that he thinks that the structure is leftover from when we first started contracting with Townsend when we only bought a portion of their time; inquired of the CAO as to whether this is still the most efficient way to structure this; and remarked that no one has any vested interest in how it is accomplished. Mary Hodson/Interim County Administrative Officer noted that this was started several years ago when the County was just funding a portion of it; and noted that if the Board wishes, the County can consider funding it all themselves in the future. Supervisor Cann noted that he would suggest that the Board take it over next August, if the Board agrees. Supervisor Carrier concurred. Steven W. Dahlem/County Counsel read Paragraph 3 of the contract regarding the relationship with Townsend, and noted that the County does have management authority. Supervisor Carrier noted that the County ultimately has management authority, so we could eliminate a layer of paperwork and just continue to have input from the EDC.

Regarding CA18, Supervisor Carrier inquired if the Disadvantaged Business Enterprise (DBE) goals are properly listed. Doug Wilson/Interim Public Works Director responded that the DBE goals were taken out of the specs as this is funded with only State funds. Supervisor Carrier expressed his concern that the mileage may not be correct on page 24. Mr. Wilson noted that they will re-examine the mileage and correct it, if necessary, before sending it out. Supervisor Carrier also discussed the amount of traffic that the road sees and inquired if the depths of the base and asphalt will be sufficient. Mr. Wilson responded, noting that the road is the same section that was designed for Phase 1 of Mt. Bullion; noted that the depth is not as much as he would probably like to have, but that it will be over an existing road as a base; and noted that they had enough funding to add to the base on Phase 1, and are hopeful that they can do the same with this one. Supervisor Carrier inquired as to whether they would be reusing existing culverts. Mr. Wilson responded, noting that they will deal with culverts as a change order as they are identified as needing to be addressed. Supervisor Carrier required clarification of the difference between regular concrete and rubberized asphalt concrete. Mr. Wilson responded, noting that rubberized asphalt concrete does not crack as much due to temperature variations. Supervisor Bibby inquired if the spring has been factored in on the sharp turn. Mr. Wilson responded that he does not know the details on that design, but that he will make sure that it is. Supervisor Bibby inquired as to whether there is sufficient funding to finish the road. Mr. Wilson responded, noting that they believe that they have adequate funding for the project; remarked that they are hopeful that they will receive competitive bids; and noted that the price of oil is dropping. Supervisor Bibby stated that the Board's preference had been to just widen the road; and remarked on the field fence; and requested clarification of the property owner in that instance. Mr. Wilson noted that he did not know. County Counsel responded that it was owned by the Wolfson Trust. Supervisor Bibby requested clarification of the target date. Mr. Wilson responded that it would be in the spring. Supervisor Bibby noted that there are funds available, if it ever comes to the trucks rolling on Mt. Bullion Cutoff.

Supervisor Bibby requested clarification regarding what the \$7,126 in CA20 represented; and inquired if outstanding issues with the contractor were resolved. Mr. Wilson responded, noting that the amount being requested is not an additional cost but, rather, represents a lack of communication within the department when they did the budgeting; and he noted that the outstanding issues between the prime contractor and the sub-contractors have not been resolved, and that they will be working through the process with County Counsel to see how and when they can release those funds. Supervisor Bibby required clarification that the extra amount was not caused by the additional work that had to be done due to the conditions, and is not something that the contractor should

absorb. Mr. Wilson responded that it was not.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Lee Stetson, District I Supervisor

**SECONDER:** John Carrier, District V Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**CA1. Administration RES-2014-550**

Resolution Continuing the Local Emergency Due to the Drought

**CA2. Administration RES-2014-551**

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

**CA3. Administration RES-2014-552**

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

**CA4. Administration RES-2014-553**

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

**CA5. Administration RES-2014-554**

Authorize the Public Works Director to Sign the Application for a Caltrans Encroachment Permit in Support of Closing Highway 140, Between Jones and Third Street, on December 6, 2014, at 6:00 P.M. for the Merry Mountain Christmas Parade, and Authorize the Board of Supervisors Chair to Sign the Letter of the Board's Support and Approval

**CA6. Administration RES-2014-555**

Designate the Merry Mountain Christmas Events -- Parade and Christmas Tree Lighting as Annual County Sponsored Events

**CA7. Administration RES-2014-556**

Approve a Five Year Lease Agreement with Spriggs Inc. for a Copy Machine for the District Attorney - Victim Witness Department, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA8. Administration/Community Development RES-2014-557**

Ratify a Letter of Support from the Mariposa County Community Development/Grant Coordinator for the Mariposa County High School's \$35,000 Planning Grant Application for a Specialized Secondary Program (SSP)

**CA9. Administration RES-2014-558**

Approve an Agreement with the Economic Development Corporation of Mariposa County to Secure Consulting Services to be Provided by Townsend

Public Affairs Inc., and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA10. Administration/Community Development RES-2014-559**

Approve the Purchase of a Bronze Recognition Plaque for Pacific Gas & Electric (PG&E) for the Funding of the Amphitheater Lights/Equipment and Authorize the Placement of the Plaque on the Amphitheater

**CA11. Agricultural Commissioner RES-2014-560**

Approve the Statewide Exotic Pest Detection Agreement No. 14-0156 for Fiscal Year 2014/2015 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. Board of Supervisors**

Approve the Minutes of Tuesday, October 7, 2014

**CA13. Board of Supervisors**

Approve the Minutes of Tuesday, October 14, 2014

**CA14. Separated from the Consent Agenda**

**CA15. Human Services/Behavioral Health & Recovery Services RES-2014-561**

Approve an Agreement with Christine Johnson to Provide Mental Health Triage Services in an Amount Not to Exceed \$35,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA16. Human Services/Behavioral Health & Recovery Services RES-2014-562**

Approve an Agreement with Janelle Raynor to Provide Mental Health Triage Services in an Amount Not to Exceed \$70,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA17. Human Services/Behavioral Health & Recovery Services RES-2014-563**

Approve an Agreement with Shaun Quinn to Provide Mental Health Triage Services in an Amount Not to Exceed \$35,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA18. Public Works RES-2014-564**

Approve Plans and Specifications for the Mt. Bullion Cut-Off Road Reconstruction, Phase 2, Project No. 07-16(A) for 1.94 Miles from PM 10.06 to PM 12.00; Authorize the Public Works Director to Solicit Bid Proposals and Award the Project to the Lowest Responsible Bidder

**CA19. Public Works RES-2014-565**

Approve a Contract for Services with Thunder Ridge Company to Provide Snow Removal in Fish Camp and the Fish Camp Fire Station in the Not-To-Exceed

Amount of \$44,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA20. Public Works RES-2014-566**

Approve Allocation of Funds for the Ben Hur Road Permanent Repairs Project, Project # ER-20-H0(0102); Approve Budget Action Increasing Revenue and Appropriations in the Road Special Account Fund to Close Out the Project (\$7,126) 4/5ths Vote Required

## **Items Considered Separately**

**21. Human Resources/Risk Management RES-2014-567**

**Adopt a Resolution Authorizing the County to Pay 3% of the Employer Paid Member Contributions to the California Public Employees' Retirement System for Employees in the Sheriff's Management Association and the Deputy Sheriffs' Association Effective January 1, 2015**

Supervisor Bibby recused herself from this item as she has a financial tie to a representative within the Sheriff's Management Association.

**9:27 AM** Supervisor Bibby left the Chambers.

**RESULT: ADOPTED [4 TO 0]**

**MOVER:** John Carrier, District V Supervisor

**SECONDER:** Lee Stetson, District I Supervisor

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

**RECUSED:** Janet Bibby

**9:28 AM** Supervisor Bibby rejoined the meeting.

## **E. Departmental Presentation**

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

Doug Binnewies/Mariposa County Sheriff expressed his appreciation to the Chair for the comments and concern regarding the tragedy that occurred last week with the unnecessary murders in other Sheriff's Departments in Central California. He noted that the memorial service for Sacramento County Sheriff's Deputy Danny Oliver is scheduled for November 3rd, and that the service for Placer County Sheriff's Detective Michael David Davis, Jr., is scheduled for November 4th. He noted his appreciation for everyone keeping those families and departments in their prayers; advised that, on average, one law enforcement member is killed in the line of duty somewhere in the United States once every 58 hours; reported that California has experienced 12 law enforcement deaths so far this year; noted that this year, 41 officers in the United States have been murdered by firearms which is a 64% increase over last year; and he discussed that society needs to hold criminals accountable for their actions. Sheriff Binnewies also briefed the Board on Halloween activities, noting that the Sheriff's Office has partnered to coordinate the Bullion-Jones loop this year; advised that those efforts are being enhanced by the Mariposa Safe Families Trunk or Treat at the Courthouse Square; discussed the Soroptimist candy drive, noting that the Sheriff's Office has contacted residents along the Bullion-Jones loop and approximately 70% of the residents are interested in participating, and a percentage of those are interested in receiving candy; and he advised that they will

be increasing patrols and volunteer participation downtown. Sheriff Binnewies noted that the jail has instituted some new money handling procedures and he invited Lt. Codie Hart to give a report on same.

Codie Hart/Jail Lieutenant reported that over the last 12 months the jail's money handling procedures have been streamlined and he reported: that inmate account numbers were changed to be identical with inmate booking ID numbers; that a kiosk was installed in the jail lobby and in the Booking area, in addition to access via a website and telephone number, which allow people to place money directly on an inmate's account and eliminates handling of cash by employees; that the Jail Division now has full access to the Inmate Trust Account provided to the Auditor's Office via a computer link which provides absolute transparency and enables the Auditor's Office to run a full range of reports; that the Jail switched over from the old manual method of commissary ordering to the Trinity Services Group's phone-it-in program which requires the inmates to be responsible for their own orders using the inmate telephone system; and that the Jail Division will no longer be issuing checks upon inmate release but, instead, will be issuing MasterCard debit cards, with staff training already having begun with expectations that installation will occur later this month or next month. Supervisor Bibby extended her thanks for all of the work; discussed her observations that jails are becoming too nice and are, basically, resorts; and remarked that it is very frustrating to see taxpayer dollars used in this fashion. Supervisor Cann discussed all of the progress at the Jail since Lt. Hart has taken over. Supervisor Carrier required clarification of whether there is a phone outside of the jail for people who are released and need to contact someone. Lt. Hart responded that there is a phone available inside the sally port, which is outside the jail but still inside the compound, and that it is paid for from the Inmate Welfare Funds budget.

Chevon Kothari/Human Services Director advised the Board of a Community Resource Fair on November 6th from 3:00 PM to 5:00 PM; and provided a flyer for same. Ms. Kothari also advised: that Mariposa County is having some housing choice vouchers released; that they do not yet have the details, but will probably have their Wait List open for approximately one week in December; that they are currently doing a lot of pre-work to create that Wait List; and advised that anyone needing more information should call the Human Services Department, or that people may go through Mariposa Safe Families, Alliance for Community Transformations, or Mariposa Open Arms who will also be accepting names for the list.

Doug Wilson noted that the Coalition of the California State Association of Counties, the League of California Cities, and the Regional Transportation Planning Agencies release their biennial report on the condition of California's local streets and roads at 9:00 AM this morning; remarked that the condition of California local streets and roads continues to deteriorate; discussed ratings regarding same; and discussed an earlier presentation to the Board regarding the Mariposa road system. Supervisor Cann remarked that, when Mr. Wilson is ready, the Board would be interested in an update on the Courthouse repairs; and the Safe Route to Schools design work and contracting.

**1. Clerk of the Board of Supervisors (ID # 4172)**

**Handout from Departmental Presentation**

**RESULT: INFORMATION RECEIVED**

## **F. 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)*

George Catlin noted that two years ago the Ever Better Community Conference was held; advised that another one has been scheduled for March 28, 2015 at the Fairgrounds; noted that they want to create an open space for people to express themselves; and formally invited the Supervisors to the event to share ideas and to listen. Supervisor Cann

inquired about contact information. Mr. Catlin provided a flyer.

Kris Casto thanked the Board of Supervisors, staff, and Department Heads for the time and information that they have provided; noted that she has enjoyed going door to door to speak to the voters; and thanked the residents, staff, and Department Heads, no matter what the outcome. Supervisor Cann inquired about the Black and White Ball. Ms. Casto noted that this year's theme is Champagne and Roses, that the tickets cost \$50 per person, and can be purchased at the hospital, at the door, or at the Pioneer Pharmacy.

Marvin Wells expressed his thanks to Sheriff Binnewies and the Chair for the recognition of the slain deputies. He also discussed going to the Mariposa Grove in Yosemite National Park with some friends; noted that it will be closed for two years effective the last day of this month for renovation and then will only be walk-in; inquired as to how senior citizens are going to be able to tour it once the pathways are removed; and requested intervention in the matter.

**1. Clerk of the Board of Supervisors (ID # 4171)**

**Handouts from the Public Comment on Non-Agenda Items Portion of the October 28, 2014 Meeting**

**RESULT: INFORMATION RECEIVED**

## **G. Board Information**

Supervisor Jones discussed the ride over from Coulterville and the darkness he is experiencing. He reported attending: the Community Club meeting in Greeley Hill on the 21st where he held a Question and Answer session, noting that he answered questions about the Transient Occupancy Tax (T.O.T.); a meeting with the NRCS on the 22nd, noting that he will be bringing an item before the Board in November and he discussed how much money they bring into the county; a meeting with a business group from the valley, noting that they could not believe how easy it is to do business in Mariposa County; the CSD Candidates Night in Don Pedro where he acted as moderator, noting that it looks like they will be hauling in water by the end of November; a meeting with Bill McKenzie on the 24th about Dogtown Road, noting that he thinks George Reed is doing a fantastic job on the project; and the agenda review meeting on the 27<sup>th</sup>. He also urged everyone to vote next week, and noted how bothered he is when he sees a low turnout rate.

Supervisor Stetson reported that his week was driven by constituent concerns like the Foresta Bridge, a zoning issue in Midpines, an attempt to get a fire ready group in his neighborhood, and naming part of Route 21 after a buffalo soldier.

Supervisor Bibby extended her thanks to all of the houses and businesses who will be participating in Halloween; and encouraged people to vote, as well as urging courteousness to the poll workers. She advised that the Coordinated Transportation Plan Update meeting is tonight at 6:00 PM, and the annual Mariposa Elementary School Veteran's Day ceremony is on the 10th at 8:30 AM. She also noted that the Board is bound by the Public Law Act which limits the amount Board members can weigh in on elections, and she urged people not to read more into it. Supervisor Bibby also extended thoughts and prayers to the law enforcement families on the recent losses of Deputy Oliver and Detective Davis, and she noted that anytime an officer puts on that badge they are at risk which is why she is so strong on punishing criminals.

Supervisor Carrier advised the Board that he has someone interested in filling the slot on the Juvenile Justice committee. Supervisor Carrier reported that he attended the Chamber Network at Night at Sierratel on October 14th, noting that the High School band performed and they have been invited to travel to Washington, DC, to play again. He also reported attending the Integrated Regional Water Management (IRWM) meeting on October 15th, noting that they were informed that the drought grant was denied and that plans are now being made to appeal the denial; noted that they have scheduled a meeting with the

Water Quality Resource Board (WQRB) to see where it is deficient and how it can be improved; and reported that the IRWM Plan, and the county drought plan, have been approved by the Department of Water Resources. Supervisor Carrier also reported attending: the School Board meeting on the 15th, noting that they appointed Steve Baucus as the provisional District II School Board member, and Joe Rabin as the District I member; the Local Transportation Commission meeting on the 16th; a septage meeting with Planning, Public Works and some private vendors to discuss possibly establishing an MOU with neighboring counties; the Planning Commission meeting on the 17th where Dave Conway of Environmental Health gave an informative presentation on fractured rock wells; the Fish Camp Town Planning Council meeting on the 18th, followed by a Fish Camp Fire Rescue meeting; a fundraiser on the 18th at the Cal Ranch Estates for a young lady battling cancer; the YARTS meeting on Monday where they approved an MOU for a run from Fresno to the South Entrance of Yosemite National Park via Highway 41, and recognized departing members; jury duty on Tuesday which is why he was not at the Board meeting, noting that he was dismissed from service; a Wednesday meeting with constituents in Ponderosa Basin; another IRWM meeting; the inspection on the framing work on the third Habitat for Humanity house, and he recognized various contractors and businesses who have been working on it; a Mariposa Commission on Aging meeting on Thursday; a meeting with Supervisor Cann, the Human Services Director, and the Planning Director regarding the housing element of the General Plan; a Friday meeting of a jail expansion sub-committee; and the Bootjack Volunteer Fire Department breakfast on Saturday, followed by the Yosemite Alpine Community Services District meeting, and the High School's 100th Anniversary Dinner later that same evening. He also reported that he spent yesterday in the office; and extended his thanks to law enforcement for providing safe Halloween activities. Supervisor Carrier advised: that there will be a Mariposa County Coordinated Public Transit meeting tonight at 6:00 PM; that he will be attending a meeting of the Yosemite Sequoia Resource Conservation and Development Council in Clovis on Thursday; and the Mariposa Elementary School Veteran's Ceremony on Monday. In commemoration of Veteran's Day, Supervisor Carrier also read the obituary of Admiral Elmo "Bud" Zumwalt who died in 2000.

Supervisor Cann inquired if the Board members anticipate attending the Veteran's Day Ceremony at Mariposa Elementary School on the 10th. Supervisor Carrier affirmed. Chair Cann noted that it appeared that the whole Board will be there. He also announced that the Board will be honoring Judge Parrish upon his retirement this afternoon at 2:00 PM. Supervisor Cann reported: attending the Republican Central Committee last Tuesday; that the Wednesday Rural County Representatives of California (RCRC) Executive Committee meeting was cancelled and they only did an Officer's call; a Parking District meeting on Thursday; a Rotary Historic Plaque committee meeting on Thursday afternoon; a meeting with the Human Services Director and the Planning Department Director, where they discussed affordable housing options in Mariposa County; that there was an evening gathering at the Sierra Foothill Conservancy; attending the Bootjack Volunteer Fire Department breakfast on Saturday; welcoming the Board Vice Chair to yesterday's agenda review conference; meeting yesterday with the hospital CEO, noting that the small districts are not permitted to hire doctors as employees and they are hoping to engage lobbying groups to address legislation; and meeting yesterday with the Planning Director and the conceptual design team from the Park Service regarding constraints, options, and costs for potential development on the conservancy land near the intersection of Highway 140 and Jones Streets. Supervisor Cann advised that he will be attending: the Black and White Ball on Saturday; a Solid Waste Task Force meeting which is tentatively scheduled for next Thursday; and the Veteran's Day Ceremony at M.E.S. on Monday. Supervisor Cann also reminded everyone that daylight savings time ends this Sunday; and he congratulated Marshall Long and Kris Casto for making it to this point of the election.

## **Recess Board of Supervisors**

**9:56 AM** Chair Cann recessed the meeting for a brief break then reconvened at 10:58 AM.

## **Announcement Pursuant to Government Code 54952.3**

**10:58 AM** Chair Cann passed the gavel to Supervisor Stetson after reading the following announcement:

*In accordance with Government Code 54952.3, it is hereby announced that the Mariposa County Board of Supervisors will be sitting either simultaneously, or serially, as the Local Transportation Commission and that they receive no additional compensation for same.*

## **H. LOCAL TRANSPORTATION COMMISSION**

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

**10:58 AM** Chair Stetson convened the Local Transportation Commission meeting.

### ***Public Comment Period***

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

None.

### ***LTC Regular Agenda***

#### **1. Public Works (ID # 4123)**

#### **Presentation by the University of the Pacific, Business Forecasting Center on the Coordinated Plan Update for Mariposa County**

Barbara Carrier/Assistant Public Works Director - Support Services introduced Nahila Ahsan who gave a PowerPoint presentation.

Commissioner Bibby noted that not only is expansion needed, but drivers have to be available, as well.

**No public input.**

**RESULT: PRESENTATION MADE**

### ***Adjourn LTC***

**11:14 AM** Chair Stetson adjourned the Local Transportation Commission meeting and passed the gavel back to Supervisor Cann.

## **I. Reconvene as Board of Supervisors**

**11:14 AM** Chair Cann reconvened the Board of Supervisors meeting.

## **J. Regular Agenda Items**

#### **1. Board of Supervisors RES-2014-568**

**Approve the Use of Money from the Tobacco Settlement Fund in the Amount of \$2,000 for a Sign for the Coulterville Visitors' Center**

Supervisor Jones gave the staff report, noting that there is virtually no signage for this site.

Supervisor Cann noted his agreement with the need; requested that they consider working with the Chamber of Commerce to make sure that the design themes are consistent; and noted that it would be good if the sign were designed so that it can still be used if the location changes.

**Public comment opened.**

Marshall Long inquired if the sign will be reviewed by the Historic Sites Committee since it is a historic district.

**Public comment closed.**

Supervisor Cann noted that the sign will have to go through Planning, so will probably have to go past the Historic Sites Committee. Supervisor Jones stated that they would use the same designer as the Chamber so that designs will be consistent. Supervisor Carrier remarked that permits will need to be pulled, and that it will have to be compliant with Historic Sites and all other rules. Supervisor Jones concurred, noting that they are talking about a 4 foot x 8 foot sign which is the maximum size allowed; and that it will be single-sided.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Janet Bibby, District III Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**2. Board of Supervisors RES-2014-569**

**Approve the Yosemite-Mariposa Integrated Regional Water Management Plan (IRWMP) Memorandum of Understanding (MOU) and Authorize the Board of Supervisors Chair to Sign the MOU; Select the Designated Representative and Designated Alternate to the Yosemite-Mariposa Regional Water Advisory Council (RWAC)**

Supervisor Cann gave the staff report, and provided an overview of the organization.

Supervisor Bibby noted for the record, that the MOU clearly says that it does not impose legally binding requirements on entities that participate in activities within its scope, and that it must remain non-binding and non-regulatory. She also noted that under Paragraph 1.C it discusses forming partnerships and mentions tribes and organizations, and inquired if there is a tribal representative on the IRWM. Supervisor Cann responded that there occasionally is. Supervisor Bibby inquired if they have a regular category so that they can get somebody full time. Supervisor Cann replied that they can, and are invited regularly but that their attendance has been sporadic.

**No public input.**

Supervisor Jones moved to designate Supervisor Cann as the Designated Representative, with Supervisor Carrier as the Designated Alternate. Supervisor Stetson seconded the motion. Chair Cann noted that the motion needs to include approval of the MOU. Supervisor Jones modified his motion to approve the MOU, and designate Supervisor Cann as the Representative with Supervisor Carrier as the Alternate. The second agreed with the modification, and the motion passed unanimously.

**RESULT: ADOPTED [UNANIMOUS]**  
**MOVER:** Merlin Jones, District II Supervisor  
**SECONDER:** Lee Stetson, District I Supervisor  
**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**3. Health 2014-ORD-1108**

**Waive the Second Reading and Adopt an Ordinance Amending Sections 13.10.020, 13.10.030 and 13.10.080 of Chapter 13.10 of the Mariposa County Code Entitled "Greywater Use"; and Find the Action is Not Subject to the California Environmental Quality Act (CEQA) Pursuant to Categorical Exemptions Established by CEQA Guidelines Section 15307 and 15308**

No staff report.

**No public input.**

Supervisor Bibby noted that she hasn't received any objections regarding the ordinance.

**RESULT: ADOPTED [UNANIMOUS]**  
**MOVER:** Janet Bibby, District III Supervisor  
**SECONDER:** John Carrier, District V Supervisor  
**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**4. Public Works (ID # 4134)**

**Discussion and Direction Regarding Proposals for the Fixed Base Operator (FBO) at the Mariposa-Yosemite Airport**

Doug Wilson gave the staff report.

Supervisor Jones noted that he wasn't able to attend the last Advisory Board meeting but that he was quite involved with the three proposals; recommended Option Number 3 noting that he thinks it will be hard to get a full-fledged FBO out there because of the profitability of the site; and remarked that they should negotiate with anyone who is interested. Supervisor Carrier noted that his concern is that any proposal or negotiation should be a break even proposition for the County; and discussed that they should investigate using the facility for other things like County Fire, a cemetery, or Animal Control. He also: noted that he thinks that a rent-a-car business could make money, but that it would not be a County endeavor; remarked that if we are going to pay someone, then we might as well pay County staff to be there; and remarked that he is not in favor of going into further negotiations as he thinks that a subsidy from the County will be requested. Supervisor Bibby remarked that she would like the Department Head to explore getting emergency services out there; and urged keeping on with what is being done as far as negotiations, noting that she also wants to explore the County Fire option. Supervisor Jones discussed that the rental cars made the previous FBO more money than anything else; noted that there would be a \$22,000 offset if County Fire was out there; noted that there is a person out there who would like to be an instructor if it is changed; and pointed out that hangar rents come up at the end of this year and need to be revisited as they are being used for cheap storage. Supervisor Cann requested that the CAO and Fire Chief get

together to assess the pros and cons of moving County Fire out there so that the Board can make a decision in that regard; noted that the house out there is an asset; and remarked that he thinks we could work out a deal for an employee to live in that facility to help with security.

Chair Cann inquired as to how the Board wishes to proceed.

Supervisor Jones recommended that staff continue to negotiate with whomever they can and move forward; and urged including the Fire Chief/Sheriff in the negotiations because the \$22,000 will make the difference. Supervisor Stetson noted his agreement. Supervisor Carrier noted that the condition of the house needs to be assessed first as it may require work; stated that County Counsel, the CAO, and Public Works need to see if it is a habitable structure; noted that he would like to explore the rate increase on the hangars; noted that he would like to determine whether it is possible to move County Fire there; and remarked that he would also like other options, like a cemetery or animal shelter, investigated. Supervisor Cann inquired if Supervisors Jones and Carrier should participate in any negotiations. Supervisor Carrier noted that the Board typically assigns two Supervisors to look into issues but, because they can't share that information because of Brown Act constrictions, problems sometimes arise with the other three Supervisors who feel that they have not been fully apprised of issues. Supervisor Cann noted that that would mean more briefings rather than fewer; and he discussed his concern with foisting the responsibility onto Public Works. Supervisor Jones noted that in the past he was involved in the interviews, and thinks it can be done and then report back to the Board for full disclosure. Supervisor Bibby cautioned the airport liaisons to not bring in a third Board member; noted that she would very much like to explore moving County Fire and Animal Control out there; and noted that the County, historically, had provided the house for free to an employee in exchange for services, but then found out through public research that that was not permissible, and that there were various other concerns including a potential gift of public funds, fair market value, and IRS reporting requirements. Supervisor Cann remarked that he does believe there is an area out there that is a good plot for a cemetery and he would like to see that option pursued if it is viable.

**Public comment opened.**

Kris Casto noted that the RFP was very open ended, and urged that the two supervisors on the subcommittee sit down and write a list of everything that has been talked about to provide clarity and definition.

Marshall Long noted that he attended the last Advisory meeting, noted that one of the recommendations was that the rents not be raised on the hangars for a few years; remarked that the Airport is an asset and should be treated as such; stated that he thinks Tourism needs to get involved with the discussion, as well; remarked that we need to encourage flight schools to use the facility as a base, as well as to land; stated that the County should be looking at a shuttle system to get people in and out of Mariposa; urged looking at car rentals; remarked that we need to get power into the hangars to make them competitive with other hangars in the area; and noted that he hates to see that resource under-utilized.

Sheriff Binnewies noted that they have had some discussions regarding County Fire headquarters moving to that location, but that such a move would not be ideal at this time due to communication concerns; stated that he would like the opportunity to discuss moving Animal Control from its current Fairgrounds Drive location as they pay \$2,000 per month for the current space and it is too small; noted that it would be nice to have affordable housing for deputies starting out in the area and stated that, if the Board is interested in some type of security at the Airport, he would like to have a discussion regarding possibly renting the house there in order to provide affordable housing for Mariposa County deputies who cannot afford to buy housing in the county; and he noted his acceptance of the invitation to discuss the situation with the other Department Heads

who were suggested.

**Public comment closed.**

Supervisor Bibby discussed past input received by the Board relative to potential Airport enterprises and noted that it is disappointing to hear that the previous FBOs were having difficulty; remarked that there is significant infrastructure that needs to be put in place out there; remarked that the RFP process was to tell the County what is feasible for the location, and stressed that nothing has surfaced to indicate economic viability; suggested that the best course is to negotiate with the three potentials but keep the door open for anyone else while still looking at how best to utilize the facility; stated that the issue of the building needs to be reassessed because, if it is an asset, it needs to be maintained to prevent dilapidation; remarked that she is glad that the Sheriff brought up the affordable housing, as there is a rental shortage out there due to conversion of dwellings to transient rentals; cautioned everyone to keep the door open, and suggested that they can go out for another RFP in the future if the economy turns around; noted that the RFPs were meant to be vague in order to see what propositions might be generated; and remarked that any interested businesses should contact us immediately. Supervisor Jones noted his concurrence with much of what Supervisor Bibby said, and suggested looking at the housing; noted that a large number of Advisory Board members have planes out there and probably do not want their own hangar rents raised; stated that he thinks consideration should be given to moving Animal Control there; noted that due to FAA rules, the County will not be able to use the Airport for just any business; and he strongly recommend Option Number 3.

Chair Cann stated that a lot was learned from the RFPs; remarked that the Airport has been sitting semi-dormant and a five year plan needs to be devised; noted that the Board concurs with keeping the door open; and stated that information is needed relative to the possibility of placing Animal Control, County Fire, and/or a cemetery there. He also inquired if it is reasonable that the CAO, Sheriff, and Public Works Director should get together to better define a scope of possibilities, and suggested that the two liaisons participate in those discussions. Supervisors Jones and Carrier expressed their agreement with the suggestion. Chair Cann noted that part of that discussion should be to decide whether or not there is room to continue negotiations, and then to bring back a recommendation of whether or not that is a direction for the Board to pursue. The Board indicated concurrence with the direction.

**RESULT: DIRECTION GIVEN**

## **K. Items removed from Consent Agenda**

None.

## **L. Closed Session**

### **1. County Counsel (ID # 4071)**

**CLOSED SESSION: Conference with Legal Counsel; Existing Litigation: Merced Irrigation District V. County of Mariposa, Et Al.; Tulare County Superior Court Case No. 13-252209**

**RESULT: WITHDRAWN**

### **2. County Counsel (ID # 4157)**

**CLOSED SESSION: Conference with Interim Human Resources Director Regarding Public Employee Employment (Government Code Section 54957 (B) (1)); Title or Position to be Filled: County Administrative Officer  
No Board or public input.**

This Closed Session was held at 2:52 PM, and reported out at 4:50 PM.

**RESULT: CLOSED SESSION HELD**

**3. County Counsel (ID # 4163)**

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

**No Board or public input.**

This Closed Session was held at 3:43 PM, and reported out at 4:50 PM.

**RESULT: CLOSED SESSION HELD**

## **M. Noon Recess**

**12:14 PM** Chair Cann recessed the meeting for lunch.

## **N. 2:00 PM Reconvene**

**2:03 PM** Chair Cann reconvened the meeting.

## **O. Board Recognitions**

**1. Board of Supervisors RES-2014-549**

**Resolution and Tile Plaque Recognizing the Honorable Judge Wayne R. Parrish, Upon His Retirement as Superior Court Judge (Board Chair)  
(Reception to Follow in the Lobby)**

Chair Cann introduced the item.

Supervisors Bibby, Carrier, Stetson and Jones extended their thanks and appreciation to Judge Parrish for his service to the community.

**Public comment opened.**

Sheriff Binnewies thanked the Judge for "putting the bad guys in jail."

Pete Judy/Chief Probation Officer, speaking on behalf of the Probation Department, expressed appreciation for the Judge's approachability; and he wished him well in his retirement.

Michael Fagalde/Judge-Elect discussed his impressions of the Judge's fairness and attitudes through the years, noting that he hopes to follow in his footsteps.

Tom Cooke/District Attorney discussed Judge Parrish's impartiality and civility.

Marvin Wells noted that he has known the Judge for many years; remarked that it has been an honor to work with him through the years; and extended his well wishes for retirement.

Cindy Busse remarked that the Judge has been good to work for.  
Morgann Halencak stated that the Judge will be greatly missed.

**Public comment closed.**

Chair Cann extended thanks for the Judge's work and fairness then introduced Mika Petrucchi who presented a resolution on behalf of Assemblymember Bigelow, and Christina Hall who presented a resolution from Congressman McClintock's office. Chair Cann presented the Board's resolution to the Judge.

Judge Parrish thanked his staff, as well as the citizens of the county; discussed the middle of the night calls from the Sheriff's Office; and thanked everyone.

**RESULT: ADOPTED [UNANIMOUS]**  
**MOVER:** Janet Bibby, District III Supervisor  
**SECONDER:** Merlin Jones, District II Supervisor  
**AYES:** Stetson, Jones, Bibby, Cann, Carrier

## **Recess**

**2:21 PM** Chair Cann recessed the meeting, and invited everyone to a reception in the Judge's honor.

## **Report Out**

**4:50 PM** Chair Cann reported out that Information was Received and Direction was Given on Closed Session items L.2 and L.3; with L.1 having being withdrawn by the department.

## **P. Adjournment**

**4:50 PM** Chair Cann adjourned the meeting in memory of Robert Hall, George Sutherland, Jr, Kenneth Meyers, and Louis Cavagnaro.

Respectfully submitted,

RENÉ LaROCHE  
Clerk of the Board

KEVIN CANN  
Chair, Board of Supervisors



# MARIPOSA COUNTY

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

**DISTRICT IV**  
**DISTRICT II**  
**DISTRICT I**  
**DISTRICT III**  
**DISTRICT V**

## MINUTES

November 12, 2014

### A. Call to Order and Roll Call

**9:06 AM** Chair Cann called the meeting to order, noting that there was a quorum with a full board.

| Attendee Name | Title                   | Status  | Arrived |
|---------------|-------------------------|---------|---------|
| Lee Stetson   | District I Supervisor   | Present | 8:56 AM |
| Merlin Jones  | District II Supervisor  | Present | 8:56 AM |
| Janet Bibby   | District III Supervisor | Present | 8:56 AM |
| Kevin Cann    | District IV Supervisor  | Present | 8:56 AM |
| John Carrier  | District V Supervisor   | Present | 8:56 AM |

### B. Pledge of Allegiance

The Pledge was led by Supervisor Jones followed by a moment of silence in honor of all of our Veterans past and present.

### 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.

Chair Cann announced that CA10 is being withdrawn by the department.

Supervisor Carrier advised that he will need to abstain from CA6, and requested that it be considered separately.

Supervisor Cann advised of a correction to CA6, in the Board Information of the

Minutes of October 21, 2014, noting that he did not attend the Tourism Bureau Board meeting but, rather, was just advising the Board that the meeting had occurred.

Supervisor Jones discussed how great the County employees are; extended thanks for their hard work; and urged passage of CA5.

Regarding CA12, Supervisor Bibby requested a report back from the Human Services Department within six months as to whether the flex scheduling works out. Chair Cann assigned the Clerk of the Board to track the matter and follow up on it.

Regarding CA15, Supervisor Bibby noted that the building's dedication is scheduled for December 2nd and requested clarification regarding the need to extend the contract to December 31st. She also inquired as to whether a Certificate of Occupancy had been obtained. Doug Wilson/Interim Public Works Director noted that a Certificate has been received; that there is no further work to be done; that the date of December 31st was just an arbitrary date that was chosen; and that all paperwork should be completed this week. Supervisor Cann required clarification that the work being discussed was not work on the ground but, rather, administrative close-out. Mr. Wilson affirmed.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Lee Stetson, District I Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

CA1. **Administration RES-2014-570**

Resolution Continuing the Local Drought Emergency

CA2. **Administration RES-2014-571**

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

CA3. **Administration RES-2014-572**

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

CA4. **Administration RES-2014-573**

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

CA5. **Administration RES-2014-574**

Declare Friday, December 26, 2014, a County Holiday

CA6. Item Considered Separately

CA7. **Board of Supervisors**

Approve the Minutes of Tuesday, October 28, 2014

CA8. **Board of Supervisors RES-2014-575**

Approve a Grant Match Requirement for the Central Sierra Economic Development District (CSEDD) and Approve Budget Action Reducing General Fund Contingency to Accommodate the Grant Match (\$3,026) 4/5ths Vote Required

**CA9. Clerk of the Board of Supervisors RES-2014-576**

Appoint John Schroeder, and Reappoint Kathleen Armstrong and Len McKenzie as Directors of the Mariposa County Resource Conservation District (MCRCD) to Four Year Terms that Expire at Noon on November 30, 2018

CA10. was withdrawn by the department

**CA11. Health RES-2014-577**

Approve a Business Associate Agreement with John C. Fremont Healthcare District and Mariposa County to Allow Transfer of Protected Patient Information to Mariposa County Health Department Consistent with Current Law, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA12. Human Services RES-2014-578**

Approve the Alternative 4/10 Work Schedule for the Administrative Analyst Staff in the Human Services Department Effective November 13, 2014

**CA13. Human Services/Behavioral Health & Recovery Services RES-2014-579**

Approve Agreement 14-90069, the Substance Abuse 2014-2017 Multi-Year Agreement with the State Department of Health Care Services (DHCS) in an Amount Not to Exceed \$1,263,981, and Authorize the Board of Supervisors Chair to Sign the Agreement and the Certification

**CA14. Human Services/Behavioral Health & Recovery Services RES-2014-580**

Approve an Agreement with Alliance for Community Transformations to Provide Extended Weekend Hours for the Wellness/Drop in Center, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA15. Public Works RES-2014-581**

Approve the Second Amendment to the Contract with Lee-Way Construction to Extend the Contract to December 31, 2014, and Authorize the Public Works Director to Sign the Amendment

**Items Considered Separately****Tuesday, October 21, 2014**

The Minutes of October 21, 2014, were approved with the correction previously stated by Supervisor Cann.

Approved (4-0); Stetson (M); Jones (S); Carrier abstained.

**E. Board Recognitions**

Chair Cann advised that he was going to reverse the next two agenda items and consider the Proclamation first.

**1. Human Services 2014-99**

**Proclaim the Month of November, 2014, as National Family Caregiver and In-Home Care Provider's Month**

Nancy Bell/Deputy Director - Social Services noted that the IHSS program has about 150 to 160 providers with about half of those caring for family members; and noted that the Board will be recognizing all caregivers, and not just the ones through Human Services. She also introduced Rebecca Maietto/Social Worker Supervisor of the IHSS unit, and Ron Schmidt/IHSS caregiver.

**No public comment.**

Supervisor Bibby noted that as an aging society, caregivers are going to be needed more and more; and she extended her compliments to in-home health care providers everywhere.

**Public comment reopened.**

Miguel Espinosa noted that he works closely with the home care workers here and in several other counties; and remarked that it is a pleasure working with the IHSS staff here as they do such a good job working with the Advisory Board.

**Public comment closed.**

Supervisor Cann noted that it is gratifying to see the breadth of the commitment in this community; expressed his appreciation for Mr. Espinosa's comments; and discussed the challenges in programming funding. Supervisor Bibby remarked that after hours public assist emergency calls are up, and noted that many are family member caregivers dealing with a situation. Supervisor Carrier discussed his agreement with the previous comments.

Chair Cann presented the Proclamation to Nancy Bell, Rebecca Maietto, and Ronald Schmidt.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Janet Bibby, District III Supervisor

**SECONDER:** John Carrier, District V Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**2. Board of Supervisors 2014-100**

**Approve a Certificate of Recognition to Mariposa County High School on the Achievement of Its 100 Year Anniversary (Robin Hopper, Superintendent)**

Supervisor Jones welcomed Robin Hopper back to Mariposa. Supervisor Bibby extended her thanks to Ms. Hopper and the entire school for organizing the celebration; and extended her compliments to everyone as well as everyone else who helped or participated. Supervisor Cann discussed that three sources of great community pride are the Fairgrounds, the Court House, and the School and the school system.

**Public comment opened.**

Robin Hopper/Superintendent recognized Celeste Azevedo, Jenna Hayes, and Kelli Columbro. Ms. Columbro introduced Chelsea Shelton and Raegan Smith from the audience. Ms. Hopper also recognized Trace DeSandres, the school, and the community for their efforts.

**Public comment closed.**

Chair Cann invited the Board down to the floor, and the Certificate was presented to Ms. Hopper.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Merlin Jones, District II Supervisor  
**SECONDER:** Janet Bibby, District III Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

## **Recess**

**9:34 AM** Chair Cann recessed the meeting for some refreshments and reconvened at 9:52 AM.

## **F. Departmental Presentation**

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

Doug Binnewies/Mariposa County Sheriff - Interim Fire Chief briefed the Board on a fire at the historic Jeffery Hotel in Coulterville early this morning. He reported that: at about 1:00 AM, Mariposa dispatch received a 911 call from a hotel guest who reported smelling smoke; fire units and deputies were routed to the hotel, and then a second call was received reporting fire at the hotel; fire and support units arrived at the scene and immediately initiated fire suppression activity; the hotel fire suppression sprinklers helped significantly; they ended up with about 75 fire fighters from Mariposa County Fire, MPUD, Merced County Fire, and CAL FIRE; they were able to keep the fire contained to the hotel, and the restaurant and saloon appear to be intact; and that it was declared contained this morning, but that the cause of origin is still under investigation. Sheriff Binnewies also gave a historical overview of the hotel. Supervisor Bibby extended thanks for the updates and photos. In response to Supervisor Cann's query, Sheriff Binnewies also advised that there were no injuries. Supervisor Jones noted that the Board often only hears the negative things about the fire departments, but that he was there early and saw that they worked well together as a cohesive unit, and were very professional; and he extended his thanks to everyone for their efforts.

Pete Judy/Chief Probation Officer: discussed the passage of Proposition 47 last week; noted that since Mariposa County is so small there will be little impact locally, and he discussed two examples; noted that there are about 47 probationers locally who would be eligible for a reduction of their services, but that they would have to petition; remarked that since the law went into effect immediately upon passage, there are a lot of questions; noted that because it took effect immediately, there is a lot of language that is unclear, and they are not sure if it impacts juveniles; and stated that there should be no significant impact initially.

## **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)*

David Taylor/Lake Don Pedro read from a prepared statement which discussed an October 5, 1992 letter from then County Counsel, Jeffrey Green, addressing Mariposa County's responsibilities for the Lake Don Pedro trail system. He concluded by questioning the need to wait for a trail advisory board.

Mary Bass/Chamber of Commerce congratulated the High School on their anniversary; thanked all of the caregivers who work with our elderly and people in need; noted that the Chamber will help in any way it can regarding the Hotel Jeffery; and reported that Kathy McCorry is no longer with them, but that they are going to keep the events and committees going as well as continue to build on what is already going. Ms.

Bass also discussed "Shop Small Saturday" and noted that they have twenty kits at the Chamber for businesses who will be open on November 29th. She also advised that: their next event will be Merry Mountain Christmas on December 6th which will start at dusk, and she handed out parade applications to the Board members; the Chamber Installation Dinner will be on January 22nd; and they have scheduled the Business Expo for February 18th, and are going to combine it with the School Supply Party.

1. **Clerk of the Board of Supervisors (ID # 4205)**

**Handouts from the Public Comment on Non-Agenda Items Portion of the November 12, 2014 Meeting**

**RESULT: INFORMATION RECEIVED**

## **H. Board Information**

Supervisor Carrier reported: attending the October 28th Mariposa County Public Transit/Human Services Transit plan meeting; attending an October 29th meeting with a group of citizens; attending the October 30th Yosemite Sequoia Resource Conservation meeting in Clovis, noting that they discussed the grants to the Mariposa County Fire Safe Council who did accomplish all of the work by the October 31st deadline, and that PG and E was so impressed that they will probably be considering the grant program again next year; attending the Black and White Ball on November 1st; spending Monday in the office dealing with citizen complaints on road, parking, horse, and signage issues; attending a November 3rd meeting with Planning staff and the YARTS managers to look over prospective bus stops along Highway 41; attending the Community Services Fair on Thursday which was sponsored by Human Services; meeting with a citizen on November 6th on an issue regarding a neighbor; attending the 4-H dinner on September 7th, followed by the Motown Dinner at Savoury's; attending the Veterans Day program on Monday at Mariposa Elementary School; attending the Historic Sites Committee meeting on the 11th; and attending an In Home Health Services meeting, followed later that evening by the Fire Captains meeting. Supervisor Carrier advised that he will be attending: a November 13th meeting of the Cemetery Committee; the Friday Special Board meeting, followed by a Community Correction Partners meeting, followed by a meeting with the Human Services Director; and the California State Association of Counties (CSAC) annual conference all of next week.

Supervisor Bibby discussed the passage of Proposition 47 noting her disagreement with it. She also advised that she viewed a training video for Los Angeles County Prosecutors and noted that the change in the law allows that bad checks below \$950 will only be subject to a citation; that fraud and shoplifting can only be charged if value is \$950 or more, and that store owners may face prosecution if they try to stop a shoplifter; that in cases of burglary, the property owner will have to prove the property value; and that the driving force with new crimes will be the value. Supervisor Bibby extended congratulations to Marshall Long the Supervisor-elect for District 3; noted that the Board did not put Measure K on the ballot without a lot of thought, and noted that it will be difficult and that the Board will need input as to what will need to be cut. She also reported attending: a meeting with Human Services on the 10th; the M.E.S. Veterans Day Ceremony on the 11th, noting that they have indicated that they want the event to be bigger; and the Fire Captains meeting, and she remarked that the portion that she attended was a great meeting. Supervisor Bibby advised that she will be attending: a meeting with some tribal representatives on the 14th; and a meeting with Building and the Assessor's Office regarding communication on enforcement issues and how to improve the green screen and make the information more readily available.

Supervisor Stetson reported meeting yesterday with Chevon Kothari/Human Services Director. He also advised that he will be attending: the Midpines Planning Advisory

Committee meeting at 6:00 PM tonight; the Special Board Meeting on Friday; and the El Portal Planning Advisory Committee on November 18th.

Supervisor Jones extended his congratulations to everyone who ran for office. He also noted his appreciation to our Veterans, and recounted losing a friend during the Vietnam War. He also asked everyone to keep the owner and employees of the Hotel Jeffrey in their thoughts and prayers, noting that he will be working today and tomorrow to see what he can do to help them. Supervisor Jones reported attending a meeting last week with Public Works relative to easement issues for the DRI grant on Dogtown Road, and reported that George Reed is doing a fantastic job on that project. He also noted that the rest of that week he was ill with a cold. Supervisor Jones reported that Lake McClure now sits at 8% of its capacity; noted that if they stretch all of their water as long as they can it will last through February; reported that they repaired one leak in the water transmission system, and their new Interim Manager is working on getting all of the leaks fixed; and he noted that Merced Irrigation District is looking at a project to move piping to the bottom of the lake which will have an estimated cost of ten million dollars. Supervisor Jones also reported that on November 10th he attended: a meeting with a local surveyor; a meeting with Supervisor Cann, Doug Wilson, and Pat Garcia regarding IRWM grant funding; a meeting with Supervisor Cann, Doug Wilson, Greg Ollivier, and Cal Recycling, noting that we need to do a better job on recycling and start keeping records to track our paper, pens and construction materials; the agenda review meeting on Monday; a meeting with Supervisor Cann and Chevon Kothari regarding restructuring the Human Services Department; a meeting with Dave Conway from Environmental Health; and the Fire Captains meeting with Supervisors Bibby and Carrier, noting that the new Fire Chief did an excellent job, and that this was the best of those meetings that he has attended.

Supervisor Cann extended his thanks to Supervisors-elect Rosemarie Smallcombe and Marshall Long for putting themselves through the process, noting that he looks forward to having them on the Board. Supervisor Cann noted that, in addition to those meetings already discussed, he: met with the Hospital CEO on October 31st to try to assist them in formulating their long range plans; attended the Black and White Ball; met with the Chamber of Commerce on November 3rd regarding current and future Chairs of that board; met with County Counsel on the 4th regarding a couple of programs of the Rural County Representatives of California (RCRC); met with representatives of the local tennis club on the 5th regarding the deterioration of the tennis courts surface, and he noted that his intention is to discuss it at mid-year; and attended the Veterans Day Ceremony which was very well attended, and well represented by representatives for our elected officials. Supervisor Cann also noted, relative to the Solid Waste meeting that Supervisor Jones reported, that Cal Recycle is the management for all solid waste out of the California EPA, and noted that the nineteen similarly sized counties that are part of the RCRC generate only 1.8 percent of the solid waste in the state, yet Cal Recycle is trying to force them all to fall under all of the same regulations as the larger counties. Supervisor Cann advised that he will be attending: a Solid Waste Task Force meeting on the 13th, followed later that day by a Cemetery Ad Hoc Committee meeting; and the CSAC Conference next week where they have a joint officers meeting between the RCRC and CSAC to try to coordinate efforts on important issues.

## **I. Regular Agenda Items**

### **1. Public Works RES-2014-582**

#### **Approve a Contract for Services with BC Construction in the Not to Exceed Amount of \$183,805.10 for the Midpines Restroom Upgrade, and Authorize the Board of Supervisors Chair to Sign the Contract**

Doug Wilson gave the staff report, noting that this is the kind of item that would normally be on the consent agenda but that there were enough issues to warrant more

discussion. He also remarked that it appears that there is a discrepancy in the numbers as the recommendation has a figure of \$183,805.10, while the second page of the agenda item states that BC Construction's bid is \$176,305.10, but that the difference is that there was a base bid and an add bid; advised that this will be funded strictly by state funds; noted that there is a small business criteria; and remarked that the bid from Hobbs Construction appears to be lower, but that they did not request the small business preference while BC Construction did which allowed them to be the bid winner. Mr. Wilson also reported that they moved forward to award the bid to BC Construction, but Hobbs Construction objected stating that they are a certified small business; he noted that they went through a lot of considerations but, after reviewing everything, determined that there is a clear process for dealing with small businesses which they followed; and he recommended awarding the contract to BC Construction. Mr. Wilson also reported that he sent a letter to both businesses about a week ago, and called both firms yesterday.

Supervisor Stetson noted his appreciation for the review of the issues; and urged the project's completion. Supervisor Carrier remarked that it would have been nice to see a bid worksheet; remarked that he thinks this was just a misunderstanding of what the contract said; and required clarification that BC Construction was the only one that requested the small business consideration, which Mr. Wilson affirmed. Supervisor Carrier noted that a lot of these requirements are on the state and federal sides; recommended any businesses who feel they fall under a certification should put those in the bid package and request that they be put under that category; and noted that Public Works needs to focus attention on details to the public and other departments. Supervisor Cann noted that contract language can be difficult, but that you cannot penalize the companies that do work through the criteria to receive the preference. Supervisor Jones remarked that people need to learn to read all of the fine details.

**No public comment.**

Supervisor Bibby noted that she hopes that bidders will continue to go through the process. Supervisor Carrier remarked that there needs to be outreach for potential bidders on the process to get certified, as well as what that bidding language means.

**RESULT: ADOPTED [UNANIMOUS]**  
**MOVER:** Lee Stetson, District I Supervisor  
**SECONDER:** Merlin Jones, District II Supervisor  
**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**10:54 AM** Tracy Gauthier/Deputy Clerk of the Board substituted in as the clerk.

**2. Human Resources/Risk Management RES-2014-583**

**Approve Amendments to the Clerk of the Board Job Description to Reflect Department Head Status; Approve Amendments to the Deputy Clerk of the Board Job Description for Clean-Up Purposes; Eliminate the Salary Range for the Clerk of the Board Classification and Assign it an Annual Salary of \$62,955 Effective July 8, 2014; and Approve Budget Action Reducing the General Fund Contingency and Increasing Appropriations in the Board of Supervisors Budget to Accommodate the Increase in Salary and Benefits (\$16,490) 4/5ths Vote Required**

Steven Dahlem/County Counsel and Interim Human Resources Director/Risk Manager presented the staff report. Chair Cann noted that the Clerk of the Board (COB) submitted a letter with the packet regarding this issue.

Supervisor Bibby commented that there is an approximate 49% difference between the Deputy Clerk of the Board position and the Clerk of the Board/department head and suggested that the current department head and Personnel review this. She commented that these changes are always difficult to navigate through especially when changes are made and a department head is created because it is known that the position is going to evolve and this requires patience until the evolution occurs and there are some tasks that this position is going to be taking on in the future and in looking at it now there may occur, with the class and comp reviews, additional duties and tasks surfacing in the future. She noted that in the past benefits were separated from salary and the only way she can look at these is based on the salary and noted that positions carry a wide range of benefits and it clouds the issues.

Supervisor Carrier noted that he didn't agree with this when it was first brought to the Board on July 8th and since then he has listened to the audio of the item and stated that there were questions he brought up during that meeting that he feels were not answered and one of the questions was "what has changed since 2004." His understanding is that nothing has changed except the laws, and that the reason this item came before the Board was to make the position and the County compliant with the recent laws. He noted that other questions he had are being answered here such as where is the value added to this and are there any fiscal savings and noted that it's looking like there is not. He commented that responsibilities are being added but nothing is changing as far as duties and he has a hard time compensating the responsibilities with what is being presented here. Salary was not discussed during the July 8th meeting and he did bring up workload, chain of commands, and communications. He feels the overall position is a process and form position that has not changed, content is up to the department heads and if they are submitting agenda items that are correcting form and process then the Clerk of the Board just needs to pass that along. He wants the departments to know that if there are items being filtered and/or being told they should not come to the Board he wants to know about it. The departments need to follow the process and meet the time lines, and the responsibility of content and form is up to the departments. He noted that he understands why we are changing this to a stand-alone department head but that he doesn't support the salary.

Supervisor Cann requested clarification of the CAO relative to the current cost to the County, and asked if the proposed salary is more money. Mary Hodson/Interim County Administrative Officer responded that it is going to cost more money. Supervisor Cann asked about the tradeoff of no paid annual leave and no paid overtime, etc. all costing the County money. Ms. Hodson responded not at this time; that vacation is only paid out once the employee retires or terminates from County employment; and whatever is accrued on the books gets paid off at the position's current annual salary rate and that sick time does not get paid out anymore.

Supervisor Jones noted that he had not been aware that the job description of the Clerk of the Board included possible personal legal ramifications and provided scenarios in which the COB could be held either legally responsible for an action, or liable for disciplinary actions due to being insubordinate, and now with the new organization the COB position is working at will for the BOS and as an at risk employee and he feels this justifies the salary compensation recommendation. He recommended approval.

Supervisor Bibby noted that she supports the recommendations on the salary range and noted that one of the reasons why this department was created as a separate department was to give it independence to act as a check and balance and discussed serial meetings as an example. She also noted that the CSA ballot process would benefit from having an independent person as a check and balance. She listed the departments that now create checks and balances are the CAO, County Counsel, COB, and Auditor. Supervisor Bibby also discussed the benefit package, factoring longevity, and the risks of an at-will position.

Supervisor Cann commented that it is his understanding that this position in its

former configuration was falling further and further behind on the salary scale and as a department head there is a number that has to be associated with giving up of the security of being a part of the merit bureaucracy. There is a degree of a price associated with that.

Supervisor Carrier noted that he doesn't disagree with Supervisor Bibby regarding duties and checks and balances he just has a hard time accepting that responsibility in terms of monetary value. He also noted that there are other departments that have not had the consideration of a salary increase due to job duty changes, etc. And sees this as a stepping stone of opening the door of other positions coming forward, and fiscally doesn't feel the County has the budgets to support the increases in compensation and urged the Board to use caution.

**Public comment opened.**

Pete Judy/Chief Probation Officer discussed his career with other counties and noted that Mariposa is unique and is the only county that has no benefit package for department heads. He discussed the Sheriff as an example, noting that under a typical benefit package, the Sheriff would earn about four weeks per year in vacation time which he doesn't currently take, and would get between 2 weeks and 118 hours in administrative leave to compensate him for the overtime hours that he puts in, as well as some sick leave for which he would be partially compensated. He also recounted that he spent five years as a manager in Stanislaus County, during which time he did use his sick time as needed and did take reasonable vacations, and yet, after five years, they had to pay him \$25,000 in unused benefits which amounted to an extra \$5,000 per year. He noted that, by comparison, when he looks at his department head salary in this county, he knows that he has taken, perhaps, one day off as sick leave, and that he has not taken any extraordinary vacations and, in fact, has probably taken less vacation, but that all of his leave balances are zero because Mariposa County doesn't count them for department heads. He stated that when he hears an employee leaving a position that gets those benefits, he knows there is a cost because he experienced it, and it amounted to \$5,000 per year in his instance. Chief Judy also again referenced the Sheriff and discussed the amount of time he spends on his job, stated that he has to be losing lots of money that is not being paid to him because of the nature of his job as the sole law enforcement officer, and noted that the other department heads are similar. Chief Judy concluded that in looking at the salary, he subtracts several thousand dollars off of it because he knows that that position is currently getting some compensation for overtime, vacation, and sick leave which does get converted to some time and is credited to one's pension upon retirement.

**Public comment closed.**

Supervisor Jones noted that he agrees with Chief Judy and noted that the person receiving this increase did not ask for the increase; and when you look at all the department head salaries, this position is at the very bottom and is taking on more of the Counties risks. He recommended the item be approved and moved to accept as presented.

Supervisor Stetson seconded and credited the arguments heard and feels this is the compromise and supports it.

Supervisor Bibby commented that the Board did receive a request to be a department head and cautioned the employee of the changes from MCMCO to a department head. This had been a unique position in benefits. She noted that in moving to department head the position will lose comp/vacation, longevity, etc. And this needs to be factored in and that any recommendation for one department head would need to be considered for all department heads.

Supervisor Carrier commented on an attached memo, requesting his comments be included for the record, and advised that his understanding is that the employee has a disagreement with what the salary is going to be and noted that at the bottom of the memo it says "salary is not an issue."

**RESULT:**      **ADOPTED [4 TO 1]**  
**MOVER:**       Merlin Jones, District II Supervisor  
**SECONDER:** Lee Stetson, District I Supervisor  
**AYES:**         Lee Stetson, Merlin Jones, Janet Bibby, Kevin Cann  
**NAYS:**         John Carrier

## **J. Items removed from Consent Agenda**

1.     **County Counsel    (ID # 4158)**

**Approve First Amendment to the Legal Services Agreement for Indigent Defense Legal Services with Eugene Action, and Authorize the Board of Supervisors Chair to Sign the Agreement**

**RESULT:**      **WITHDRAWN AND RESCHEDULED    Next: 11/25/2014 9:00 AM**

## **K. Closed Session**

**11:32 AM** The Board recessed into closed session to be followed by lunch.

1.     **County Counsel    (ID # 4173)**

**CLOSED SESSION: Conference with Legal Counsel; Existing Litigation: Richard Hanna V. Mariposa County Sheriff's Department, Et Al.; U.S. District Court Case No. 1:12-CV-00501-AWI-SAB**

This closed session was held at 11:40 AM and reported out at 2:01 PM.

**RESULT:**      **CLOSED SESSION HELD**

2.     **County Counsel    (ID # 4174)**

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

This closed session was held at 11:45 AM and reported out at 2:01 PM.

**RESULT:**      **CLOSED SESSION HELD**

## **L. Noon Recess**

## **M. 2:00 PM Reconvene**

**2:01 PM** Chair Cann reconvened the meeting, with René LaRoche as the clerk.

### ***Report Out***

**2:01 PM** Chair Cann reported out that Information was Received and Direction was Given on agenda item K.1.

Regarding item K.2, County Counsel reported that the Board took action to join Tuolumne County's intervention in a case entitled Center for Biological Diversity, et al, vs. Susan Skalski, filed in the United States District Court for the Eastern District of California, to join other counties in filing an amicus brief in support of Tuolumne County and the Forest Service in that case, with the contents of the amicus brief being subject to review and approval by County Counsel and the Board.

Passed (4-1); Jones (M); Carrier (S); Stetson opposed.

**1. Planning RES-2014-584**

**Approve Land Conservation Act (LCA) Contract Modification No. 2014-057 and LCA Contract No. 2014-059, and Authorize the Board of Supervisors Chair to Sign the Agreements**

Eileen Collins/Assistant Planner gave a PowerPoint presentation.

Supervisor Bibby noted that the staff report states that the Department of Conservation has not been heard from, and inquired if we are having trouble getting responses from them. Ms. Collins noted that communications were sent out months ago and that no response has been received. Ms. Bibby extended her thanks, and noted that she requested copies of the application.

Sara Williams/Planning Director noted that the Department of Conservation usually only responds when they have concerns.

**No public comment.**

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Janet Bibby, District III Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

## **N. Adjournment**

**2:09 PM** Chair Cann adjourned the meeting in memory of Zelma Joseph, Judi Weaser, Everett "Lindy" McNally, and Joanne Haynes.

Respectfully submitted,

RENÉ LaROCHE  
Clerk of the Board

TRACY GAUTHIER  
Deputy Clerk of the Board

KEVIN CANN  
Chair, Board of Supervisors



# MARIPOSA COUNTY

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

**DISTRICT IV**  
**DISTRICT II**  
**DISTRICT I**  
**DISTRICT III**  
**DISTRICT V**

## MINUTES

November 14, 2014

### A. Call to Order and Roll Call

**9:02 AM** Chair Cann called the meeting to order at the Mariposa County Government Center, noting that there was a quorum with the full Board in attendance.

| Attendee Name | Title                   | Status  | Arrived |
|---------------|-------------------------|---------|---------|
| Lee Stetson   | District I Supervisor   | Present | 8:54 AM |
| Merlin Jones  | District II Supervisor  | Present | 8:54 AM |
| Janet Bibby   | District III Supervisor | Present | 8:54 AM |
| Kevin Cann    | District IV Supervisor  | Present | 8:54 AM |
| John Carrier  | District V Supervisor   | Present | 8:54 AM |

### B. Pledge of Allegiance

Supervisor Bibby led the Pledge.

### C. Public Comment

*The Public May Only Address the Board on Items Listed on the Special Meeting Agenda (Speakers Limited to Five Minutes)*

None.

### D. Regular Agenda Items

None.

### E. Closed Session

Supervisor Carrier noted that he will be recusing himself from E.2, as his family has a financial tie to that union.

No public input on either closed session item.

- Human Resources/Risk Management (ID # 4146)**

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

This closed session was held at 9:05 AM and reported out at 10:51 AM.

**RESULT: CLOSED SESSION HELD**

**2. Human Resources/Risk Management (ID # 4145)**

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

This closed session was held at 10:29 AM and reported out at 10:51 AM.

**RESULT: CLOSED SESSION HELD**

## **Report Out**

**10:51 AM** Chair Cann reported out that Information was Received and Direction was Given on both closed session items.

## **F. Adjournment**

**10:52 AM** Chair Cann adjourned the meeting.

Respectfully submitted,

RENÉ LaROCHE  
Clerk of the Board

KEVIN CANN  
Chair, Board of Supervisors



# MARIPOSA COUNTY

P.O. Box 784 Mariposa, CA 95338 (209) 966-3222  
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**KEVIN CANN, CHAIR**  
**MERLIN JONES, VICE-CHAIR**  
**LEE STETSON**  
**JANET BIBBY**  
**JOHN CARRIER**

**DISTRICT IV**  
**DISTRICT II**  
**DISTRICT I**  
**DISTRICT III**  
**DISTRICT V**

## MINUTES

November 25, 2014

### A. Call to Order and Roll Call

**9:01 AM** Chair Cann called the meeting to order at the Mariposa County Government Center, noting that there was a quorum with all members present.

| 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 | 9:01 AM |
| John Carrier  | District V Supervisor   | Present | 9:01 AM |

### B. Pledge of Allegiance

The Pledge was led by Supervisor Stetson followed by a moment of silence for the events in Ferguson, Missouri, and around the country.

### C. Introductions

None.

**9:03 AM** Chair Cann noted that County Counsel will be late as he is currently appearing in court.

### 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.

#### Public comment opened

David Taylor/Lake Don Pedro resident requested that the Minutes of November 12,

2014, in CA8 be corrected to read: "David Taylor/Lake Don Pedro read from a prepared statement which discussed an October 5, 1992 letter from then County Counsel, Jeffrey Green, addressing Mariposa County's responsibilities for the Lake Don Pedro trail system. He concluded by questioning the need to wait for a trail advisory board." Chair Cann noted that Mr. Taylor's statement is also attached to the Minutes. Mr. Taylor stated that he saw it, but that it was a PDF. Chair Cann required clarification from the Clerk that the change was permissible, and the Clerk affirmed.

**Public comment closed**

Supervisor Stetson requested that CA21 be considered separately as he must recuse himself from its consideration.

Chair Cann noted that CA7, CA13, and CA19 require a 4/5ths vote.

**9:08 AM** County Counsel joined the meeting.

Supervisor Bibby noted that on agenda packet page 24, the Minutes of November 12, 2014, state that "fraud and shoplifting can only be charged if value is \$950 or more" and clarified that she should have stated that a person will only be booked into jail if the value is \$950 or more, and that a lesser amount will still be charged but will be a cite and release and the person will be on the street and not taken and booked into the jail and held until duly arraigned. Chair Cann noted inquired if that clarification would be part of this meeting's Minutes, and Supervisor Bibby concurred. Supervisor Carrier noted that he does not have an issue with the Board supporting the letter in CA6, but with the process; inquired if there is any County policy that speaks to the issue of signing last minute items such as this and then bringing them back to the Board to ratify at the next meeting, and suggested creating such a policy if one does not already exist so that things do not fall through cracks. Mary Hodson/Interim County Administrative Officer noted that there is no formal written policy regarding such ratifications at this time; that staff endeavors to make sure that such letters are put before the Board at their next meeting; and that such a policy can be pursued if the Board so desires. Chair Cann noted that when he is asked to sign anything as the Chair, it is with the stipulation that it will have to be revoked if the Board does not ratify it. He also inquired of County Counsel if the best way to accomplish such a policy implementation was via board resolution. Steven W. Dahlem/County Counsel affirmed. Supervisor Carrier stated that he would like to see something in writing to solidify the policy as there might be a future issue that may be monetary or of a subject matter that might cause confusion or contention if it is not immediately brought to the Board. Chair Cann directed the CAO to follow up with the matter. Supervisor Bibby noted that the Board also adopts a legislative platform each year which lists topics and gives some discretion on these types of issues. Supervisor Cann remarked that he is not aware of any situation where the Board had to ratify anything outside of their platform; and noted that he does not think a resolution would be any problem.

Supervisor Bibby requested clarification regarding the selection process in CA11. County Counsel explained that there is an existing contract with three independent contractors, and that this contract is to fill the remaining seven months on the contract of Judge-elect Fagalde who submitted his resignation effective November 30, 2014. County Counsel also noted that he reached out to both sitting judges, as well as the judge-elect, to see about filling the position for the remaining seven months on the contract, and that he sought their input regarding the experienced criminal defense attorneys who have been actively practicing before the court. He further remarked that he made the selection based on Mr. Action's training and experience, as well as the fact that the Court has been selecting Mr. Action in criminal defense and juvenile cases and, as a result, no Request For Qualifications (RFQ) was submitted, but that it is his intent to go out for a formal RFQ when this existing contract expires.

Regarding CA21, Supervisor Carrier required clarification of whether the contract extension to June of 2015 will be enough time given that Caltrans staff has to review the environmental content of the CEQA and NEPA. Doug Wilson/Interim Public Works Director responded that his staff believes that the extension will be enough time because they feel that the environmental clearances are pending and should be completed at any time which will allow them to go out to bid early next calendar year. Supervisor Carrier also noted that the scope of the work for engineering states that the project cost is to be determined, and inquired if there is an anticipated amount. Gary Taylor/Assistant

Director of Public Works - Operations noted that the cost that they came up with three or four months ago was over \$800,000 for the two projects, but noted that they will be revising the cost once they get the environmental clearance. Supervisor Cann inquired if we have concurrence from the funders to do lesser of a project. Mr. Taylor responded, noting that they can do lesser of a project. He also noted they were denied additional funds through the ATP program; and that they now have to eliminate some sidewalk and concentrate mainly on the Bullion Street sidewalk. Supervisor Cann required clarification of whether Bullion and Jones Streets are included, or just Bullion Street. Mr. Taylor responded that right now the project goes up 7th, 5th, and Jones Streets; but, that they might not be able to do Jones and will need to see what the final estimate is. He also remarked that he feels that they will definitely be able to do Bullion Street. Supervisor Cann required clarification that construction is expected next spring. Mr. Taylor affirmed.

Regarding CA22, Supervisor Carrier inquired if they have looked at the water biology, and have come up with a timeline on what it is going to take to get the settling ponds redesigned. Mr. Wilson responded, noting that they have accomplished a lot including the water biology. He also noted that they have gathered a lot of detail about how the system is working versus the design, and that there are filters in place. Mr. Wilson also remarked that, at this point, they believe that it needs to have an entirely new pond, but that it can probably hit capacity with the system as it is if everything is functioning properly. He also cautioned that the issue may evolve as they get more and more of the original designers and builders back in the loop and get more information; stated that this will be an ongoing process for quite some time; noted that they will be slowed down through the winter months and are not expecting to accomplish much between now and spring; and remarked that they are probably looking at next fall before everything is working as it should be. Supervisor Carrier noted that one of the terms of the contract states that a formal service quotation will be provided upon the request of the Public Works Director, and he requested that Mr. Wilson make such a request. Mr. Wilson affirmed.

Supervisor Cann noted that CA23 regards the Bridgeport Fire Station and advised that the opening ceremony for it will be next Tuesday at 3:00 PM. Supervisor Jones inquired as to the status of the other three fire stations. Doug Wilson responded, noting that the work is complete with the exception of one issue at Don Pedro and that they have a proposal for that in the \$5,000 to \$7,000 range; and that he will bring an item back to this Board after the Don Pedro board approves it.

Regarding CA25, Supervisor Jones discussed a past disposition of old fire engines, noting that the County received more money when it was done in-county and he would like to see a return to that rather than using an auction company. Doug Wilson responded that the equipment to be disposed of will be a little better than junk, and does not have the nostalgia value that the fire trucks had. Barbara Carrier/Public Works Assistant Director - Support Services noted that they have been going with an auction company since the early 1990's because they found that to be more cost effective as they don't get much money for the items, and noted that the RFP requires the auction company to be responsible for transferring titles, etc. Supervisor Jones remarked that he would at least like to open up the idea as there are people in the county who would love to bid on the heavy equipment. Barbara Carrier noted that the County used to hold surplus equipment auctions here but got away from it. Supervisor Cann suggested that the question might be considered between now and the time we're ready to go with the next one. Barbara Carrier responded, noting that the RFP has not yet been sent out, so it is at the Board's discretion. Supervisor Jones inquired if Public Works could consider both options. Ms. Carrier affirmed. Supervisor Jones noted that to be his preference. Supervisor Carrier commented that he has dealt with vehicle auctions in the past and having someone else haul the equipment and do all of the paperwork is a huge savings in time and inconvenience; noted that that may gain a little bit by holding the auction at our facility, but anything not sold then has to be hired out in order to scrap it; noted his preference is to hire a turnkey operation because it is labor intensive to do in-house. Supervisor Carrier noted that there are also issues with items that do sell, as people coming to pick things up need help with loading and off-loading which is a liability issue. Supervisor Bibby inquired as to the number of surplus vehicles; and noted that she believes that the County took a loss when they did their own auction on the Human Services building. Ms. Carrier responded that they have been using an auction company to dispose of surplus vehicles since the 1990's;

and noted that there are approximately 64 vehicles to go to auction. Supervisor Cann noted that Yosemite has about 500 vehicles that they maintain, and that they would have the required auction in El Portal. He also: stated that the auctions were always a major time consumer; noted that sold vehicles would trickle out over the next six months; recounted an incident where a bus was sold and then abandoned on the highway for about a month; and remarked that in-house auctions are more trouble than they are worth and he is comfortable going with the department's recommendation. Ms. Carrier noted that another plus in using an auction company is that they haul everything off, and if something is not sold it is not returned but, rather, scraped with the net revenue being returned to the County. Ms. Carrier also noted that a lot of the diesel engines will have to be removed prior to sale as they are non-compliant with current standards. Supervisor Jones remarked that he thinks it all depends on the auction firm that is hired and what type of job they do; noted that he is just trying to find a way for the County to make more money; and noted that he is fine with the Board going another route, but that he would still prefer to see it done in-house. Supervisor Bibby remarked that it is her preference to follow staff's recommendation considering space, hazardous waste, and other issues. Supervisor Cann required clarification as to whether there is a method in the contract that provides assurances regarding sales prices. Ms. Carrier responded that she believes so, and noted that the Fleet Superintendent works closely with the auction company. Supervisor Cann inquired if the RFP will be coming back to the Board for approval. Ms. Carrier noted that the RFP is attached to the agenda item, but that they will be bringing the agreement back for Board approval. Mary Hodson noted that the item is requesting authorization to award the agreement to the lowest responsible bidder, with the Board Chair being authorized to sign the agreement subject to County Counsel's review. Mr. Wilson noted from the audience that Public Works can bring the agreement back to the Board, and Ms. Carrier concurred. Chair Cann requested that Public Works bring the agreement back to the Board for authorization. Ms. Carrier affirmed.

Regarding CA26, Supervisor Bibby noted that the Probate Code referenced in the item is not attached. Doug Binnewies/Mariposa County Sheriff provided a copy of same.

***Supervisor Bibby moved that the Consent Agenda items be accepted with CA8 amended to include the corrections from Mr. Taylor and Supervisor Bibby, CA25 amended to bring the RFP bids back for Board approval, CA26 amended to add the referenced Probate Code attachment, and excluding CA21 which will be considered separately. The motion was seconded by Supervisor Carrier, and passed unanimously.***

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Janet Bibby, District III Supervisor

**SECONDER:** John Carrier, District V Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**CA1. Administration RES-2014-585**

Resolution Continuing the Local Drought Emergency

**CA2. Administration RES-2014-586**

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

**CA3. Administration RES-2014-587**

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

**CA4. Administration RES-2014-588**

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

**CA5. Administration 2014-101**

Receive the List of Contracts Entered into by the County Administrative Officer (CAO) Pursuant to Ordinance 3.08 with Terms Commencing in January, July, August, September, and October 2014

**CA6. Administration RES-2014-589**

Ratify a Letter of Support to the County's Federal Legislative Representatives Regarding Payment-In-Lieu-Of-Taxes (PILT) and Secure Rural Schools and Community Self-Determination Act (SRS) Funding

**CA7. Administration/Community Development RES-2014-590**

Approve Budget Action Increasing Revenue and Appropriations in the United States Department of Agriculture (USDA) Grant Fund to Account for Unspent Grant Monies (\$6, 740) 4/5ths Vote Required

**CA8. Board of Supervisors**

Approve the Minutes of Wednesday, November 12, 2014

**CA9. Board of Supervisors**

Approve the Minutes of Friday, November 14, 2014

**CA10. Board of Supervisors RES-2014-591**

Authorize the Interim County Administrative Officer to Submit a Ballot Selecting Amador County Supervisor Richard Forster as the Representative from Group I Counties on the County Medical Services Program (CMSP) Governing Board

**CA11. County Counsel RES-2014-592**

Approve First Amendment to the Legal Services Agreement for Indigent Defense Legal Services with Eugene Action, and Authorize the Board of Supervisors Chair to Sign the Amendment

**CA12. District Attorney RES-2014-593**

Approve Data Conversion Quote Submitted by Constellation Justice Systems for the Data Conversion from the District Attorney's Current Case Management System Damion to Their New Case Management System Prosecutor by Karpel and Approve Budget Action Transferring Funds Within the District Attorney's Prosecution Budget to Accomplish the Data Conversion (\$4,000)

**CA13. Health RES-2014-594**

Approve Standard Agreement #14-10626 for Cal-BRACE (Building Resilience Against Climate Effects) Grant Fiscal Year 2014-2015, in the Amount of \$9,400, Authorize Health Officer/Air Pollution Control Officer to Sign the Agreement; Approve Budget Action Increasing Revenue and Appropriations in the Cal-

BRACE Fund and Transferring This Funding to the Health Operating Budget to Recognize the Grant Money (\$9,400) 4/5ths Vote Required

**CA14. Health RES-2014-595**

Approve Decade Software Company, LLC Amended Agreement No. 2013-MAR for Fiscal Years 2013-2016 for Data Maintenance Software for the Health Department, and Authorize the Board of Supervisors Chair to Sign the Amended Agreement; Authorize the Health Officer to Sign Future Documents Associated with This Agreement Making Modifications as Needed Until Expiration of the Agreement (Subject to County Counsel Approval as to Form)

**CA15. Health RES-2014-596**

Approve the Children's Medical Services (CMS) Plan and Budget Justification for Fiscal Year 2014-2015 in the Amount of \$228,122; Authorize the Board of Supervisors Chair and County Health Officer to Sign the Child Health and Disability Prevention (CHDP) and California Children's Services (CSS) Certification Statements for Fiscal Year 2014-2015

**CA16. Human Services RES-2014-597**

Authorize the Human Services Department to Work with the Human Resources/Risk Management Department on Developing a New Classification of a Deputy Director of Administrative Services

**CA17. Human Services/Behavioral Health & Recovery Services RES-2014-598**

Approve an Agreement with the American Indian Council of Mariposa to Provide Mental Health Services Under the Substance Abuse and Mental Health Services Administration (SAMHSA) Mental Health Block Grant (MHBG) in an Amount Not to Exceed \$83,867, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA18. Human Services/Behavioral Health & Recovery Services RES-2014-599**

Approve an Agreement with the California State University (CSU) Fresno Foundation through Its Social Welfare Evaluation Research and Training Center (SWERT) to Assist with the Development of the Mental Health Services Act (MHSA) Innovation Program in an Amount Not to Exceed \$49,999, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA19. Human Services/Behavioral Health & Recovery Services RES-2014-600**

Approve Budget Action Transferring Funding Within and Reducing Contingency in the Mental Health Triage Grant Fund to Align with the Approved Grant Expenditures (\$97,822) 4/5ths Vote Required

**CA20. Human Services/Social Services RES-2014-601**

Approve an Agreement with the California State University (CSU) Fresno Foundation through Its Central California Training Academy (CCTA) to Provide

Staff Training for Human Services in an Amount Not to Exceed \$18,279, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA21. Considered Separately.

**CA22. Public Works RES-2014-602**

Approve a Professional Services Agreement with Advanced Reliability Technologies LLC for Consulting Services for the Yosemite West Wastewater Treatment Plant in the Not-To-Exceed Amount of \$18,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA23. Public Works RES-2014-603**

Accept the Bridgeport Fire Station as Complete and Authorize the Public Works Director to Record the Notice of Completion and Release the Retention

**CA24. Public Works RES-2014-604**

Approve the Replacement of FAC-21, a 2005 Chevrolet 4X4 Pickup Assigned to the Facilities Maintenance Division

**CA25. Public Works RES-2014-605**

Authorize Public Works/Fleet Services to Solicit Requests for Proposals for Auction Services for Vehicles and Equipment; Authorize Public Works to Award the Agreement to the Lowest Most Responsible Bidder; Authorize the Board of Supervisors Chair to Sign the Agreement (Subject to Approval as to Form by County Counsel); and Authorize the Fleet Superintendent to Sign Titles for Vehicles Going to Auction

**CA26. Sheriff's Office RES-2014-606**

Approve Legal Services Agreement with the Law Offices of Starchman and Bryant for the Execution of the Estate and Probate of Roma Jean Mason, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA27. Treasurer-Tax Collector-County Clerk RES-2014-607**

Approve the Conflict of Interest List of Filers and Disclosure Categories and Adopt the Code of Regulations 18730 that Constitutes the Mariposa County Conflict of Interest Code

## **Considered Separately from the Consent Agenda**

**CA21. Public Works RES-2014-608**

Approve the First Amendment to the Professional Services Agreement with Omni-Means Engineers for Project Management of the Safe Routes to School Projects, Extending the Term of the Agreement to June 30, 2015, and Authorize the Board of Supervisors Chair to Sign the Amendment

**RESULT:**       **ADOPTED [4 TO 0]**  
**MOVER:**        Janet Bibby, District III Supervisor  
**SECONDER:**   Merlin Jones, District II Supervisor  
**AYES:**         Merlin Jones, Janet Bibby, Kevin Cann, John Carrier  
**RECUSED:**     Lee Stetson

## **E. Board Recognitions**

### **1. Board of Supervisors       2014-102**

#### **Approve a Certificate of Recognition to Dave Martin Upon His Retirement as District Ranger, Bass Lake Ranger District, Sierra National Forest**

##### **No public comment.**

Supervisor Carrier extended his thanks to Mr. Martin, noting that he has been proactive in his interactions with the Board. Mr. Martin discussed how he came to be in this area. Supervisor Bibby discussed Mr. Martin's responsiveness to all issues. Supervisor Stetson extended his thanks.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        John Carrier, District V Supervisor  
**SECONDER:**   Lee Stetson, District I Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

## **F. Departmental Presentation**

Dr. Charles Mosher/County Health Officer reported on an all-day training exercise that was conducted last Thursday to test Ebola preparedness. He recapped the exercise steps, noting that the exercise began at 7:00 AM and included Yosemite Medical Clinic, Park Service ambulance, CAL FIRE dispatch, Mercy Ambulance, County Fire, John C. Fremont Hospital, Health Department, Sheriff's Department, the California Department of Public Health, Riggs Ambulance, and Don Florence/OES. Dr. Mosher also advised that a debriefing was conducted after the event, and noted that he thinks that people seem to feel pretty well prepared.

Gary Taylor/Assistant Director of Public Works - Operations discussed the Courthouse, noting that they executed a contract some months ago with the architects who have been working on it, and they now have a tentative schedule with draft construction documents to be prepared and submitted to the County by the end of January, which will be followed by an internal review. Any comments generated during that review will then be sent back for incorporation into the plan, with the final phase due back to the County in March. At that time, which should be sometime in April, Public Works will then prepare the final bid package, and it should go out to bid in May, with construction tentatively scheduled for June. Mr. Taylor also reported that Public Works has been contacted regarding scheduling an activity at the Courthouse, so the Board may want to consider delaying construction by a month so that there is no scaffolding laying around or construction activity during that event. Mr. Taylor cautioned that this is all predicated on going through the permit process; noted that they will come up with revised construction cost estimates at that time; and noted that, at this point in time, funding appears to only allow roof, painting and exterior repairs and does not include electrical

work. Chair Cann requested Board updates at every stage as the project moves along. Supervisor Carrier inquired as to whether there was a Courthouse meeting tomorrow. Mr. Taylor replied that there was not; noted that he is going to try to schedule one in January. Supervisor Jones inquired if the plans will be developed by phase, or for the entire project. Mr. Taylor responded that they have been contracted to do the Phase 1 plans at this time, and would not include any interior construction to the Courthouse. Supervisor Jones inquired if a dollar amount has yet been approved for that. Mr. Taylor noted that \$125,000 was approved for the design, and that a contract was signed which includes everything through the bidding process and construction management. Supervisor Jones required clarification as to whether the contract was for the whole project, or just Phase 1. Mr. Taylor responded that Phase 1 was part of the contract. Supervisor Jones inquired as to whether it will be billed proportionately, or if it includes the whole project design. Mr. Taylor clarified that the \$125,000 was to prepare the design according to the option that the Board picked; that the option that was chosen was to do the initial maintenance and electrical upgrade; and that the other options presented for full build out were not part of this contract.

Doug Binnewies/Sheriff discussed the salvage vehicle topic noting how maturely our fleet is approached, and noting that he supports Public Works fleet management. He remarked that he doubts anyone wants to buy auctioned off sheriff's vehicles, noting that they tend to recycle parts from the older or crashed vehicles so that the Sheriff fleet going to auction has missing doors, hoods, and other parts. Regarding Proposition 47, Sheriff Binnewies stated that he and the District Attorney did their best to educate the community with their concerns, and remarked that he continues to have concerns; noted his appreciation for Supervisor Bibby's constant support of law enforcement; and noted that he and the District Attorney will find a way to put those who make the decision to harm, steal or hurt people in Mariposa County in jail. Supervisor Cann reported reviewing a list of current prisoners eligible for reduced sentences at CSAC and noted that there were none from Mariposa. Sheriff Binnewies advised that one has now been identified by the District Attorney's office. Supervisor Bibby extended her thanks, noting that Mariposa County still responds to property crimes while many other counties do not; and she extended her compliments to the Sheriff and District Attorney for taking those crimes seriously. Sheriff Binnewies also advised that the Mariposa County Deputy Sheriff's Association (DSA) is beginning its 17th year of the Kops for Kids program and that they will be hosting a fundraiser in partnership with Steve's Cafe in Woodland on Saturday, December 6th, where DSA members will be serving food and all tips will go to the 2014 toy drive. He also noted that the Mariposa County High School students have entered into a partnership with the DSA in the 2014 toy drive, and have a student-focused toy collection occurring the first week of December. He also noted that monetary donations, as well as new unwrapped toys and clothing will be accepted; and he extended thanks to the community. Supervisor Cann required clarification regarding cash donations and the cutoff date. Sheriff Binnewies noted that monetary donations are very helpful, and that they are trying to get everything in by the second week of December. Supervisor Bibby noted that cash donations are good because there are gaps in gifts for certain age groups.

Chevon Kothari/Human Services Director noted that they kicked off the Homeless Strategic Planning process yesterday; noted they had great representation with approximately 25 people representing other departments and entities; and advised that there will be a lot of opportunities for other stakeholders in the community to weigh in going forward.

## **G. Public Comment on Non-Agenda Items**

Mary Bass introduced Damien Riley who will be working for the Chamber. Mr. Riley noted that they were shocked to hear about the Hotel Jeffery fire and have been taking telephone phone calls for the Coulterville Visitor Center and help direct traffic up there. He

also reported attending a meeting on November 12th with Don Neubacher, which he stated was the first of its kind as all of the gateway visitors centers were invited to attend. He noted that the park is working on a live feed update system which they hope to have up and going next year, which will give live status updates of how many people are in the park, parking situations, etc. He also reported that the Chamber is: working towards putting computer terminals in the Visitor Center to allow visitors to make reservations; moving forward with the Made in Mariposa project; improving aspects of their operational structure so that anyone can run it; and making further enhancements to the Chamber website, as there have been concerns regarding the calendar. Mr. Riley also: noted that the relocation video is nearly finalized, and will highlight not only real estate in Mariposa County but the schools; and advised that the Merry Mountain Christmas Parade will be held on December 6th, and that they need more applicants for the parade. Supervisor Jones extended his thanks to the Chamber and Visitor Center for working with everyone in Coulterville during this time. Supervisor Cann welcomed Mr. Riley.

Dr. Monty Thornburg/President, John Muir Geotourism Center Board of Director noted that last year the John Muir Center highlighted films at the Academy of Sciences in San Francisco, and recently a film done by students at the San Francisco Historical Society; those events highlighted the competency of the Mariposa School District in producing films. He also extended his thanks to Supervisor Jones, and noted that the John Muir Center is in support of helping the Jeffrey Hotel in any way they can.

Douglas Hill/Whitlock Road resident noted that he has been trying to build a garage for a while but has going through some personal difficulties; noted that so far he has paid \$1,124.99 in permit fees to build a 24 foot by 30 foot garage; stated that due to financial restraints he hasn't been able to finish the project, and that there has not been an inspection for quite a long time so there has been no expense incurred by the Building Department, but that he is now being asked to renew a \$253.48 fee which he receives no services on; noted that every other year it goes from the high fee to a low fee of \$25; inquired why he has to pay if he hasn't received any services; and inquired if there is some waiver, or some way that he can pay the lower \$25 fee as he doesn't feel it's right to pay on something that has never been used. Supervisor Cann noted that he will be happy to assist him with the issue as best he can, and requested that Mr. Hill leave his contact information at the front desk.

Frank Piña noted that it is his desire to start a homeless volunteer group as the homeless volunteers can help if given the chance; stated that he has been knocking on doors and has been getting nowhere; remarked that he has been homeless since June 9th when he was kicked off of his landlord's property, and has been sleeping in his car since; and inquired who he needs to contact in order to get things done. Supervisor Cann noted this issue was a significant portion of yesterday's meeting; and remarked that he will be happy to meet with him next Monday at 10:00 AM.

## **H. Board Information**

Supervisor Carrier reported that he: attended a Solid Waste meeting last Thursday; attended the Cemetery meeting last Thursday; attended the Heritage House fundraiser dinner at the Charles Street Restaurant on Thursday evening; attended the Friday Closed Session; attended a Community Corrections Partnership meeting on Friday; participated in a phone conference with the Human Services Director; and attended the homeless meeting yesterday. Supervisor Carrier also reported attending the California State Association of Counties (CSAC) meeting all last week, noting that he attended the Ag Environmental Resources session where they had some good conversations; noted that some of the subjects covered throughout the week were the Williamson Act, Cap and Trade, a Storm Water Initiative, green counties and blue counties (where the senior population outnumbers the standard population growth), the Shriver Report (which looks at working families), and the Brown Act. He also reported that statewide finances are

looking good for 2015, but there is a chance of a recession in 2016; and he discussed Father Greg Boyle who started Home Boy Industries twenty years ago as gang intervention. Supervisor Carrier advised that the latest issue of Gold Prospector's magazine has an article on the Motherlode from Mariposa north, but noted that they left out the Mining and Mineral Museum and the History Center.

Supervisor Bibby discussed the recent rain and how welcome it was, and cautioned everyone with their water usage as it may take many years to turn Don Pedro around; and welcomed Damien Riley from the Visitor Center. Supervisor Bibby reported attending a Mount Bullion Citizen's group meeting last Thursday, and reminded the Board that there are communities patiently waiting for their community's planning. Supervisor Bibby also reported receiving an update on the Mariposa Landfill, noting how much she likes the new process where the Board receives copies and updates from Environmental Health regarding Notices of Violations or other activities; and extended wishes for a Happy Thanksgiving to the County.

Supervisor Stetson reported attending: the Friday Board Closed Session; the El Portal Advisory Committee meeting on Tuesday; a Thursday advisory board ad hoc committee meeting on economic development at the Bug; and the Planning Commission meeting on Friday on a lot line adjustment in Yosemite West. He also welcomed Damien Riley; and extended wishes to everyone for a Happy Thanksgiving.

Supervisor Jones noted that Turlock Irrigation District gets its water from Don Pedro and noted that their water rates are going from \$28 an acre foot to \$68 an acre foot which will impact the cost of food. He also updated the Board on the Hotel Jeffrey noting: that the salvage crew began there on Monday; that they had environmental studies done; that there will be a 20-24 man crew working 5 days per week to clean it up beginning this coming Monday; and that they are working to get it rebuilt as fast as they can. Supervisor Jones also thanked the Chamber of Commerce and all of the people who called with their support, noting that the Visitor Center has temporarily moved to the History Center; Supervisor Jones reported attending: the Solid Waste meeting on the 13th, noting that they discussed the baler, CalRecycle, and how departments need to keep track of all of the products that they use, and to use as many recycled products as they can in order to be in compliance; the Board Closed Session on the 14th; a meeting on the 14th with Mary Hodson and Carol Suggs regarding the arena at the rodeo grounds, noting that the rodeo made money this year; a meeting with the Assessor, Building and Supervisor Bibby on how the different departments can work closer together; a meeting on the 18th with Building, Planning, Health and the owner of Hotel Jeffery to facilitate the rebuilding efforts, preceded by numerous calls dealing with insurance adjusters and others; a meeting with Public Works regarding the potential for temporary relief to the Hotel on the water and sewer fees while they are down; and the agenda review meeting on the 24th. Supervisor Jones also reported on the DRI road project, noting that Bondurant Mine Road is virtually all paved now, Schilling Road is prepped, and part of Dog Town Road is being paved; and he extended his wishes to everyone for a great Thanksgiving.

Supervisor Cann reported attending: the Solid Waste Task Force meeting on the 13th, noting that one of the biggest problems is that Solid Waste is being penalized by the State for not being able to track the mandatory 50% recycling of demolition materials; the Cemetery Board meeting on the 13th where they discussed universal policies across all of the county owned community cemeteries, and options for building a new cemetery in Mariposa; and a meeting with the Chamber and Supervisor Jones on the 14th regarding the replacement sign for the Highway 140/49 North intersection. Supervisor Cann also reported attending the CSAC Conference with Supervisor Carrier and the two supervisors-elect, noting that as a fourth year RCRC officer they take advantage of these conferences to meet with the officers of the state association and from the Urban League to discuss issues important to everyone. He also remarked that the presentation regarding Home Boy Industries was the most impactful that he has every attended, and noted that yesterday Father Boyle was attending his 165th funeral.

## **Recess Board of Supervisors**

**11:02 AM** Chair Cann recessed the Board of Supervisor meeting, and passed the gavel to Supervisor Stetson after reading the following announcement: *In accordance with Government Code 54952.3, it is hereby announced that the Mariposa County Board of Supervisors will be sitting either simultaneously, or serially, as the Local Transportation Commission and that they receive no additional compensation for same.*

### **I. LOCAL TRANSPORTATION COMMISSION**

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

**11:03 AM** Chair Stetson convened the Local Transportation Commission (LTC) meeting.

#### ***Public Comment Period***

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

None.

#### ***LTC Regular Agenda***

##### **1. Public Works LTC-2014-18**

Adopt a Resolution Approving Utilizing Fiscal Year 14/15 Congestion Mitigation Air Quality (CMAQ) Funds in the Amount of \$153,730 for the Purchase of an Alternative Fuel School Bus for the Mariposa County Sierra Foothill Charter School

Barbara Carrier gave the staff report, noting that they have had no projects for the last two years and have loaned the money to the San Joaquin District with repayments scheduled in the fiscal year 15-16, 16-17.

Commissioner Stetson inquired if there is any competition for these funds. Ms. Carrier responded, noting: that any public entity can request the funds; that, historically, the Unified School District was also contacted but that it wasn't enough money for them to do what they needed to do; and that any type of public agency can request to utilize the funds, but that no competing requests were received. Ms. Carrier also noted: that they tried to get this programmed into last year's but they needed to obtain the Buy America certificate; and that there will be no liability or connections to the County as it will all be transferred over to the charter school. Commissioner Cann noted that he thinks this is an outstanding project, but requested clarification of how the availability of these funds is noticed to the public. Ms. Carrier responded that they have never done a call for projects, but that the procedure can be changed in the future if the Board so directs. Commissioner Cann questioned whether we are letting funds go back to the source. Ms. Carrier noted that we haven't in the last couple of years; that it was loaned rather than let it go back; and that they are looking to possibly get some ARB certified road equipment in the future. Commissioner Cann noted that money was given to Yosemite for diesel engine modifications one year. Commissioner Cann required clarification of whether the school system is aware of this funding. Ms. Carrier responded that, originally, the school system was aware, but they were going through the Air Resources Quality Board to get grants for buses. Commission Cann remarked that if the money is available, then we need to make an announcement. Ms. Carrier noted that they can put an announcement in the paper

next year, as well as do a flyer like we do for the unmet needs. Commissioner Bibby inquired if there was any way to ensure that there is equal opportunity; and inquired of project due dates for our 14-15 year. Ms. Carrier responded that the time is now, as it has to go through the environmental process which takes about six weeks, followed by more paperwork to request the actual authorization; so, we will be close to the end of the fiscal year by the time we get the money. Commissioner Jones remarked that this is a great project; and urged notification in the future. Commissioner Carrier inquired as to whether the sideboards are narrow on the use of these funds. Ms. Carrier read the purpose of the CMAQ program, noting that approximately half do not apply to Mariposa County; and stated that we are limited in how the money can be used. Commissioner Stetson inquired if Ms. Carrier was confident that the charter school will be able to get the rest of the funds. Ms. Carrier affirmed. Commissioner Bibby requested a contract before too much staff time is spent, and requested Public Works work with County Counsel to frame some binding language. Ms. Carrier sought clarification as to the direction being given. Commissioner Bibby remarked that she was not sure if the resolution suffices. County Counsel interjected that it may be appropriate to include language that release of funds shall be subject to confirmation of the completion of the purchase. Commissioner Carrier inquired if a sunset date would be needed. Ms. Carrier responded that it might be possible for the County to get the school's money up front, so that the match is in hand before payment is made for the bus.

Commissioner Stetson noted receipt of an email from Ruth Catalan urging against the item, and read same into the record.

**Public comment opened**

Ruth Catalan urged that since it doesn't need to be decided today, notification can be put out over the next two weeks to give other non-profits a chance to respond.

Dr. Monty Thornberg noted that the John Muir Geotourism Center has piloted a youth education program, and transportation has been one of their challenges and requested additional time to examine the program.

**Public comment closed**

Commissioner Bibby required clarification as to whether there would be any problems with holding off on this for three weeks. Ms. Carrier noted that there are cutoff dates for the Buy America plan; that normally Caltrans works with these quarterly; and that we are definitely into the March timeframe now. Commissioner Bibby required clarification of what such a delay would do to this commitment. Ms. Carrier noted that it would postpone it a bit for them; and that the programming can take six to eight weeks to get it into the Federal Transportation. Commissioner Bibby inquired as to whether this is an annual program. Ms. Carrier affirmed, noting that we get it annually on the Federal fiscal year; that they could advertise in May of next year which would provide time to review responses to bring before the Commission for decision. Commissioner Bibby inquired if that could be done with Dr. Thornberg for next year. Ms. Carrier affirmed; noted that any programming takes time; and noted that they estimate that they will receive a similar amount of money next year and encouraged people to bring their projects forward.

Commissioner Jones remarked that he knows how badly the John Muir Geotourism Center needs transportation, but thinks that we should go ahead and fund the school bus for the charter school now, and start planning to put this out to the public in the future.

Commissioner Carrier noted that there are long term costs associated with operating and maintaining a bus, and inquired if there should be some language to the effect that the County is not responsible for them. Ms. Carrier responded that something can be put in writing; that the title will be in the charter school's name, not the County's name; and that all the County will be doing is the paperwork to provide the funding.

Commissioner Bibby noted that there is sometimes a liquidation process with funds like these so she wants to make sure of the separation; and remarked that she can

support this item today knowing the timeline and that we will advertise these funds next year. Ms. Carrier remarked that the public also needs to understand that they have to show a reduction in the emissions. Commissioner Bibby noted that the County once looked at a program like this for exchanging generators but that the problem was tracking; and inquired if there is a certain percentage that people have to meet. Ms. Carrier noted that Caltrans has a methodology that must be used. Commissioner Bibby required clarification as to what happens if one doesn't meet the tracking of ongoing emissions. Ms. Carrier responded that it is calculated out in advance; and that they don't come back and check.

Commissioner Stetson inquired as to whether the change could be estimated in a short time, should the Board decided to extend this out a couple of weeks. Commissioner Cann remarked that he did not think extending it would be any less than a couple of months; and noted that he would have felt more comfortable with a solid notification process.

Commissioner Carrier requested an estimate of time spent by staff and the charter school in processing this application. Ms. Carrier noted that the charter school worked with her over the course of a couple of months; that they calculated the emissions and are going to be obtaining the Buy America certificate; and that each process takes a few hours to get everything completed, signed and submitted. Commissioner Carrier noted that the charter school has spent a lot of time and effort trying to meet the requirements of this application.

Commissioner Bibby inquired of County Counsel as to his preference on the procedure that will prevent the County from being exposed for the funding or the match. County Counsel required clarification from Public Works as to whether they will be the ones doing the paperwork and facilitating the sale. Ms. Carrier affirmed, and noted that it will come back at the time of allocation for the Commission to approve actually allocating the funds.

County Counsel recommended that the following language be inserted in this resolution, as well as the appropriation resolution: "**Release of said funds shall be subject to receipt by Public Works of any necessary additional funds from Sierra Foothill Charter School to fully finance the total cost of the purchase.**"

***Commissioner Bibby moved that the resolution be adopted amended to include the recommended language suggested by County Counsel, and with direction to announce future opportunities through publication. Commissioner Jones seconded. The motion 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

### ***Adjourn LTC***

**11:37 AM** Chair Stetson adjourned the LTC, and passed the gavel back to Supervisor Cann.

## **J. Reconvene as Board of Supervisors**

## **K. Regular Agenda Items**

**1. Board of Supervisors (ID # 4228)****Approve Committing Up to \$29,000 of County Funds to Offset Costs Associated with the Mariposa County Unified School District Being Featured on the "In View" Series Hosted by Larry King**

Chair Cann recapped how this matter came to his attention and introduced Robin Hopper/School Superintendent.

Ms. Hopper noted that the school district has experienced declining enrollment and their projections are that they will experience another six years of decline; noted that parents have a lot of choices now, and the school district has to be competitive and market themselves; noted that they don't have anything budgeted for marketing; noted that 4 or 5 new students would pay for this project; noted that she vetted the production company and spoke with a school superintendent in Bentonville, Arkansas, who did a similar project; and noted that the video will highlight mainly the high school.

Supervisor Cann noted that Yosemite and Delaware North lose candidates every year because of their inability to explain the trust in the school system. Ms. Hopper noted that one of the highlights that she enjoys is that they have control over what story will be told. Supervisor Cann noted that he would hope that the Tourism Bureau and Chamber of Commerce would be strong partners in this, should the Board choose to go forward.

Supervisor Stetson noted that he is happier with the possibility with the school controlling the content.

Ms. Hopper clarified that the cost is \$24,900 plus \$3,000 in travel fees, for a total of \$27,900.

Supervisor Jones inquired as to the goal. Ms. Hopper noted that it would be a 4 to 5 minute segment and that she would like to focus on all the schools, but her biggest focus would be the older students and the high school programs. She also noted that they will get the rights to the video so that it can be used on their website; and noted that their legal team is currently reviewing the contract. Supervisor Jones inquired if it would include the rural atmosphere of the county. Ms. Hopper responded that they chose Mariposa specifically for the rural aspect; and that they want to focus on the agriculture and forest service.

Supervisor Bibby inquired as to how they were selected. Ms. Hopper noted that it is a professional production company associated with Fox Business News, and that they must pay a portion of what it costs to produce the video. She remarked that it would normally cost more than \$28,000 to produce a feature such as this; noted that they found the school through their high graduation, and low truancy, rates; and because of the rural nature and Career Pathways grant. Supervisor Bibby noted that it says that staff will be reaching out to the Tourism Bureau and the EDC for possible financial assistance and inquired if those partners have been contacted, whether there are other partners, and whether there are additional funding sources. Ms. Hopper responded that she has had communications with Terri Selk, but that the Tourism Bureau won't have a board meeting until next week; and that there have been no other commitments from any other entities.

Supervisor Carrier required clarification that this would only cover Mariposa County Unified School District and would not include Bass Lake. Ms. Hopper responded that the contract is between the school district and the In View Production company. Supervisor Carrier noted that the high school made a video called "Every 15 Minutes" in conjunction with other county departments and inquired if they might not be contacted again. Celeste Azevedo/High School Principal noted that they received a \$10,000 grant from the California Highway Patrol and the production company came in under that threshold and were specific to the Every 15 Minutes program. Supervisor Carrier inquired as to whether anyone has contacted that production company to ascertain whether they would be interested in doing something for less than \$29,000. Ms. Hopper responded that they have not. Ms. Hopper noted that the timing seemed right for this as it would be finished by spring which is when they would begin registering students for the new school year. She

also noted that moving forward, they can continue to look for other opportunities but she has not researched the cost, and noted that the producer said that the media students could shadow the production company while they are here. Supervisor Carrier noted his experiences with competitive bidding when he worked for the state; discussed his concerns with not having a competitive process; remarked on his concerns over the price; noted that the short time period typically raises red flags for him; and noted that he would have liked to have seen a copy of the contract in order to fully gauge the terms. Ms. Hopper then provided a copy of the contract.

Supervisor Cann noted that when the Superintendent called, he remarked that it seemed to him that the Tourism Bureau and EDC might be good partners in this as it falls within their areas of interest; remarked that \$100,000 for the Tourism Bureau was reserved for consideration at mid-term, and funds could come from there; remarked that the CAO has noted that the tobacco settlement money is a possible source of funds; and noted that the CAO added the text which states that the school district may be able to contribute financially, but that such an option is not currently viable.

Supervisor Bibby noted that the CAO has recommended this item, but there are many competing demands and she is especially worried about next year. She remarked that this would have been an ideal project had the TOT referendum passed but noted that there are looming repairs and maintenance issues within the County that need to be addressed, as well as the class and comp study and recruitments which will probably require better salaries. Supervisor Bibby remarked that she wished there was money to do this; and noted that the Courthouse electrical system also needs to be renovated.

Supervisor Jones required clarification of whether the Tourism Bureau has been contacted. Ms. Hopper noted that they have been contacted but haven't had a chance to meet; and that their meeting could be some time off. Supervisor Jones inquired as to the drop dead date to sign the contract. Ms. Hopper responded that it is tomorrow.

#### **Public comment opened**

Dr. Monty Thornberg noted that this is the 100 year anniversary for the high school; noted that the John Muir Geotourism Center believes in these kinds of projects; and remarked that he will take this to his board and will make a pledge of between \$1000 to \$2000.

Ruth Catalan remarked that \$29,000 of County funds should not be expended on this item; noted that we don't have the money for it; stated that she thinks that the Tourism Bureau or someone else should fund this; and noted that she really objects to it and the timeframe necessary to consider it.

Robert Borchard remarked that the two major employers in Mariposa County are government and the tourism industry, and everyone else is reliant on those industries; noted that the amount of money being requested is slight within the media industry; stated that it takes content, a broadcast platform, and an audience to make media work; noted that this production company can put together quality content, get good exposure, and has an audience; remarked that the beneficiary will be the county because the video will send a positive message because our high school is doing cutting edge things; noted that quality of life issues are the primary concerns in economic development strategies; noted that someone cheaper can probably be found to produce the video but they won't have the vehicle and audience like this; and remarked that the school district is requesting the County guarantee their ability to make a commitment in a timely fashion so that they can go out and try to find other funding sources.

Jeff Aranguena/Mariposa County Unified School District Director of Human Resources-Alternative Education-Special Projects noted that he has been on the job for about four months; that he was originally from Mariposa and has now returned and is looking forward to this potential investment in the county; remarked that he wants to change the culture; noted that when he was in San Luis Obispo they would have 100-150 applicants for jobs but that this school system currently has jobs posted on edjoin that they cannot fill because they cannot get people to apply for them; noted that this is a

transformational opportunity as it is an opportunity to bring people here; and remarked that this is an investment in families and children in the community.

**Public comment closed**

Supervisor Stetson expressed his appreciation for all of the arguments heard today; noted that quality of life issues do promote growth in Mariposa; noted that he has some reservations on the immediacy; remarked that he understands that the quality will be high; stated that he found Ms. Hopper's presentation compelling and that he is in favor of endorsing this; and noted that he would like to find partners and would hope that we would continue to pursue that as he is unsure of the actual funding amount without such partnerships.

Supervisor Cann noted that the CAO did target \$15,000 from tobacco settlement monies and \$14,000 from the general fund, and inquired as to the balance of the tobacco settlement monies. Ms. Hodson noted that there is approximately \$75,000 in that fund.

Supervisor Jones noted that this is a great project, and that it is a special year with it being the 100 year anniversary, but that he has reservations on the amount of money and is looking for a compromise.

*Supervisor Jones moved that the Board fund \$15,000 towards this project, with the remainder being raised through other means.*

*Supervisor Stetson required clarification that the motion is to provide \$15,000 from tobacco funding, and contingent upon finding other partnerships to make up the difference. Supervisor Jones concurred.*

*Supervisor Stetson seconded the motion.*

Supervisor Cann noted that it his understanding that if not funded the company will go to the next chosen rural school system to do their project; and remarked that one option could be to commit \$15,000 from the tobacco settlement money, and reduce the amount of money pending for the Tourism Bureau from \$100,000 to \$85,000 since the Tourism Bureau would be a logical partner. Supervisor Cann required clarification of the CAO that a 4/5th vote would be needed. Ms. Hodson noted that an item brought back to fund from contingency will require a 4/5th vote. Supervisor Cann noted that while a majority could approve the commitment, it will require a 4/5th vote to fund it, and he would be reluctant to assume that it is a commitment to fund without a 4/5th vote today.

Supervisor Jones required clarification as to whether taking money from the Tourism funds would be a 4/5th vote. Supervisor Cann noted that it would. County Counsel cautioned the Board not to be talking about appropriations at this point, given the way it's been agendized.

Supervisor Cann noted that his concern is having a majority decision that sends the school district on to sign the contract, and then not being able to follow up with the allocation of the money. He noted that unless there is a 4/5th vote today, they should not feel comfortable to sign the contract.

Chair Cann called the vote on the outstanding motion which failed (2-3). Ayes: Stetson and Jones; Nays: Carrier, Bibby and Cann.  
With no further motions, the item died for a lack of Board action.

**RESULT: DIED FOR LACK OF MOTION**

**2. Human Services/Behavioral Health & Recovery Services RES-2014-609**

**Conduct a PUBLIC HEARING Regarding the "Mariposa County Plan Update to the 2014-2017 Mental Health Services Act (MHSA) Three-Year Plan;"**

**Approve Submission of the Plan Update to the California Department of Health Care Services (DHCS); Authorize the Human Services Director to Sign the Certifications and Any Subsequent Amendments with DHCS with Regard to the MHSA Plan (Subject to Approval of County Counsel); and Authorize the Human Services Director to Implement the Activities Described in the "Mariposa County Plan Update to the 2014-2017 MHSA Three-Year Plan" Upon DHCS Approval**

Chevon Kothari introduced Dr. Michael Bishop, and gave a PowerPoint presentation.

**Board Clarification**

Supervisor Bibby required clarification that the fund is a three year plan and could be amended if needed. Ms. Kothari affirmed, noting there will be performance measures. Supervisor Bibby noted that the Mental Health Board has received more community input than she has ever seen before; remarked that there have been numerous discussions and ample time for comment; noted that they are hearing first hand from those who use the services; and noted that transportation is still a challenge. Ms. Kothari noted that this will not impact the corrective action plan and they are still on schedule for payback.

Supervisor Carrier required clarification as to the targeted population groups. Ms. Kothari responded, noting that their funding is intended for the mental health community; remarked that one thing they want to discuss is ways to ensure that the people proposing projects bring other funding to the table; and noted that it is very timely that we are discussing homelessness right now as we're seeing homeless population utilizing the wellness center for services. Supervisor Carrier required clarification as to how narrowly the definition will be regarding what mental health issues are. Ms. Kothari noted that it has to have an open and broad definition to help prevent a lot of severe mental illness from developing if we start addressing issues early. Supervisor Carrier also remarked that he liked the review component of the multi-year correction plan.

Supervisor Bibby remarked that rural counties are starting to deal with some severe mental health issues that they did not use to experience, especially at our local hospital; stated that we are starting to see community members with severe illnesses; and noted that the whole state is headed for a disaster because dementia and Alzheimer's does not qualify for these services and, in our community, that is a gap for which we have no funds.

**Public comment opened**

William E. Root, Jr. recounted that when he first came to Mariposa he experienced several personal losses and noted that the Roadhouse has helped him and is a program that is worth keeping and developing; remarked that he is liking the direction that it is going; noted that there is only so much funding with the County, but that there could be other options with a private concern running it; and noted that over half the people who are homeless have some kind of mental health issue and are not getting treatment because of stigma.

Ruth Catalan urged passage of this item; noted that she is the Chair of the Mental Health Board which now has fourteen members; and stated that this wellness center is very important and will contribute to the community.

**Public comment closed**

Supervisor Bibby noted that she has gotten to see the Mental Health Board members and participants blossom and begin contributing and she extended her compliments to those who attend and participate in the Mental Health Board.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        Janet Bibby, District III Supervisor  
**SECONDER:**   Lee Stetson, District I Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

## **L. Noon Recess**

**12:56 PM** Chair Cann recessed the meeting for lunch.

## **M. 2:00 PM Reconvene**

**2:05 PM** Chair Cann reconvened the meeting.

### **1. Health (ID # 4212)**

#### **Information About Funding Sources for Private Landowners who Need to Modify Their Water Supply System in Response to the Drought**

Tara Schiff gave the staff report, noting that the matrix will be posted on the website.

#### **Public comment opened**

Heather Bernikoff/resident extended her thanks to Ms. Schiff, Dr. Mosher, and Chevon Kothari for their efforts, noting that wells are beginning to go dry in District III.

#### **Public comment closed**

**RESULT: INFORMATION RECEIVED**

### **2. Human Resources/Risk Management (ID # 4202)**

#### **Waive First Reading and Introduce an Ordinance Removing Portions of Section 2.92.040 Entitled, "Administrative Powers and Duties" from Chapter 2.92 of the Mariposa County Code**

County Counsel gave the staff report noting that this is the last legislative action needed to accomplish previous Board actions.

Supervisor Carrier commented that when we get a new Human Resources Director, he hopes that the communications between HR and CAO will be clear and open.

Supervisor Cann expressed his agreement.

#### **No public comment**

**RESULT: INTRODUCED [UNANIMOUS] Next: 12/9/2014 9:00 AM**

**MOVER:**        Merlin Jones, District II Supervisor  
**SECONDER:**   John Carrier, District V Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

### **3. Planning RES-2014-610**

**PUBLIC HEARING: Adopt a Resolution with the Recommended Findings; Directing Staff to File a Notice of Exemption for the Project; and Approving Zoning Ordinance Amendment No. 2014-078**

**2:13 PM** Chair Cann opened the Public Hearing.

**Staff Report**

Eileen Collins gave the staff report, accompanied by a PowerPoint presentation. Ms. Collins referenced a change requested in a letter from Stoel Rives, and noted that the Planning Department would be happy to support this in regard to that contract. Ms. Collins noted that language which currently reads "...located in the General Plan Agriculture Working Landscape land use classification on large parcels of 160 acres..." under Permitted Uses on pages 7, 8, 9, and 11 of attachment N.1.g. (agenda packet pages 348, 349, 350, and 352), should be replaced with: "...located in the General Plan Agriculture Working Landscape land use classification which are 160 acres..." Ms. Collins also advised that if the suggested changes from the public regarding contiguous parcels is adopted, those same paragraphs will need to be amended to read: "a parcel or contiguous parcel located in the General Plan Agriculture Working Landscape land use classification which are 160 acres (or legal quarter section) or greater in size, when conducted in conformance with the State Surface Mining and Reclamation Act and County Code."

**Board Clarification**

Supervisor Carrier inquired as to the differences between permitted and conditional use permits; and required clarification as to whether the Board has the ability to deny a conditional use permit project if they determine that it does not fit into the county, with permitted uses not having that ability. Ms. Collins affirmed. Supervisor Carrier discussed issues that arose regarding the Silvertip Resort, and inquired if all mining operations should be a conditional or, alternatively, if the recommendation could be changed to state that mining operations are permitted on parcels of 160 acres and less, but that mining operations on parcels larger than 160 acres are conditional which would allow the Board control of future projects. Ms. Williams clarified that the fundamental difference between permitted and conditional uses is that "permitted use" means that the parcel is appropriate for that use in that zone regardless of its size or location, while a "conditional use" may or may not be appropriate, does include the public health and welfare, and is a parcel/project specific review. Ms. Williams also clarified that if the Board takes this action, it will be confirming the 2006 policies.

Supervisor Bibby noted that counties were cautioned at one of the Mining Board meetings to look at their plans to see what they are allowing as permitted by right as compared to conditional use as the state will not deny the permit if it is in the General Plan, so those land use decisions need to be on the local level; and inquired as to the source for the definition that was used for mining. Ms. Williams noted that the definition comes from the General Plan, and is included in this action for consistency. Supervisor Bibby required clarification that permitted by right is what is current on Agriculture Exclusive, and that this is correcting that. Ms. Williams affirmed. Supervisor Bibby noted that when the Ag land transfers policy was adopted, it disregarded that great consideration was put into the question of what it would take to include or exclude Ag lands between land uses, and bypassed the conditions that had been crafted; remarked that this is making necessary steps to create buffers, while still recognizing and allowing permissible activity; and discussed the land transfer policy and that she thinks it will continue to be a problem in the future. Supervisor Bibby also discussed the need for timely processing and the collection of fees sufficient to do the reclamation process, in order to prevent cleanup costs to the County; and urged that the Board be quickly advised if Planning should become overwhelmed.

Supervisor Cann required clarification as to the two active quarries. Ms. Williams noted that the text regarding two active slate mines was correct in 2006, but that it is no

longer correct as one is the mine that the County seized the reclamation monies and reclaimed earlier this year. Supervisor Cann inquired as to the acreage of that mine. Ms. Williams did not know off hand. A citizen responded 984 from the audience. Supervisor Cann requested clarification of whether this action would make that quarry a legally non-conforming activity if it was sitting on 140 acres; and required clarification that the Planning Commission's support of this matter was unanimous. Ms. Williams affirmed both.

Supervisor Carrier inquired as to what authority the Board would have in a hypothetical situation where a mining operation was located on 3000 acres, which would be a permitted use at present, gets a permit from the state and has no real issues regarding CEQA, and then suddenly starts moving two million tons of dirt to great public outcry. Ms. Williams responded that the County issues the permit to mine, and not the State; and that the County approves a mining permit and reclamation plan, as well as an environmental review. Ms. Williams also noted that public health and welfare are also included in a conditional use permit.

Supervisor Bibby noted that if the Department of Conservation is unhappy with what Mariposa County is doing they will request us to appear before them, and inquired if the Department of Mining and Reclamation is similar. Ms. Williams responded that they are an oversight state agency which is also involved when the mining permit is adopted as there are state fees that also need to be paid; and they are involved in reviewing all applications for new permits, all applications for amendments, and they may be involved in enforcement actions. Supervisor Bibby noted that the citizens of Mariposa County have to have trust that their voices will be heard, because conditional use permits also give the ability to give overriding reasons, like jobs, for permitting. Ms. Williams responded that the statement of overriding considerations is something that the lead agency needs to make a finding for. She also outlined the CEQA process noting that it is different from the conditional use permit process. Supervisor Bibby discussed permitting by right, and the importance of adhering to the General Plan.

#### **Public comment opened**

Kris Casto urged passage of this item, and extended thanks to the staff and Planning Commission.

Jack Bankhead expressed concerns that this will impact small miners, noting that most of the mines in the area have 12-20 acres; and noted that an EIR is required regardless of whether it is permitted use or CEQA.

David Butler operator of the existing slate quarry on Agua Fria remarked that everything worked before; and inquired what has changed since 2006 when they did the General Plan review and went over them.

#### **Public comment closed**

Supervisor Cann requested validation from Ms. Williams that that this action is attempting to implement those things that were agreed upon in 2006. Ms. Williams noted that the zoning ordinance in its current format was adopted at the end of the 1980s; in 2006 policies were amended with the General Plan; and that this action is seeking to codify those 2006 amendments. Supervisor Cann noted that the County went to great lengths to retain the inspection authority for surface mines, and requested clarification of same. Ms. Williams remarked that they tried to include an engineer who has gone to the training in their inspections; and that many other counties use outside consultants to do these technical inspections rather than use planners.

Supervisor Bibby required clarification regarding how the grandfathering clauses in the General Plan will apply here with existing mines on less acreage. Ms. Williams responded that mining operations with existing permits and reclamation plans would only be impacted if they need to make amendments to their permit or reclamation plan, and then they would have to look at the requirement that mining is a conditional use on parcels less than 160 acres in size on any parcel in the Ag working landscape. Supervisor

Bibby discussed the multiple appearances before the Office of Mine Reclamation (OMR) several years ago, and the documentation and form that they want completed; and remarked that the issue of fees needs to be revisited. Supervisor Cann noted that we went through those actions because we felt we could provide a more fair, reasonable and timely service to those needing it. Ms. Williams advised that those requirements remain regardless of the Board's action today on this item.

Supervisor Carrier requested clarification that this item essentially housekeeping to cleanup language to bring policies in line with the amendments made in 2006. Ms. Williams noted that it is housekeeping, but that the Board will be implementing the 2006 policies in zoning; and discussed same.

Supervisor Jones required clarification of whether this is changing rules midstream. Ms. Williams responded that mining is permitted in the Ag Exclusive zone at this time with no consideration of parcel size; and remarked that this ordinance amendment would modify the process for mining operations on parcels less than 160 acres in size and would require a conditional use permit. Supervisor Jones noted that he is in favor of leaving it the way it was and just doing necessary clean-up.

#### **Public comment re-opened**

David Butler noted that he doesn't think the question regarding the grandfathering of existing operators was answered; and referenced an earlier comment regarding landowners and noted that some of these operations are run by lessees. He also noted that it will be a lot of paperwork and frustration to require existing operators to go back through and do a conditional use permit if they desire to amend their operation or reclamation plan. Ms. Williams noted that there is a provision in Title 17 that describes the ability for non-conforming uses to be continued to be maintained and expansions of up to 50% would be continued to be allowed; and that the zoning ordinances have some provisions that allow for some expansion in square footage before new requirements apply. Supervisor Bibby noted that this one of the areas that Mariposa County was censured on because the operation didn't match the paperwork, and the State is not going to tolerate that anymore.

#### **Public comment closed**

#### **Board Deliberation**

Supervisor Bibby discussed the contiguous recommendation, and recommended that it go back before the Planning Commission and Agriculture Commission before Board action.

Supervisor Jones required clarification regarding any selling clauses. Ms. Williams responded that operations cannot change significantly; that inspections are conducted annually; and an operator could not sell out. Supervisor Jones clarified that operators cannot sell off parts, once this is adopted. Ms. Williams responded that they could not continue to operate.

Supervisor Carrier discussed his discomfort with adding language at this point; inquired as to the time that would be needed to send it back to the Ag commission and Planning Commission; and inquired as to any consequences from such a delay. Ms. Williams responded that it would take approximately three months; and that the consequence is staff time. Supervisor Carrier required clarification of why this language is now being inserted. Ms. Williams noted that the purpose of a public hearing is to get input from the public; and that these are amendments and suggestions that make sense as long as the operation is on both of those contiguous parcels. Supervisor Carrier inquired if there are any current operations that this would affect. Ms. Williams responded that it could potentially affect Mr. Bankhead who is operating on a 40 acre piece, with a 160 acre parcel next to it; and with this modification, Planning would have to say that the whole of the operation is a permitted use.

Supervisor Bibby inquired if the issue of contiguousness ever came up. Ms. Williamson responded that it did not. Supervisor Bibby discussed existing operations, and the provisions that would apply.

Supervisor Stetson required inquired clarification of County Counsel as to whether the Board would be violating any process should they adopt this action today. County Counsel advised that the Board would need to make the determination of whether this change is substantial and should go back to the Agriculture Committee and Planning Commission.

Supervisor Carrier noted that he would like to vet it back through since the Board does ask for input from those committees.

Supervisor Bibby noted that her preference is also to send the item back through the process.

Chair Cann called the question.

Supervisor Jones noted that he does not see this as a substantial change.

Supervisor Bibby inquired if this is a policy that will apply to new ones, not just those grandfathered in. Ms. Williams affirmed.

**RESULT: ADOPTED AS AMENDED [3 TO 2]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Lee Stetson, District I Supervisor

**AYES:** Lee Stetson, Merlin Jones, Kevin Cann

**NAYS:** Janet Bibby, John Carrier

#### 4. **Planning (ID # 4215)**

##### **Waive First Reading and Adopt an Ordinance Amending Mariposa County Code Title 17 Pursuant to Code Amendment No. 2014-078 to Implement General Plan Provisions for Processing Mining Permits**

Sarah Williams gave the staff report noting that the same edits need to be made so that the text on the resolution that was just adopted will be consistent with the ordinance; and with the correction that this will be to Introduce the ordinance.

##### **No public comment.**

The item was moved and seconded; and the Clerk of the Board read the title into the record.

County Counsel clarified that the ordinance language would duplicate the language that was adopted by the Board in the immediately prior action.

Supervisor Bibby noted that she has the same concerns as with the previous item.

**RESULT: INTRODUCED [3 TO 2]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Lee Stetson, District I Supervisor

**AYES:** Lee Stetson, Merlin Jones, Kevin Cann

**NAYS:** Janet Bibby, John Carrier

#### 5. **Board of Supervisors RES-2014-611**

##### **Adopt a Resolution Amending Uniform Procedures for the Submission and Consideration of Complaints/Requests for Investigations**

Supervisor Bibby gave the staff report noting that if a private citizen brings a complaint their name is kept confidential, but if an employee does their names become

public; noted that this came out of a request from one of the departments; remarked that all this is attempting to accomplish is to make the County of Mariposa the complaining party instead; and stated that she also thinks it will promote code enforcement.

Supervisor Carrier noted his agreement, remarking that it should go further so that citizens don't have to sign their name. Supervisor Jones concurred with Supervisors Bibby and Carrier. Supervisor Stetson noted that he would support editing the process to make it work.

Supervisor Cann required clarification regarding frivolous complaints, noting that it would seem that guidelines need to be established. Supervisor Bibby suggested that oral complaints could be accepted and investigated as time permitted. Supervisor Cann inquired as to the process for anonymous complaints. Supervisor Bibby proposed that those be handled as time permits, with the assumption being that the departments will expedite investigations for those where someone puts down their name. Supervisor Bibby remarked that it is either a violation or it is not, and that no action will occur if it is a false complaint.

Supervisor Carrier urged taking anonymous complaints, noting that if there is enough actionable information then we have a duty to act. Supervisor Jones concurred noting that, even if a person does not want to sign their name, they should be required to give enough information for the compliance officer to determine whether it is a legitimate complaint.

Supervisor Bibby noted that the form outlines that, but that they just wouldn't have to sign it; and remarked that law enforcement still goes out even if someone doesn't give their name. Supervisor Cann inquired if the proposal is to accept the form with no reporting name. Supervisor Bibby responded that they can put down the nature of the violation and the property address so that the County can do its due diligence.

Supervisor Stetson noted experiences with someone who continually complains, and inquired if they would be investigating every complaint that comes in from that same person.

Sarah Williams suggested keeping the policy worded the way it is for oral complaints so that the complaint is only considered in cases where the department determines that there is an immediate threat to the public health and safety; but that for all other complaints, either signed or unsigned, we still require the complainant to fill out the form or provide some sort of correspondence which will provide staff with enough information on what the concern is and the location. Ms. Williams also noted that they treat all complaints the same, regardless of whether it is from an individual who submits numerous ones; and oftentimes they determine that there is not a violation with those complainants.

Supervisor Cann required clarification that what is being suggested is to try, as much as possible, to have them fill out the form; and inquired if Ms. Williams is comfortable with leaving out the contact person. Ms. Williams responded that the person will not be able to know what the outcome of the investigation is unless they leave their contact information. Supervisor Cann suggested reminding people of that when they come in to fill out the form; remarked that all of the departments are really good at documenting investigations; and noted that he likes the recommendation to give the person the option.

Supervisor Jones inquired if the Compliance Officer will be overwhelmed if this policy is implemented. Ms. Williams responded that he has more work now, but that she has often heard the criticism that the County doesn't enforce its own rules. Supervisor Jones inquired if many people decide against filing a complaint because they have to sign their name. Ms. Williams responded that they do have people who are uncomfortable with the form, and that she could follow up with a report in 6 to 12 months to let the Board know if there any been any significant changes.

Supervisor Bibby noted that, hopefully, there will be a significant increase in building and planning fees; and that departments will not feel that one department is enforcing rules while others are not.

**Public comment opened**

Marshall Long/Supervisor-elect District III noted that for those who complain he refers them to the first proposed seal of the United States which read "Mind your Business" on one side; inquired why we are allowing people to intimidate whistle blowers; noted that it can be very detrimental to the county's health and safety if you have a situation where people can be intimidated and kept from bringing forward complaints; and remarked that if you call in to Animal Control, or to the Sheriff's Office, no one asks for your name.

**Public comment closed**

Supervisor Bibby moved the item, amended in accordance with Ms. Williams suggestions to provide that the reporting party must fill out the form, but that the determination of leaving their name or phone number be left up to the reporting party; that we will not be releasing the name of the employee or the competing business; and that the signature line will say that it is optional.

Chair Cann remarked that the Board did note that things that are determined to be frivolous will be treated appropriately. Supervisor Cann noted that Ms. Williams, as the supervisor, will need to help the employee with the triage. Ms. Williams also reminded that there is also still the ability to appeal.

**RESULT:**           **ADOPTED AS AMENDED [UNANIMOUS]**

**MOVER:**           Janet Bibby, District III Supervisor

**SECONDER:**      Merlin Jones, District II Supervisor

**AYES:**            Stetson, Jones, Bibby, Cann, Carrier

***Items removed from Consent Agenda***

None.

**N. Adjournment**

**3:47 PM** Chair Cann adjourned the meeting in memory of Marilyn Eastwood, and Ozella Roach.

Respectfully submitted,

RENÉ LaROCHE  
Clerk of the Board

KEVIN CANN  
Chair, Board of Supervisors



# MARIPOSA COUNTY

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

**DISTRICT IV**  
**DISTRICT II**  
**DISTRICT I**  
**DISTRICT III**  
**DISTRICT V**

## MINUTES

December 2, 2014

### A. Call to Order and Roll Call

**9:02 AM** Chair Cann called the meeting to order at the Mariposa County Government Center, noting that there was a quorum with all Board members present.

| 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 Carrier followed by a moment of silence in honor of our men and women in uniform in the United States and across the globe.

### 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.

Regarding CA6, Supervisor Jones noted that there have been questions as to the status of the Coulterville Visitor Center, and he reported that it is open and running.

Regarding CA7, Supervisor Cann extended his thanks to Supervisor Carrier for

bringing this item and discussed Ms. Callaway's many contributions to various entities.

Supervisor Bibby extended her thanks to Supervisor Jones for the information on CA6 and for the request for monthly reports.

Regarding CA9, Supervisor Cann noted this was previously a block grant and inquired if it is competitive and if we are at risk of losing the funding. Pete Judy/Chief Probation Officer responded that it was a block grant, but is now competitive; remarked that this year the money is actually a Federal grant and that it has been shifted over to BSCC to manage the grant who has a different focus; reported on ongoing issues with adolescents with mental health issues; and discussed current efforts with law enforcement, Human Services, and the school district to address recognized issues. Supervisor Cann inquired as to when we might expect to hear on this. Chief Judy responded that it is scheduled for March; that they did not extend the timeframe; that the funding has been divided by county size; and he feels that we will be competitive with similar sized counties. Supervisor Cann required clarification that there was no definitive time on when we might hear. Chief Judy noted it was already submitted as it was due last week and he hopes that we hear about it after the first of the year.

Supervisor Bibby noted that she needs to recuse herself from CA12 as William Hodson is her brother-in-law, and while she has no financial tie she would like it considered separately.

Regarding CA13, Supervisor Bibby sought clarification that this would just be for pre-crisis services for mental health emergency response. Doug Binnewies/Mariposa County Sheriff stated that this is primarily for crisis security; and he noted his appreciation for the comment as he has urged private security onsite at John C. Fremont Hospital. Supervisor Bibby remarked that she knows we will always respond, but that this may need to be reconsidered if it becomes a problem later.

Supervisor Carrier made an announcement regarding a December 9th item, as an appointee for that item was in the audience.

Regarding CA13, Supervisor Cann complimented the makeup of the contract as it precludes discussions of who pays.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Janet Bibby, District III Supervisor

**SECONDER:** Lee Stetson, District I Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

CA1. **Administration RES-2014-612**

Resolution Continuing the Local Drought Emergency

CA2. **Administration RES-2014-613**

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

CA3. **Administration RES-2014-614**

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

CA4. **Administration RES-2014-615**

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

CA5. **Administration RES-2014-616**

Approve the Juvenile Defense Attorney Services Agreement with the Mariposa County Superior Court, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA6. Administration RES-2014-617**

Approve First Amendment to the Coulterville Visitors' Center Agreement Changing the Contractor to the Hotel Jeffery Inc.; Authorize the Board of Supervisors Chair to Sign the Amendment

**CA7. Board of Supervisors 2014-103**

Approve a Certificate of Recognition to Merita Callaway, Supervisor District III - Calaveras County for Her Dedicated Service on the Area 12 Agency on Aging Joint Powers of Authority

**CA8. Health RES-2014-618**

Approve the 2014-2015 Centers for Disease Control (CDC) Public Health Emergency Preparedness (PHEP), State General Fund (GF) Pandemic Influenza and HHS Hospital Preparedness (HPP), Funding Allocation Agreement No. 14-10517, with the State of California Department of Public Health for Fiscal Years 2014-2017 in the Amount of \$511,875 and Authorize the Board of Supervisors Chair to Sign an Agreement, and Other Documents to Secure Funding as Delineated Within the Agreement (Subject to County Counsel Approval as to Form)

**CA9. Probation RES-2014-619**

Approve the Application for the Justice Assistance Grant (JAG) Administered through the State of California Board of State and Community Corrections (BSCC) in the Amount of \$546,254, Commencing on March 01, 2015, through December 31, 2017; and Authorize the Chief Probation Officer to Sign the Grant Application

**CA10. Sheriff's Office RES-2014-620**

Approve Sheriff's Office Reorganization Effective January 1, 2015 by Unallocating One (1) Sheriff's Deputy Position in the Sheriff's Budget and Allocating and Funding One (1) Sheriff's Patrol Sergeant Position in the Sheriff's Budget; Approve Budget Action Transferring Funding Within in the Sheriff's Budget to Accommodate the Reorganization (\$25,930)

**CA11. Sheriff's Office RES-2014-621**

Approve an Agreement with Forensic Nurse Specialists of Central California, Inc. for Sexual Assault Examination Services for Mariposa County Sheriff's Office Investigations, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA12. was Considered Separately

**CA13. Sheriff's Office RES-2014-622**

Approve a Memorandum of Understanding Between John C. Fremont Healthcare District and Mariposa County for Security Services for Pre-

Crisis/Crisis Patients, and Authorize the Board of Supervisors Chair to Sign the Memorandum of Understanding

**CA14. Treasurer-Tax Collector-County Clerk                      RES-2014-623**

Adopt a Resolution Approving the Statement of Votes Cast as Certified to the Secretary of State on November 21, 2014

## **Items Considered Separately**

**CA12. Sheriff's Office                      RES-2014-624**

**Approve an Agreement with William Hodson as an Expert in Fire Service Operations to Support Mariposa County Fire, and Authorize the Board of Supervisors Chair to Sign the Agreement**

**9:20 AM** Supervisor Bibby left the room.

Supervisor Cann noted that it had also been agreed to hire a retired fire chief who was strongly endorsed by all sides of the argument, and inquired as to the status. Sheriff Binnewies responded, noting that he continues to work with HR on the extra help fire chief job description and that it is near completion; stated that they have been in the process since approximately September; remarked that they continue to communicate with the candidates who continue to be interested in assisting; and noted that things are moving forward with the retired Kings County fire chief. Supervisor Cann remarked that the Board felt that position was vital to the health of the new organization.

Supervisor Carrier inquired if there will be a report on the reorganization and future plans once the job description is completed. Sheriff Binnewies affirmed, noting that there will probably also be a briefing prior to that.

**RESULT:                      ADOPTED [4 TO 0]**

**MOVER:**                      John Carrier, District V Supervisor

**SECONDER:**                      Merlin Jones, District II Supervisor

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

**RECUSED:**                      Janet Bibby

**9:23 AM** Supervisor Bibby returned to the Chambers.

## **E. Departmental Presentation**

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

Becky Hagen/Commander Mariposa Area CHP Office introduced Bryan Romine, one of three new officers, and noted that he has roots in Ahwahnee and is a third generation CHP Officer in this office; the first being Glenn Savage, then Glenn's son-in-law Tim Gilcrease, and now Bryan. Lt. Hagen advised that the other three officers will report on Thursday. Supervisor Bibby welcomed Officer Romine. Lt. Hagen reported on an incident yesterday with a suspicious object on Highway 49 which appeared to be a pipe bomb; noted that they closed the highway and called the Merced bomb squad; described the appearance of the object; noted that the bomb squad deployed a robot and used a water canon to break the object apart where it was found to be a homemade container for locksmith tools; and advised that they reopened the highway once it was determined that

it was not a bomb. Supervisors Cann and Bibby extended their thanks for all of the efforts. Supervisor Jones noted his appreciation for the update. Lt. Hagen discussed the efforts to publicize the event as it was happening.

Doug Binnewies/Mariposa County Sheriff updated the Board on the incoming storm, and assured that the Sheriff's Office and County Road Department are working with Yosemite National Park and other partners regarding the burn scar areas as there is some concern regarding mudslides in areas like El Portal. Supervisor Stetson extended his thanks for the updates. Supervisor Cann discussed the issues that surrounded the Arch Rock Fire several years ago.

Doug Wilson/Interim Public Works Director reported that new collection fees for Solid Waste has been requested and reviewed to go into effect on April 1, 2015, with the rate for town being \$65.19 per month for once a week pickup, \$92.86 for once a week pickup out of town, \$46.80 for once per month in town, and \$19.57 per month for one 32 gallon can once per week in Coulterville. Supervisor Bibby noted that, in the past, the Board has requested justification for the rates; questioned how they can drive all the way from Mariposa to Coulterville and charge so little compared to those for out of town; and inquired if a request can be made for them to come in and explain. Mr. Wilson affirmed that he will contact them and request an update. Supervisor Carrier inquired if the rate increases also pertain to the community of Wawona. Mr. Wilson responded that he believed they did but that he will have to verify. Supervisor Carrier requested that information before Friday when he will be attending a Wawona Town Planning Committee meeting.

## **F. 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/Chamber of Commerce reported that the Visitor Center has been experiencing normal seasonal slowdown but was very busy yesterday due to the bomb scare. She also noted that Damien Riley has been attending a lot of meetings and is proving himself to be an asset to the Chamber. Ms. Bass advised that: there will be another Shop Small Saturday this weekend, and they will be accepting parade applications until noon this Saturday; the Chamber Installation Dinner will be held on January 22nd at the Fairgrounds with Karen Cutter taking over; and the Business Expo will be held on February 18th and will be combined with the School Supply Party, and they will be offering businesses incentives to provide supplies.

Pete Judy/District IV resident recounted the care with which his parents considered his schools; discussed his own considerations when he first moved to this area, noting that parents often consider schools when choosing where to reside; discussed the declining enrollment at Mariposa County High School and remarked that there would be concern if the numbers represented a decline in visitors; recounted an item from last week's meeting where the Unified School District Superintendent was requesting financial assistance to fund a video, and remarked that she is telling us that there is a problem that we have to help solve; stated that to say that taxpayer dollars should not be used to support the school says that we agree with only supporting tourism and having an old retired community with no young children and he thinks that is wrong; stated that we are going to have to solve the school problem if we want a viable community that includes young families as opposed to merely a retirement community; and concluded that we have a system with some good teachers, but that he would be hesitant to recommend the school to people coming in with young children because of the downward spiral.

## **G. Board Information**

Supervisor Carrier advised that he will be attending: the IRWMP meeting this Wednesday; a meeting with a person interested in moving to the community who has some questions; the County EMS meeting on Thursday; and the Wawona Town Planning Advisory meeting on Friday.

Supervisor Bibby noted that the door is not closed with the School District but that she thinks there is a better way to capture all of its positives than a four minute video; discussed that the last request was an issue; remarked that she thinks it will take a marketing standpoint to really sell worldwide and she thinks that the Community Development Coordinator can be used to start marketing that; and remarked that she thinks there will be future partnerships with the school. Supervisor Bibby advised that she will be attending: the Bridgeport Fire Station ribbon cutting today at 3:00 PM, and she extended an invitation to the community to attend; the Mental Health Governing Board meeting on the 4th, and she encouraged the board members to consider serving on the committee when she leaves; a Health Committee meeting on the 4th; and a Community Action meeting in Calaveras on the 8th, followed later that day by a First Five Commission meeting in Mariposa. Supervisor Bibby also encouraged the public to attend the Merry Mountain Christmas Parade on Saturday.

Supervisor Stetson reported that he discussed a variety of issues with constituents last week. He also advised that he will be attending: the Bridgeport Fire Station ribbon cutting today; a meeting at the Bug Hostel on Thursday regarding Economic Development in Midpines; a meeting with Dr. Mosher on Friday; and a variety of advisory committee meetings next week for Midpines, El Portal, and Yosemite West.

Supervisor Jones noted that he, too, will work with the School District in any way he can. He also advised that Lake Don Pedro water levels are very low and that the CSD is having an emergency meeting tomorrow to determine how much more water they can access. Supervisor Jones reported that he: helped with clean up at the Hotel Jeffery on the 29th, noting that about 20 members of E Clampus Vitus showed up and did a great job; attended the agenda review meeting yesterday; had lunch with Damien Riley, the Interim Executive Officer for the Chamber of Commerce; met with Building and the Interim Fire Chief about working together on inspections of fire sprinklers in new constructions; met with the Assessor, the Tax Collector, County Counsel and CAO regarding the engineer's report on CSA3, noting that people who took the homeowner's exemption will be assessed the \$80. Supervisor Jones also reported that the DRI project is progressing, but that people are driving faster now and people have been calling to inquire about speed limit signs.

Supervisor Cann discussed the school enrollment issue, noting that Tuolumne County and Calaveras County are also experiencing declines. Supervisor Cann reported attending: a meeting with a Tourism Board member last Tuesday regarding moving forward in the wake of the Transient Occupancy Tax (TOT) vote; a meeting yesterday with a homeless gentleman who wants to volunteer, and who provided great insight into his experiences; and a meeting last week on homeless issues, noting that they had a good cross section but that they need an even broader cross section in the future. Supervisor Cann also advised that he will be: attending a meeting with a researcher from Yolo County who is interested in rural populations; working on Parking District issues on Thursday; and attending an important RCRC meeting next Tuesday with Tara Schiff.

## **Announcement**

**10:05 AM** Chair Cann announced that a presenter from the Sierra Business Council is still in transit, and inquired if the Board would consent to hearing agenda item J.1 at 1:30 PM today. The Board concurred, and Sarah Williams/Planning Director was directed to relay the message to the presenter.

## H. Regular Agenda Items

### 1. Sheriff's Office RES-2014-625

#### **Authorize Beginning the Project and Site Plan Work on the Jail Expansion Project**

Doug Binnewies noted that they have been discussing the need for jail expansion for some time but that it is now necessitated by the 2011 California Realignment Act. Sheriff Binnewies gave a history and overview of the current jail facility; noted that the Sheriff's Office is in deep partnership with Probation and the CCCP; noted that Sheriff's staff has researched the needs of the department and has determined that the prefabricated unit is fiscally the best option here; remarked that the CCCP monies have fewer strings than grants and provide more local control and will be the right decision for this project, but that it is still necessary for the Sheriff's Office to pursue grant funding for a larger jail facility. Sheriff Binnewies also noted that he is concerned that there may not be a cost factor immediately, but that staffing a larger facility will require more staff over the course of time. He stated that he thinks that moderate expansion is the way to proceed at this point; noted that he did have a conversation with Planning but that they have not yet gotten permits etc., and that he is requesting permission to pursue the project plan work so that they can present that to the appropriate departments. Sheriff Binnewies noted that this unit would have 16 beds, and be approximately 1800 square feet and ADA accessible; would not need an immediate staff increase of the dorm style that they have, noting that he thinks there will be an increased need in the future; and stated that an estimate of cost for the plan is between \$18,000 and \$20,000.

Supervisor Cann noted that the Board needs a clear picture of what the end product of this phase will be. Lt. Code Hart responded, noting that the end product of this initial phase will be the detailed plans for the unit so that they can begin the process of working with the manufacturer to make sure that the unit meets all needs. Lt. Hart then gave a PowerPoint presentation; discussed the steps going forward as understood at this time; and noted that it is currently estimated that it will take approximately 361 days from approval to move in. Lt. Hart advised that they thoroughly researched revenue opportunities and that some of the revenue sources require a match from the County.

Supervisor Bibby required clarification regarding the placement of the unit. Lt. Hart advised that it would be placed in a way to allow the addition of more units if needed. Supervisor Bibby also required clarification that the unit will meet California EPA, and other, standards. Lt. Hart responded that they believe they will, but that they will not be certain until they get the plans. Supervisor Bibby required clarification of whether there would be a water connection fee with Mariposa Public Utility District (MPUD), and whether security will be done by cameras and personnel. Lt. Hart affirmed both. Supervisor Bibby noted that additional health costs are anticipated. Lt. Hart responded that those increased costs will be there no matter what we do. Supervisor Bibby noted that she wants the public to know that we owe that clientele ADA and medical accessibility due to the implementation of AB 109, and that a big challenge will be dealing with Alzheimer's and dementia patients as they often fall through the cracks and are left for the jails to deal with. Lt. Hart noted that the current layout makes it very difficult to segregate inmates as required.

Supervisor Jones urged care to ensure that we have the right numbers for costs from the start, even if it the amount is over the \$500,000; and he urged plenty of dialogue with Building and Planning. Lt. Hart noted that the 361 days mentioned is after planning approval, and that they recognize that there is a great deal involved with vetting the plans. Supervisor Jones requested the age of the oldest comparable facility. Lt. Hart responded that it is about three years old. Supervisor Jones noted that his concern is that the lifespan of prefabricated buildings tends to be shorter. Lt. Hart noted that the manufacturer warrants the unit for thirty years. Supervisor Jones remarked that he hopes

they will bring a more complete analysis back before the project starts.

Supervisor Carrier noted his support for this project, and remarked that the 2006 grand jury recommended a jail expansion and that it is required by the changes brought by AB109. Supervisor Carrier urged care to make sure that any fire sprinkler system is correct as experience has shown how hard it is to fix after the fact. Supervisor Carrier suggested that they have someone from Planning, Building, and Environmental Health be a part of the project; and he also suggested that they consider wiring the building for future teleconferencing. He also complimented the low cost of the plan, but noted that he was a little nervous given that the courthouse plans cost \$125,000.

Supervisor Cann discussed conflicting experiences with prefabricated buildings; and he remarked that building in a factory setting can be done to a higher standard than on the ground. Supervisor Cann also noted that it concerns him that they will tell the manufacturer to send us the specs which we will then start shopping around for changes; and noted that he would like to see them outline the exact criteria that they need in order to meet California codes before so that they can include them in the plans then overlay Mariposa designs; and that by so doing it will save money in the long run. Lt. Hart responded that they have already done that and Eagle is confident; but that the BSCC will not sign off until we have plans. Supervisor Cann inquired if CCP monies could be used as matches for the 15-20% grant matches discussed. Lt. Hart noted that he thought it could. Supervisor Cann urged visits to the factory, and recommended that Mike Kinslow/Building Director accompany him.

**No public input.**

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Janet Bibby, District III Supervisor

**SECONDER:** Merlin Jones, District II Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

## **I. Items removed from Consent Agenda**

None.

## **J. Noon Recess**

**11:06 AM** Chair Cann recessed the meeting for lunch, to reconvene at 1:30 PM.

## **K. 1:30 PM**

**1:32 AM** Chair Cann reconvened the meeting.

### **1. Planning RES-2014-626**

#### **Approve the Sierra Nevada Partnership Program Participation Agreement Regarding the 2015 Energy Action Plan Program, and Authorize the Board of Supervisors Chair to Sign the Agreement**

Sarah Williams introduced Nick Martin and Brenda Gillarde with the Sierra Business Council (SBC.) Nick Martin gave an overview of SBC projects; noted that an energy action plan is a set of strategies; and remarked that this would be developed with the community and County staff.

Supervisor Cann noted that he supports gathering the information, but questions the effectiveness of the investment as the county is pretty minimal in the generation of

Greenhouse Gases. Mr. Martin discussed other counties that they have inventoried. Supervisor Cann inquired as to what has drawn them to Mariposa County. Mr. Martin responded that there are always ways to reduce energy use, no matter how small the jurisdiction or footprint.

Supervisor Stetson remarked that the real benefit is that the greenhouse gases would be inventoried correctly which will help us with our community plans.

Supervisor Jones noted his support for this partnership program and inquired as to how much staff time will be required. Ms. Williams responded that her time is estimated to be between forty and sixty hours over the course of a year for coordinating information and the public process, reviewing documents, goals and strategies, and coordinating the final presentation; and noted that they believe the other departments will need to be involved to a lesser degree.

Supervisor Bibby requested a finished plan to consider. Mr. Martin noted that they provided a draft chapter on Jackson's plan because they do not yet have a completed plan. Supervisor Bibby required clarification of the staff lead agency and was told by Mr. Martin that it will be Planning. Supervisor Bibby noted the two levels of the plan, and inquired if they can request the full public engagement as opposed to a lower level partial process, noting that she was leaning towards the full public process. Mr. Martin affirmed that the full process can be completed; and discussed procedures from another study. Supervisor Bibby also questioned how the process will work in Mariposa. Mr. Martin responded that that would be under the Board's purview. Supervisor Bibby requested that Mr. Martin email Ms. Williams when the plans are adopted by the other jurisdictions.

Supervisor Cann inquired if there was an indication of when those plans may be completed. Mr. Martin noted that they currently have an administrative draft in all five jurisdictions for full review, which will then be followed by a public review. Supervisor Cann also inquired if Ms. Williams had a preference on the participation level. Ms. Williams responded that she would support full participation.

Supervisor Bibby required clarification as to whether it will be advertised so that any public member can come. Ms. Williams affirmed, and discussed how it will be posted. Supervisor Bibby inquired if a background of global warming and AB 132 could also be put together. Ms. Williams affirmed, noting that a big component of this program is education.

#### **Public comment opened**

Steve Smallcombe urged passage of this item as it is especially important in view of AB 132.

#### **Public comment closed**

Supervisor Carrier moved the item, with the full public participation option, and with Planning as the lead point of contact. Supervisor Stetson seconded, and the motion passed unanimously.

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           John Carrier, District V Supervisor  
**SECONDER:**       Lee Stetson, District I Supervisor  
**AYES:**             Stetson, Jones, Bibby, Cann, Carrier

## **L. 3:00 PM Bridgeport Fire Station Ribbon Cutting**

1.     **Board of Supervisors       (ID # 4232)**

**Bridgeport Fire Station Ribbon Cutting Ceremony - December 2, 2014, at 3:00 PM; the Board Will Reconvene at the Bridgeport Fire Station - 2746**

**Creek Ridge Road. NOTE: No County Business Will be Conducted During the Ceremony**

**3:00 PM** The Board reconvened at the Bridgeport Fire Station Ribbon Cutting Ceremony.

**RESULT: OFFSITE CEREMONY**

**M. Adjournment**

**4:06 PM** Chair Cann adjourned the meeting in memory of Janet Hayes, Joan Sawtelle, Elizabeth Saunders, and James Knell, Jr.

Respectfully submitted,

RENÉ LaROCHE  
Clerk of the Board

KEVIN CANN  
Chair, Board of Supervisors



# MARIPOSA COUNTY

P.O. Box 784 Mariposa, CA 95338 (209) 966-3222  
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**KEVIN CANN, CHAIR**  
**MERLIN JONES, VICE-CHAIR**  
**LEE STETSON**  
**JANET BIBBY**  
**JOHN CARRIER**

**DISTRICT IV**  
**DISTRICT II**  
**DISTRICT I**  
**DISTRICT III**  
**DISTRICT V**

## MINUTES

December 9, 2014

### A. Call to Order and Roll Call

**9:05 AM** Chair Cann called the meeting to order at the Mariposa County Government Center noting that there was a quorum with all members present.

| 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 Jones followed by a moment of silence in honor of our men and women in uniform across the globe.

### 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 Cann noted that CA12 is being pulled from the consent agenda as it has been inappropriately scheduled in that section, and that it will be considered separately after the Board Recognition. He also noted that CA5 requires a 4/5th vote.

#### No public input.

Regarding CA7, Supervisor Carrier remarked that Ms. Columbro will be a great

addition to the Alcohol and Drug Abuse Advisory Board. Supervisor Cann concurred.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** John Carrier, District V Supervisor

**SECONDER:** Lee Stetson, District I Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**CA1. Administration RES-2014-628**

Resolution Continuing the Local Drought Emergency

**CA2. Administration RES-2014-629**

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

**CA3. Administration RES-2014-630**

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

**CA4. Administration RES-2014-631**

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

**CA5. Administration RES-2014-632**

Approve Budget Action Reducing General Fund Contingency and Increasing Travel Line Items in the Board of Supervisors Budget to Account for Unanticipated Travel Needs (\$1,400) 4/5ths Vote Required

**CA6. Clerk of the Board of Supervisors RES-2014-633**

Approve Dissolving Each of the Following Inactive Committees: the Juvenile Justice Coordinating Council; the Lake Don Pedro Sewer District Ad Hoc Committee; the Mariposa County Job Creation Task Force; the Mariposa Town Transportation and Parking Advisory Committee; the Regional Advisory Committee of the Mountain Valley Emergency Medical Services Agency; and the Underground Utilities Ad Hoc Committee

**CA7. Human Services 2014-104**

Appoint Kelli Columbro to the Alcohol and Drug Abuse Advisory Board with a Term Expiring December 2, 2017

**CA8. Human Services/Behavioral Health & Recovery Services RES-2014-634**

Approve a First Amendment to the Agreement with Changing Echoes to Provide Residential Recovery Services for Substance Abuse Clients Increasing the Contract Maximum by \$10,000 for a Total Not to Exceed Amount of \$30,500, and Authorize the Board of Supervisors Chair to Sign the Amendment

**CA9. Planning RES-2014-635**

Approve Road Name Application No. 2014-144 - Goins Way; for the Subject Easement Required as a Condition of Approval for Land Division Application No. 2014-033, Frank Rose, Applicant

**CA10. Planning RES-2014-636**

Approve Road Name Application No. 2014-147 - Kirby's View; for the Subject Easement Required as a Condition of Approval for Land Division Application No. 2014-033; Frank Rose, Applicant

**CA11. Planning 2014-105**

Appoint Greg Magruder to the El Portal Planning Advisory Committee with a Term Expiring February 28, 2016 (Supervisor Stetson)

CA12. Pulled from Consent and Considered Separately

## **E. Board Recognitions**

### **1. Board of Supervisors RES-2014-627**

#### **Resolution and Tile Plaque Recognizing Dr. Charles Mosher, Upon His Retirement as County Health Officer (Board Chair); Public Reception to Follow**

Chair Cann gave an overview of the process to be followed, noting that legislative presenters will be invited up to the staff desk when he presents the Board's resolution.

Supervisor Bibby extended thanks and appreciation to Dr. Mosher for all of his service as County Health Officer, for all of the work on the various committees that he has been on, and for his caring and personal service to the entire county. Supervisor Jones discussed all that he has learned from Dr. Mosher. Supervisor Stetson remarked that he has been privileged to know Dr. Mosher as his physician, as the Health Officer, and as a friend. Supervisor Carrier extended his thanks for all of Dr. Mosher's service and all of the things he has done. Supervisor Cann recounted how he first met Dr. Mosher in 1990, and remarked that he did not know how the County will be able to replace him or his level of commitment.

#### **Public comment opened.**

Rich Drozen/CAL FIRE Division Chief thanked Dr. Mosher for his leadership, calm demeanor, and approach to the job; and he noted that CAL FIRE has a term called "failed retirement" and the doctor is invited to come back at any time.

Chevon Kothari/Human Services Director extended her thanks to Dr. Mosher noting his strong partnership and understanding of the issues, as well as his wealth of knowledge. She also noted that he is leaving behind a legacy as he has created a strong team.

Theresa Loya recounted how she met the doctor, and discussed how much he has taught her and the hospital.

Mike McCreary noted that he and his wife have lived in many communities, and that this is a safer, healthier community because of Dr. Mosher's efforts.

Chair Cann noted that Sheriff Binnewies could not attend today but wished for someone to express his thanks to Dr. Mosher for his assistance in the public safety venue, to wish him well, and to note the Sheriff's appreciation for Dr. Mosher's assistance over the past couple decades.

#### **Public comment closed.**

Chair Cann presented the Board's resolution and tile plaque to Dr. Mosher.  
Ken Koyama/Executive Director of the California Air Pollution Control Officers

Association made a presentation from that association, noting that Dr. Mosher is the longest serving Air Pollution Control Officer in the state. Mika Petrucci presented a resolution on behalf of Assembly Members Frank Bigelow and Tom Berryhill extended thanks from the state legislature. Dr. Todd Stolp/Tuolumne County Health Officer presented a plaque on behalf of the California Conference of Local Health Officers, noting that the plaque was from the last time Dr. Mosher tried to retire so they have just added 2014 next to the 2012 date which has been scratched out. Christina Hall presented a certificate of Special Congressional Record on behalf of Congressman Tom McClintock.

Dr. Mosher discussed his early professional experiences, noting that he was afforded the broadest opportunity to practice public health in this county. He also remarked that he hired the best people he could get, and the Health Department will continue without him.

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           Janet Bibby, District III Supervisor  
**SECONDER:**       Lee Stetson, District I Supervisor  
**AYES:**             Stetson, Jones, Bibby, Cann, Carrier

## **Recess**

**9:34 AM** Chair Cann recessed the meeting for a reception, and reconvened it at 10:02 AM.

## **Items Considered Separately**

### **Public Works           RES-2014-637**

#### **Change the Regular Days of Operation for the Mariposa County Landfill from Thursday through Monday to Tuesday through Saturday Effective February 1, 2015; Change the Transfer Station Days of Operation to be Closed on Sundays; and Rescind Resolution 12-587, Holiday Schedule for the Solid Waste Division Personnel**

Doug Wilson/Interim Public Works Director gave the staff report noting that it originally came before the Board in September, and discussed the efforts undertaken by the department to gauge the public's desire in the matter and that the majority of the responses received were in support of the action; and noted that the survey was not a scientific poll and it is possible that some people may have voted more than once. Greg Ollivier discussed the survey that they completed, noting that he was assured by Technical Services that the electronic device registers IP addresses and that only one vote per IP can be registered, and he discussed the way in which the paper surveys were given out at the landfill.

Supervisor Cann noted that the Board's previous direction was to let the public know that this was a pending issue. Mr. Ollivier responded, noting that a press release was also submitted to the newspaper. Supervisor Bibby extended her thanks, noting that she recognizes that the employees work in a difficult environment; and remarked that she wants the public and staff to know that this can be changed if it is adopted and then does not work. Supervisor Carrier required clarification as to the length of the survey period. Mr. Ollivier responded that it ran from October 9th to October 31st and that it was given out online and in paper at the landfill. Supervisor Carrier inquired if the National Park Service and Total Waste are in agreement. Mr. Ollivier responded that they are, and that they do not care which days the landfill is closed as long as it can provide them with the same type of service as they now enjoy. Supervisor Jones reported receiving two calls from the transfer station in Don Pedro who noted that they will accept it on any day. Supervisor

Cann noted that he received two inputs with one in support and the other one against.

**Public comment opened.**

Christine Bogusch/landfill employee noted she has worked there since 2005 with no weekends off unless she used her vacation time but noted that, because of staffing issues, only two employees at a time can take time off. She remarked that for nine years they have been saying that they would rotate the employees on Sunday, but that they are never going to have enough employees to do it; stated that she heard that Total Waste does not agree with closing Fridays and Saturdays; and urged passage of this item.

Ruth Catalan/Solid Waste Task Force member noted that she has never gone to the dump on any day but Sunday, but that she supports this action; noted that the Solid Waste Task Force is in agreement; and remarked that it was inappropriate to state that some people might have voted twice.

Greg Kittelson urged passage of the item.

Pete Judy/District IV resident remarked that he likes going out on Sunday, but that he supports closing it on Sunday; discussed that according to County Code 2.64.020, every Sunday is a legal holiday for County employees; and noted that the referenced County Code is a statement that Sunday was once important enough to be closed.

Becky Crafts urged passage of this action noting that Mariposa has a special flair and that these are the same employees who started the landfill and, maybe, it is now time to give them something back.

**Public comment closed.**

Supervisor Jones urged passage of the action. Supervisor Bibby requested that the department advertise the change well so that the public is not inconvenienced. Supervisor Cann noted that he thinks that it will be a change of habits for people, but that if there is a fatal flaw it can be dealt with then.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Merlin Jones, District II Supervisor  
**SECONDER:**   Lee Stetson, District I Supervisor  
**AYES:**        Stetson, Jones, Bibby, Cann, Carrier

## **F. Departmental Presentation**

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

Rich Drozen noted that one added benefit in changing the days at the landfill will be that it coincides with a request that was received relative to holding senior wood deliveries on dates that allowed recipients to go to the dump. Chief Drozen discussed the drought, noting that the rains have not brought back the dead trees and that we are now in the middle of a serious bark beetle infestation which is also happening to the oak trees. He also reported that they have hired Les Nielsen, a Forester II, to address the issue, and that they are working with their Federal partners as well. Chief Drozen also encouraged the public to clear the brush away from their homes now as we still have the potential for a very bad fire season next year. Supervisor Jones noted that on his property he has had to remove over 50 trees with diameters of 12 inches or more, but that he has donated the wood to the senior wood program. Chief Drozen remarked that the senior wood program is doing very well. Supervisor Carrier noted that earlier predictions of a 40% mortality rate for the forests appears to be coming true, and he extended his thanks to CAL FIRE for putting some of those SRA monies out for fuel reduction and tree removal. Chief Drozen discussed how beetles spread from dead trees to healthy trees when they reach critical mass. Supervisor Stetson inquired if there is any concern with taking dead wood to other areas. Chief Drozen noted that there potentially is which is why they protect trees when

they bring them down; but, cutting and splitting actually helps by exposing the beetles to the elements. Supervisor Stetson inquired if landowners should cover downed trees for a while. Chief Drozen affirmed, and noted that they will be putting out some public service announcements to answer these questions.

Sarah Williams/Planning Director noted that the Board considered zoning ordinance amendment 2014-078 at a public hearing on November 25, 2014. Ms. Williams noted that the Board took action on that date, and that she had advised that the item would be back in two weeks which would be today, but that it could not be brought back because a review of the Government Code revealed that the action does need to go back to the Planning Commission for review and that formal action to rescind those actions will be back before the Board next week.

## **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)*

Jon DeChambeau/Energy Consultant, Lifestyle Solar discussed the Home Energy Renovation Opportunity (HERO) program which allows homeowners to make energy efficiency adjustments on their homes and pay them off through their property tax bills; noted that it has been adopted by over 200 municipalities; and requested the opportunity to make a formal presentation before the Board in the future. Chair Cann noted that the Clerk of the Board has been made aware of the request. Supervisor Carrier suggested that the Human Services Director be contacted as they were just recently made aware of the program. Mr. DeChambeau also noted that the Yosemite View Lodge and Cedar Lodge are putting in solar and are interested in utilizing the program.

Emory Scriven/Wampum Hill Trailer Village, Inc. Resident inquired why the park members are now being billed individually for the CSA3 assessment when only the park owner was with the previous one; noted that he has contacted the Assessor, Tax Collector, and Auditor's offices and was told that they need to come before the Board; noted that they first contacted Supervisor Jones about a month ago at a pancake breakfast and again last week; and inquired who they need to go to when they have an assessment question on that particular tax. Chair Cann noted that issues can only be raised during this time period and that the Board can then schedule action, and that legal counsel will need to be consulted in this instance. Mr. Scriven required clarification as to who will be working with legal counsel. Chair Cann clarified that the Board will work with counsel. Mr. Scriven reiterated the issue, and noted that he also wants to discuss the Engineer's Report. Chair Cann noted that the Board cannot interact on the issue at this time as it is not on the agenda, but that they will work with him on the issue. Mr. Scriven noted that he is an engineer and has questions regarding the Engineer's Report which include questions regarding the benefit analysis, the termination, and the CSA3 mutual aid agreements; remarked that they have been working on the issue since receipt of the tax bills and payments are due tomorrow; noted that he thinks this is probably an issue with other mobile home parks in the district; and stated that he contacted another mobile home park owner and was told that he did not receive the ballot, and that their corporation did not receive a ballot either which would have sparked interest if received. Chair Cann noted that these are appropriate questions; but that this is a legal issue and the Board will need to follow it up. Supervisor Bibby inquired if he received an SRA fee from CAL FIRE. Mr. Scriven affirmed.

Laurie Edwards/Wampum Hill noted that her concern is that this is charging a parcel within a parcel, but you cannot get lot lines from the Assessor which is one of the requirements under Proposition 218.

Damien Riley/Interim Director for the Chamber of Commerce updated the Board on the November statistics noting that the number of reservations that they made nearly equals the number of visitors they had; and that they are staying on that trend so far for

December. He also reported that they are still working on the quotes for the repairs to the Visitor Center which includes carpeting and energy efficiency; noted that the winter hours are in effect and they are now closed on Wednesdays; reported that the Merry Mountain Christmas Parade seemed to be a successful event, and that they are hoping to make it better new year; and remarked that they will be in touch with the gentleman from the HERO program. Supervisor Cann noted that the number of people at the parade seemed to equal the Fair parade. Mr. Riley extended kudos to the volunteers who made it happen.

In response to a request from Supervisor Jones, the Clerk read a letter received from Bob and Brenda Peel, Florence Moore, and Patricia Reid in support of CSA3 and donating money to the County since they were not assessed.

1. **Clerk of the Board of Supervisors (ID # 4289)**

**Correspondence Read During the Public Comment Portion of the December 9, 2014, Meeting**

**RESULT: INFORMATION RECEIVED**

## **H. Board Information**

Supervisor Jones updated the Board on the efforts at the Hotel Jeffery noting that they have gotten rid of all of the drywall and that they are bringing in a huge generator to attempt to dry it out. He extended thanks to George Reed for all of their work to pave the roads. Supervisor Jones reported: a meeting in Wampum Hill regarding the CSA3 issue; and meeting with the Hotel Jeffery about getting power, water and sprinkler systems functioning, noting that their office is now open with the saloon scheduled to be open in another week and a half. Supervisor Jones also reported attending a Don Pedro Community Service District meeting on the 3rd regarding the water reductions and the fines; noted that the lake level continues to drop an average of six inches per day but that they are hoping that we do not get large amounts of rain because it will cause landslides of silt; reported that the lake is at an elevation of 596 feet above sea level while the bottom sits at 560 feet which equates to 7% of capacity; and that they are asking everyone to reduce water usage by thirty percent. Supervisor Jones also reported: meeting with the Natural Resources Conservation Service (NRCS) on the 4th, noting that he will soon be bringing forth an item relative to them; attending the Greeley Hill breakfast on the 7th where he emceed the Santa's gift giveaway; attending the Calaveras-Mariposa Community Action Agency meeting with Supervisor Bibby on the 8th; and attending a meeting on the 8th regarding a fundraiser for the Hotel Jeffery.

Supervisor Stetson noted that the recent rain caused the waterfalls in Yosemite to run for a short time; and he reported that, despite the potential for mud flow from the fire area, the rain brought no significant damage in El Portal.

Supervisor Stetson also reported attending a meeting with Dr. Mosher and Supervisor Bibby on Friday; and advised that he will be attending the El Portal Advisory meeting tonight at 7:00 PM, the Midpines Planning Advisory meeting tomorrow at 6:00 PM in Midpines, and a Thursday afternoon meeting in Yosemite West.

Supervisor Bibby reported that the New Melones Lake is nearly dry; and extended her thanks to everyone who came out to the Bridgeport Fire House opening. Supervisor Bibby reported attending: the Mental Health Governing Board meeting, noting that meetings are open and that they are looking for more members; the Calaveras-Mariposa Community Action Board meeting, noting that she got to see John Lawless there, and that they are looking for a private sector representative and interested parties should contact a Board member or the Human Services Director; a First Five Commission meeting; the Health Committee meeting yesterday with Supervisor Jones, and she extended her compliments to Dr. Mosher for all his efforts as he must deal with a broad set of issues; and the Merry Mountain Christmas Parade;

Supervisor Carrier reported attending: the Bridgeport Fire Station ribbon cutting ceremony last Tuesday; a Wednesday meeting with citizens in Lushmeadows; an Integrated Regional Water Management (IRWM) meeting Wednesday afternoon; an afternoon meeting with someone considering relocating to Mariposa; a Thursday meeting with Supervisor-Elect Rosemarie Smallcombe; and the Wawona Town Planning Advisory meeting on Friday, noting that it will have two vacancies in the near future. Supervisor Carrier advised that he will be attending: the Mountain Valley Emergency Medical Services (EMS) Joint Powers Authority (JPA) meeting tomorrow; the afternoon Airport Advisory Committee meeting tomorrow; the Unified School District meeting tomorrow; the Thursday Economic Development Corporation (EDC) meeting; a Thursday meeting in Wawona regarding Yosemite West; the Chowchilla Mountain Women's Club Christmas Dinner on Thursday; the Yosemite-Alpine Community Service District meeting on Saturday; and the Christmas Dinner in Lushmeadows on Sunday.

Supervisor Cann discussed the ribbon cutting ceremony at the Bridgeport Fire Station. He reported attending: a Wednesday meeting with a Ph.D. candidate on rural issues who turned out to be a candidate for the County Administrative Officer (CAO) position; the Thursday morning meeting of the Mariposa Business Association; a meeting with a representative from the History Center Board who is interested in building more shelter on their grounds for items exposed to the weather, noting that he and Sarah Williams will be walking the grounds with them on Thursday; a meeting with a representative from the EDC regarding the pros and cons of the salary survey that was recently completed; and the Merry Mountain Christmas Parade on Saturday. Supervisor Cann advised that he will be: attending a Rural County Representatives of California (RCRC) meeting in Sacramento tomorrow where they will be discussing substantial issues including forest health, energy retrofitting, the drought and the implementation of the new ground water bill, Payment in Lieu of Taxes (PILT), and the Secure Rural Schools funding which looks like it will be cut out and that provides \$100,000 to the County, which goes to our roads program and the Fire Safe Council, and \$140,000 that goes to the school system; handing out dictionaries, on behalf of the Rotary Club, to third graders in El Portal next Thursday; and attending the Thursday EDC meeting.

## **I. WATER AGENCY BOARD**

**10:01 AM** Chair Cann noted that the Water Agency item has been withdrawn; consequently, the Water Agency Board meeting was cancelled.

## **J. Regular Agenda Items**

### **1. Human Resources/Risk Management 2014-ORD-1109**

**Waive Second Reading and Adopt an Ordinance Removing Portions of Section 2.92.040 Entitled, "Administrative Powers and Duties" from Chapter 2.92 of the Mariposa County Code**

**No public input.**

**RESULT:**       **ADOPTED [4 TO 1]**  
**MOVER:**       Merlin Jones, District II Supervisor  
**SECONDER:**   Lee Stetson, District I Supervisor  
**AYES:**         Lee Stetson, Merlin Jones, Janet Bibby, Kevin Cann  
**NAYS:**         John Carrier

**K. Items removed from Consent Agenda**

None.

**L. Adjournment**

**11:20 AM** Chair Cann adjourned the meeting in memory of Manuel Silva, Jr., Norman Livengood, Mark Shoff, and Amy Farnsworth.

Respectfully submitted,

RENÉ LaROCHE  
Clerk of the Board

KEVIN CANN  
Chair, Board of Supervisors



# MARIPOSA COUNTY

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

**DISTRICT IV**  
**DISTRICT II**  
**DISTRICT I**  
**DISTRICT III**  
**DISTRICT V**

## MINUTES

December 16, 2014

### A. Call to Order and Roll Call

**9:04 AM** Chair Cann called the meeting to order at the Mariposa County Government Center, noting that there was a quorum with all members present.

| Attendee Name | Title                   | Status  | Arrived |
|---------------|-------------------------|---------|---------|
| Lee Stetson   | District I Supervisor   | Present | 8:55 AM |
| Merlin Jones  | District II Supervisor  | Present | 8:55 AM |
| Janet Bibby   | District III Supervisor | Present | 8:55 AM |
| Kevin Cann    | District IV Supervisor  | Present | 8:55 AM |
| John Carrier  | District V Supervisor   | Present | 8:56 AM |

### B. Pledge of Allegiance

Supervisor Bibby led the Pledge followed by a moment of silence in memory of those in uniform who have passed in protecting our freedom, and in honor of those in uniform protecting us today.

### 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.

Regarding CA6 and CA7, Supervisor Bibby noted that local children have limited fields, equipment, and transportation and still manage to excel; and she extended her compliments and congratulations. She also requested that CA14 be considered separately as she has a financial tie due to being related to someone in the Sheriff's Management

Association (SMA.)

Regarding CA21, Supervisor Jones discussed the importance of the LIHEAP program and requested that it be better advertised to the public. Supervisor Cann also discussed the program and its importance to low income households.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Janet Bibby, District III Supervisor

**SECONDER:** Lee Stetson, District I Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

**CA1. Administration RES-2014-643**

Resolution Continuing the Local Drought Emergency

**CA2. Administration RES-2014-644**

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

**CA3. Administration RES-2014-645**

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

**CA4. Administration RES-2014-646**

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

**CA5. Auditor RES-2014-647**

Authorize an Overfill of the Assistant Auditor Position Effective January 1, 2015 through January 5, 2015

**CA6. Board of Supervisors 2014-106**

Approve a Certificate of Recognition to the Mariposa County High School Southern League Football Co-Champions, Division 5 Semi-Finalists

**CA7. Board of Supervisors 2014-107**

Approve a Certificate of Recognition to the Mariposa County High School Southern League Volleyball, Division 5 Semi-Finalists

**CA8. Board of Supervisors**

Approve the Minutes of Tuesday, November 25, 2014

**CA9. Board of Supervisors**

Approve the Minutes of Tuesday, December 2, 2014

**CA10. Board of Supervisors**

Approve the Minutes of Tuesday, December 9, 2014

**CA11. Health RES-2014-648**

Authorize Health Officer to Write Prescriptions for the School District to Implement SB1266

**CA12. Human Resources/Risk Management RES-2014-649**

Approve the First Amendment to the Contract for Services with Bryce Consulting Extending the Termination Date to June 30, 2015, and Authorize the Board of Supervisors Chair to Sign the Amendment

**CA13. Human Resources/Risk Management RES-2014-650**

Approve an Amendment to the Minimum Qualifications of the Chief Deputy Treasurer-Tax Collector Job Description Effective Immediately

CA14. This item was considered separately

**CA15. Human Resources/Risk Management RES-2014-651**

Approve the Classification and Job Description of Assistant Fire Chief; Assign it as an Extra-Help Specialized Classification; and Set the Hourly Rate at \$39.96.

**CA16. Human Services RES-2014-652**

Approve the Membership Certification for the Mariposa County Local Child Care Planning Council, and Authorize the Board of Supervisors Chair to Sign the Certification

**CA17. Human Services 2014-108**

Re-Appoint Gwen Nitta to the Local Child Care Planning Council (LCCPC) for a Three Year Term Expiring December 16, 2017

**CA18. Human Services/Behavioral Health & Recovery Services RES-2014-653**

Approve a First Amendment to the Agreement with Alliance for Community Transformations to Provide Extended Weekend Hours for the Wellness/Drop in Center, Increasing the Contract Maximum by \$9,750 for a Total Not to Exceed \$21,750 and Extending the Term of the Agreement to May 31, 2015; Authorize the Board of Supervisors Chair to Sign the Amendment

**CA19. Human Services/Behavioral Health & Recovery Services RES-2014-654**

Approve an Agreement with Aurora Behavioral Health Care to Provide Inpatient Psychiatric Services for Mariposa County Behavioral Health in an Amount Not to Exceed \$40,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

**CA20. Human Services/Behavioral Health & Recovery Services RES-2014-655**

Approve an Increase in Extra-Help Hours from 999 Hours to 1,375 Hours for a Mental Health Assistant I Extra Help Position in the Behavioral Health Budget

**CA21. Human Services/Fiscal RES-2014-656**

Approve the 2015 Low Income Home Energy Assistance Program (LIHEAP) Agreement 15B-3022 with the California Department of Community Services and Development (CSD) in an Amount Not to Exceed \$500,000 to Provide Energy Assistance Payments and Weatherization Services, and Authorize the

Human Services Director to Sign the Agreement and All Subsequent Amendments (Subject to County Counsel Approval as to Form)

**CA22. Public Works RES-2014-657**

Approve a Contract for Services with Teichert Construction for the Mt. Bullion Cutoff Reconstruction, Phase 2 in the Not to Exceed Amount of \$786,490 and Authorize the Board of Supervisors Chair to Sign the Contract

**CA23. Treasurer-Tax Collector-County Clerk RES-2014-658**

Adopt a Resolution Calling for a Special Election for the John C. Fremont Healthcare District Board of Directors Seat Pursuant to Election Code 10004

## **Considered Separately**

**9:13 AM** Supervisor Bibby left the Chambers.

**CA14. Human Resources/Risk Management RES-2014-659**

**Approve Side Letters of Agreement with the Deputy Sheriffs' Association and Sheriffs' Management Association Extending the Time for Certain Employees in Specific Classifications in These Units to Receive the Benefit of the December 26, 2014 Holiday**

**RESULT: ADOPTED [4 TO 0]**

**MOVER:** John Carrier, District V Supervisor

**SECONDER:** Merlin Jones, District II Supervisor

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

**RECUSED:** Janet Bibby

**9:14 AM** Supervisor Bibby returned to the Chambers.

## **E. Board Recognitions**

**1. Clerk of the Board of Supervisors 2014-109**

**Presentation of the Gavel Plaque to Supervisor Cann for Serving as the 2014 Board of Supervisors Chair (Board Vice-Chair)**

**9:14 AM** Chair Cann passed the gavel to Vice-Chair Jones.

Supervisor Bibby extended her thanks to Supervisor Cann for all of his work as Chair. Supervisor Stetson also extended his thanks, noting that Supervisor Cann performed his duties with great cheerfulness and clarity.

**No public comment.**

Vice-Chair Jones presented the gavel plaque to Supervisor Cann who expressed his appreciation to the other Board members.

**9:20 AM** Vice-Chair Jones passed the gavel back to Chair Cann.

**RESULT:**       **ADOPTED [4 TO 0]**  
**MOVER:**        Janet Bibby, District III Supervisor  
**SECONDER:**   Lee Stetson, District I Supervisor  
**AYES:**         Lee Stetson, Merlin Jones, Janet Bibby, John Carrier  
**ABSTAIN:**     Kevin Cann

**9:20 AM** Vice-Chair Jones passed the gavel back to Chair Cann.

**2.       Board of Supervisors       RES-2014-638**  
**Resolution and Tile Plaque Recognizing Joel Bibby, Upon His Retirement as Undersheriff (Board Chair) Public Reception to Follow**

Supervisors Carrier, Jones, and Stetson extended thanks to Joel for his years of service to the County. Supervisor Bibby noted her appreciation for his support of her doing her job; recounted that he worked in nearly every division of the department and worked his way up through the ranks; and she extended thanks on behalf of District III, Mariposa County, and their family.

**No public input.**

Chair Cann presented the resolution and tile plaque to Undersheriff Bibby.

Wes Smith/Deputy Sheriff's Association President presented a specially engraved slate plaque. Sheriff Binnewies noted that the Sheriff's Management Association will have a presentation at a later time. The Sheriff also discussed the relationship between a sheriff and his undersheriff; and expressed his appreciation of Undersheriff Bibby's integrity and leadership.

Undersheriff Bibby extended his thanks; and discussed changes that will be occurring in the Sheriff's Office upon his retirement.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**        Merlin Jones, District II Supervisor  
**SECONDER:**   Lee Stetson, District I Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

**3.       Board of Supervisors       RES-2014-639**  
**Resolution and Tile Plaque Recognizing the Honorable William E. Davis, Upon His Retirement as Auditor (Board Chair) Public Reception to Follow**

**No public input.**

Supervisors Bibby, Jones, Stetson, and Carrier extended their thanks to Mr. Davis for his service.

Chair Cann presented the resolution and tile plaque to Mr. Davis.

Mr. Davis discussed changes he implemented after he was elected, and expressed his confidence that his staff will carry on and that nothing will change with the new Auditor.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Lee Stetson, District I Supervisor  
**SECONDER:**   John Carrier, District V Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

## **Recess**

**9:42 AM** Chair Cann recessed the meeting for refreshments, and reconvened at **10:07 AM**.

## **F. Departmental Presentation**

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

Rich Drozen/CAL FIRE Chief, Mariposa Division, Mt. Bullion Camp introduced Len Nielson/Forester II who has recently been hired. Forester Nielson gave a brief overview of his background; discussed the pine die off from the drought; provided information on websites where the public can go to get more information regarding the kind of diseases or pests that are most likely infecting their trees and alternatives to relieve the problem; and noted that his contact information is on that sheet. Supervisor Stetson welcomed Forester Nielson.

Pete Judy/Chief Probation Officer referenced consent agenda items CA6 and CA7 and discussed the coaches of the youth teams, and recognized that Ryan Oliphant has been a dedicated football coach at the High School for many years.

Doug Wilson/Interim Public Works Director advised that strings of Christmas lights, as well as undecorated Christmas trees that have had any nails removed can be recycled at the landfill for no charge. He also reported that notice was received yesterday that both the Lake Don Pedro and Yosemite West Sewer Treatment plants have been reclassified to require a Grade III operator which they do not currently have on staff; noted that for the short term, they are looking at contracting with someone in order to get a Grade III license in quickly; and advised that they will follow that up by issuing a Request for Proposals (RFP) as well as evaluating current staff to see if they need to bring a Grade III license on staff. Mr. Wilson also noted that in order to get a Grade III, current staff needs to work under a Grade III and is about two years away from being able to qualify for the Grade III examination. Supervisor Stetson inquired as to when the Grade III operator is needed. Mr. Wilson noted that he had originally been told this week; but, that was extended to 30 days when they realized that they had not sent the notices. Supervisor Jones inquired as to what triggered the action. Mr. Wilson responded that it was triggered by a routine analysis which interpreted the plants as activated sludge plants.

## **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)*

Glenn Franklin/Mariposa Resource Conservation District (RCD) President noted to the Board that RCDs operate under Division 9 of the Public Resources Code; discussed the formation of Fire Ready Groups, noting that they conducted their first successful workshop in Midpines and just applied for a CAL FIRE grant to facilitate those; reported that the Integrated Regional Water Management Plan (IRWMP) was approved by the State of California, and he extended kudos to all who worked on it; discussed a debriefing that was held with the Department of Water Resources (DWR) yesterday to see how they can do better on future grants; discussed funding potential associated with the passage of Proposition 1; reported the completion of a 2 day strategic planning session by the RCD board; noted that one of the key issues they have dealt with has been reforestation, with

the focus going forward being management; advised that the Mariposa RCD will be hosting the state association conference at the Tenaya Lodge in 2015 and that he expects to be elected president of the association at that time; and noted that the RCD is currently working with the County on an MOU.

Marvin Wells discussed his experiences with a Girl Scout Troop this summer and presented decorated baskets from the girls, and urged the purchase of Girl Scout cookies when they are available.

## **H. Board Information**

Supervisor Carrier reported attending: a School District meeting last Tuesday regarding the local control funding formula; a Mountain Valley EMS JPA meeting last Wednesday; the Airport Advisory meeting on Wednesday; the Economic Development Corporation (EDC) meeting on Thursday; the Ponderosa Basin Christmas dinner on Thursday; the Yosemite Alpine Community Service District meeting on Saturday; and the tree lighting in town on Saturday evening. He also reported that he spent the day in the office on Friday, and participated in a conference call yesterday with the Department of Water Resources regarding the IRWMP grant scoring. Supervisor Carrier advised that he will be attending: tomorrow's closed session; the Area 12 JPA meeting on Thursday; and the company officer graduation at the CAL FIRE Academy on Friday. He also wished everyone a Merry Christmas and Happy New Year.

Supervisor Bibby advised that she has a Thursday meeting with Supervisor-Elect Rosemarie Smallcombe; extended thanks to Marvin Wells and his grandchildren for making this time of year happy; wished everyone a Merry Christmas and Happy New Year; extended thanks for the opportunity to serve District III for all of these years; and thanked the County employees for all that they do.

Supervisor Stetson reported attending: the El Portal Advisory Committee meeting on Tuesday; the Midpines Advisory Committee meeting on Wednesday; and the Yosemite West Maintenance Committee meeting in Wawona on Thursday. He also advised that he will be attending tomorrow's closed session, and the Thursday meeting of the Ad Hoc Committee for Economic Development in Midpines. He also expressed his gratitude at having been able to serve the county and his district.

Supervisor Jones reported: attending a meeting with the Compliance Officer on the 9th, and he encouraged everyone to get their building permits and do things the right way; working with the contractors who are renovating the Hotel Jeffery on the 10th, noting that there will be a fundraiser in the spring; checking on the DRI grant project on the 11th, noting that the contractor is doing a great job; attending the Lake Don Pedro Elementary School Christmas program on the 12th; attending a goat feed on the 13th; attending the Coulterville History Center fundraiser breakfast on the 14th; attending the agenda review meeting on the 15th; meeting with Glenn Franklin on the 15th regarding RCD funding; attending the staff Christmas lunch at 1850 Restaurant; and meeting with Supervisor Cann, Mike Kinslow, and Greg Ollivier about the landfill and tracking our recycling. Supervisor Jones also everyone a Merry Christmas.

Supervisor Cann reported attending the Rural County Representatives of California (RCRC) meeting last Wednesday. He reported from that meeting: that the Payment in Lieu of Taxes (PILT) will be funded and is in the FY 2015 federal budget; that Secure Rural Schools funding is dead for now; that the Governor's Office of Planning and Research has announced that by January 1, 2016, they are going to start using vehicle miles traveled as opposed to other calculation methods which will benefit the County with road funding; and that RCRC is embarking on a wildfire strategy with the Governor and the Forest Service. Supervisor Cann also reported: on his participation at a Rotary Club service project on Thursday when they handed dictionaries out to third graders; attending the EDC with Supervisor Carrier, noting that they agreed to help facilitate a bank account for the San Joaquin Valley Regional Association of Counties bank account; participating in

the Monday conference call with Supervisor Carrier; and meeting with Supervisor Jones, Mike Kinslow, and Greg Ollivier yesterday regarding the landfill and Cal Recycle. Supervisor Cann advised that he will be participating in the closed session on December 17th, and he extended holiday wishes to everyone.

## **Recess Board of Supervisors**

**10:53 AM** Chair Cann recessed the Board of Supervisors meeting after reading the following announcement: *"In accordance with Government Code 54952.3, it is hereby announced that the Mariposa County Board of Supervisors will be sitting either simultaneously, or serially, as the Local Transportation Commission/ Water Agency Board and that they receive no additional compensation for same."*

## **I. LOCAL TRANSPORTATION COMMISSION**

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

**10:53 AM** Chair Stetson called the Local Transportation Commission (LTC) meeting to order.

### ***Public Comment Period***

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

None.

### ***LTC Regular Agenda***

#### **1. Public Works LTC-2014-19**

**Re-appoint Nancy Bell, Social Service Provider for Seniors, and Dick Whittington, Local Consolidated Transportation Service Agency to the Social Service Transportation Advisory Council (SSTAC) for Terms Expiring December 16, 2016**

Barbara Carrier/Public Works Assistant Director - Support Services gave the staff report.

Supervisor Stetson discussed Dick Whittington's desire to retire, and inquired if that will make a difference. Ms. Carrier noted that he has not yet announced his retirement, but that they will look for a replacement if he does.

**No public input.**

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Kevin Cann, District IV Supervisor

**SECONDER:** Merlin Jones, District II Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

### ***Adjourn LTC***

**10:56 AM** Chair Stetson adjourned the LTC meeting and passed the gavel back to Supervisor Cann.

## **J. WATER AGENCY BOARD**

(Chair - Commissioner Kevin Cann, Vice-Chair - Commissioner John Carrier)

**10:56 AM** Chair Cann called the Water Agency Board meeting to order.

### ***Public Comment Period***

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

None.

### ***Water Agency Regular Agenda***

#### **1. Public Works 2014-110**

**Appoint John McCamman to the Water Agency Advisory Board with a Term Expiring on April 9, 2016**

Doug Wilson gave the staff report.

**No public input.**

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Lee Stetson, District I Supervisor

**SECONDER:** John Carrier, District V Supervisor

**AYES:** Stetson, Jones, Bibby, Cann, Carrier

### ***Adjourn Water Agency Board***

**10:58 AM** Chair Cann adjourned the Water Agency Board meeting.

## **K. Reconvene as Board of Supervisors**

**10:58 AM** Chair Cann reconvened the Board of Supervisors meeting.

## **L. Regular Agenda Items**

#### **1. Planning RES-2014-660**

**Rescind Resolution No. 2014-610; Refer Amended Text for Zoning Ordinance Amendment Application No. 2014-078 Back to the Agricultural Advisory Committee and the Planning Commission**

Sarah Williams/Planning Director noted that this presentation was for the next two items. She recounted that Planning had previously come before the Board at a public hearing and that text edits were made due to public input; noted that the Board took action to approve a resolution and introduce an ordinance, but that a subsequent analysis of California Government Code determined that the edits needed to go back to the Planning Commission; and recommended that those previous actions be rescinded, and requested an extension of time to March 17, 2015, in order to bring those items back to the Board.

Supervisor Bibby urged referring the item back to the Ag Advisory Committee. She also inquired of Ms. Williams as to whether there have been any other decisions that the Board has taken in which this may have happened. Ms. Williams responded that this is an unusual scenario and that she did not know of other issues where this may have

happened.

**No public input.**

*Supervisor Bibby moved the item as requested, with direction to bring the issue back before the Board no later than March 17, 2015. Supervisor Carrier seconded the motion. Chair Cann restated the motion, and called the vote. The motion passed unanimously.*

**RESULT:**        **ADOPTED [UNANIMOUS]**  
**MOVER:**        Janet Bibby, District III Supervisor  
**SECONDER:**    John Carrier, District V Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

**2.     Planning     RES-2014-661**

**Rescind Board's Action to Waive First Reading and Introduce an Ordinance Amending Mariposa County Code Title 17 Pursuant to Code Amendment No. 2014-078 to Implement General Plan Provisions for Processing Mining Permits**

Ms. Williams noted that her recommendation for this item is the same as the previous item, and that these two items will be processed together.

**No public input.**

*Supervisor Carrier moved the item as requested, with direction to bring the issue back before the Board no later than March 17, 2015. Supervisor Bibby seconded the motion. The motion passed unanimously.*

**RESULT:**        **ADOPTED [UNANIMOUS]**  
**MOVER:**        John Carrier, District V Supervisor  
**SECONDER:**    Janet Bibby, District III Supervisor  
**AYES:**         Stetson, Jones, Bibby, Cann, Carrier

**M.    Items removed from Consent Agenda**

None.

**N.    Noon Recess**

**11:07 AM** Chair Cann recessed the meeting until 2:00 PM.

**O.    2:00 PM Reconvene**

**2:05 PM** Chair Cann reconvened the meeting.

**1.     Board of Supervisors     RES-2014-640**

**Resolution and Tile Plaque Recognizing Janet Bibby, Upon Her Retirement as District III Supervisor (Board Chair) Public Reception to Follow**

Supervisor Stetson discussed Supervisor Bibby's work ethic, diligence, integrity, and consistency; and he extended his thanks for her service. Supervisor Jones discussed her knowledgeable input. Supervisor Carrier remarked that it has been an honor and a pleasure to serve with her; and discussed her mentorship of him when he first took office.

Supervisor Cann discussed her diligent representation; and extended well wishes to her for the future.

**Public comment opened.**

Trace DeSandres led some high school students and staff in the Grizzlies spell out cheer.

Robin Hopper/Mariposa County Unified School Superintendent discussed going to school with Janet; remarked on her intelligence; noted how much she has always respected Janet; and thanked her for her 12 years of service.

Marshall Long expressed his pleasure to know Janet; discussed her honesty and roots; and thanked her for her help.

Doug Binnewies presented a bouquet of flowers; extended thanks on behalf of the Sheriff's Office; discussed how difficult public service can be; and extended congratulations.

Tom Cooke/District Attorney extended thanks for her support of the DA's office; and remarked that she was always looking out for the people in her district.

Carol Johnson presented Janet with a plant, and extended thanks for all she has done.

Les Marsden discussed how diligent Janet has always been; and extended his thanks for her service.

Becky Crafts extended thanks for being the epitome of her position, noting that she was everyone's supervisor.

Dr. Charles Mosher noted that Supervisors Bibby and Stetson are the two members of the health committee, and he has appreciated all of the help that they have given.

Jill Harry extended thanks for Janet's service; discussed how she met Janet, and the support she gave with the opening of the Catheys Valley Preschool; noted that Janet was a founding member of the First 5 Commission; discussed the various projects that Janet has helped with; and noted that the First 5 Commission adopted their own resolution.

Rick Uebner extended thanks to Janet for her service.

David Raboy discussed Janet's service to her district; noted that she has worked with him and his wife on various issues; and extended thanks to Janet for her service, and to her family for sharing her with the community.

Rita Kidd extended thanks to Janet for her love of the county; noted that Janet served in all capacities with distinction; and discussed her broad perspective in considering decisions.

Mary Ann Visser presented a basket on behalf of the Hornitos Patrons Club; discussed a 4-H trip to the coast when Janet was little; and noted her willingness to serve at the Hornitos Enchilada Dinner and other events.

Marvin Wells extended his well wishes; and discussed Janet's credibility and character.

Linda Meyer presented a bouquet of flowers; extended thanks to everyone for serving on the Board; discussed Janet's family; noted how fair and ethical Janet has been; discussed Janet's volunteerism; and extended thanks for her service.

Russ Marks discussed his earliest memories of Janet and Joel.

Caroline Wenger Korn noted that when the 1879 schoolhouse in Catheys Valley was scheduled to be bulldozed, Janet was there to advise and help; and she noted how proud Janet's great-grandmother and grandfather would be, and how proud her parents must be.

Kris Casto extended her thanks to Janet for her service; and discussed how ethical and honest Janet is.

Joel Bibby noted that their daughter, Riley, was four years old when Janet first ran for office; remarked that Riley got to grow up seeing what a strong woman can be; and noted that he has always been proud of everything that she has done.

Riley Bibby extended thanks and congratulations to her mother.

Mike McCreary discussed how difficult it is to serve in public service; and noted how

much Janet will be missed.

**Public comment closed.**

Chair Cann presented the resolution and tile plaque. Christina Hall presented a Certificate of Recognition on behalf of Assembly Members Berryhill and Bigelow; and presented a Certificate of Recognition from Congressman McClintock.

Supervisor Bibby discussed her employment history with the County; and the love that she feels for the county, the board members, and staff.

**RESULT: ADOPTED [4 TO 0]**

**MOVER:** Lee Stetson, District I Supervisor

**SECONDER:** Merlin Jones, District II Supervisor

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

**ABSTAIN:** Janet Bibby

**2. Board of Supervisors RES-2014-641**

**Resolution and Tile Plaque Recognizing Lee Stetson, Upon His Retirement as District I Supervisor (Board Chair) Public Reception to Follow**

Supervisor Carrier extended his thanks to Supervisor Stetson, noting him to be a calming force; and discussed his historic and institutional knowledge. Supervisor Bibby extended her thanks, noting that they started together and that they get to end together; expressed appreciation for Supervisor Stetson's sense of humor; and extended thanks to him and his wife, Connie. Supervisor Jones discussed Supervisor Stetson's performances and advised the public to attend one if they have never seen him perform; discussed his first impressions of Supervisor Stetson; and extended well wishes for the future. Supervisor Cann discussed the respect that he has for Supervisor Stetson; remarked on his calm professionalism; and discussed how his sage wisdom would narrow the focus onto the issues.

**Public comment opened.**

Marshall Long discussed first meeting Supervisor Stetson in Yosemite National Park many years ago; and extended thanks for his service.

Marvin Wells noted that Lee will be missed; extended thanks for his service; discussed the number of soldiers who died in various wars so that everyone can be free, and suggested that Supervisors Stetson and Bibby consider volunteering time at something in order to give back.

Dr. Charles Mosher discussed working with Supervisor Stetson, noting that it has always been a pleasure to work with him; and expressed his appreciation for what he did for healthcare and the arts in this county.

Doug Binnewies extended congratulations on retirement; noted that the community has faced some trying issues, and that Supervisor Stetson has taken a compassionate position on all topics; noted that he has enjoyed working with him; and expressed appreciation for his position and support of the Sheriff's Department.

Les Marsden noted that Supervisor Stetson has been an extraordinary figure in the county; discussed how he came to know him; discussed his appreciation to be his friend and Planning Commissioner; and expressed his appreciation for Lee's service.

**Public comment closed.**

Christina Hall presented a Certificate of Recognition on behalf of Assembly Members Berryhill and Bigelow; and presented a Certificate of Recognition from Congressman McClintock.

Chair Cann presented the resolution and tile plaque to Supervisor Stetson.

Supervisor Stetson extended thanks to everyone, noting that he has always had the support of such a good team; expressed appreciation for the other Board members and the department heads; and noted how pleased he has been to be able to represent his district.

**RESULT: ADOPTED [4 TO 0]**

**MOVER:** Janet Bibby, District III Supervisor

**SECONDER:** John Carrier, District V Supervisor

**AYES:** Merlin Jones, Janet Bibby, Kevin Cann, John Carrier

**ABSTAIN:** Lee Stetson

## **Recess**

**3:32 PM** Chair Cann recessed the meeting for refreshments and reconvened at 3:55 PM.

## **P. 3:00 PM**

### **1. Health RES-2014-662**

#### **Approve the Project Application for the California Disaster Assistance Act (CDAA) Program for Funds to Provide Emergency Water to Private Citizens; and Authorize the County Administrative Officer to Sign the Project Application**

Dr. Charles Mosher/Health Officer gave the staff report noting that there has been concern regarding the impact of the drought on private citizens; noted that the Governor has made money available through the Disaster Assistance Grant for some temporary relief of drought impacts where people may be out of water on private property; noted that it would work like a lot of other Office of Emergency Services (OES) funding where the money is spent up front with reimbursement sought later; and noted that they are seeking permission to allow the CAO to apply. He also requested clarification of whether the Board would want to administer it within the County or find an appropriate non-governmental entity (NGO), noting that if the County administers it, it will be a 75%-25% match while an NGO administering it will be a 100% grant.

Supervisor Bibby required clarification of who might administer it if not the County. Dr. Mosher responded that they have not yet looked that far. Supervisor Bibby inquired as to whether the County would have to make a designation now, or if it would be amended later. Dr. Mosher responded that today he just needs permission to submit the application. Supervisor Stetson required clarification regarding having it administered outside of the county. Dr. Mosher noted that there would be no commitment on the County's finances if it is an NGO; and remarked that he mentioned out of county because there are a lot of out of county agencies that have already been dealing with this. Supervisor Cann inquired if an NGO could get administrative overhead if they manage it. Don Florence/OES affirmed from the audience. Supervisor Cann and Dr. Mosher discussed local statistics regarding wells.

#### **No public input.**

Supervisor Bibby moved the item as requested, with direction that if it is awarded the details will come back to the Board regarding whether the County or a nonprofit administers it. Supervisor Stetson seconded the motion, and it passed unanimously.

Supervisor Cann requested that the Board be kept informed of any new information that may arise.

**RESULT:** **ADOPTED [UNANIMOUS]**  
**MOVER:** Janet Bibby, District III Supervisor  
**SECONDER:** Lee Stetson, District I Supervisor  
**AYES:** Stetson, Jones, Bibby, Cann, Carrier

## **Q. Closed Session**

**No public comment on either closed session.**

Supervisor Carrier noted that he will be recusing himself from item Q.2.

1. **Human Resources/Risk Management (ID # 4270)**

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

This closed session was held at 4:11 PM and reported out at 5:14 PM.

**RESULT: CLOSED SESSION HELD**

2. **Human Resources/Risk Management (ID # 4271)**

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

This closed session was held at 4:50 PM and reported out at 5:14 PM.

**RESULT: CLOSED SESSION HELD**

## **Report Out**

**5:14 PM** Chair Cann reported out that Information was Received and Direction was Given on both closed sessions.

## **R. Continue Meeting to December 17, 2014 at 1:00 PM**

**5:15 PM** Chair Cann continued the meeting to December 17, 2014, at 1:00 PM and recessed in memory of Nancy Jean Moore.

Respectfully submitted,

RENÉ LaROCHE  
Clerk of the Board

KEVIN CANN  
Chair, Board of Supervisors



# MARIPOSA COUNTY

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

**DISTRICT IV**  
**DISTRICT II**  
**DISTRICT I**  
**DISTRICT III**  
**DISTRICT V**

## MINUTES

December 17, 2014

(Continued from the December 16, 2014 meeting)

### A. Call to Order and Roll Call 1:00 PM

**1:02 PM** Chair Cann called the meeting to order at the Mariposa County Government Center, noting that there was a quorum with all members present.

| Attendee Name | Title                   | Status  | Arrived |
|---------------|-------------------------|---------|---------|
| Lee Stetson   | District I Supervisor   | Present | 1:00 PM |
| Merlin Jones  | District II Supervisor  | Present | 1:00 PM |
| Janet Bibby   | District III Supervisor | Present | 1:00 PM |
| Kevin Cann    | District IV Supervisor  | Present | 1:00 PM |
| John Carrier  | District V Supervisor   | Present | 1:00 PM |

### Pledge of Allegiance

Supervisor Stetson led the Pledge of Allegiance.

### B. Closed Session

- Human Resources/Risk Management (ID # 4248)**

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

No Board or public input.

This Closed session was held at 1:07 PM and reported out at 3:44 PM.

**RESULT: CLOSED SESSION HELD**

### Report Out

**3:44 PM** Chair Cann reported out from closed session that no final action was taken.

## **C. Adjournment**

**3:44 PM** Chair Cann adjourned the meeting.

Respectfully submitted,

RENÉ LaROCHE  
Clerk of the Board

KEVIN CANN  
Chair, Board of Supervisors



# MARIPOSA COUNTY

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

**DISTRICT IV**  
**DISTRICT II**  
**DISTRICT I**  
**DISTRICT III**  
**DISTRICT V**

## MINUTES

December 29, 2014

### A. Call to Order and Roll Call

**2:06 PM** Chair Cann called the meeting to order at the Mariposa County Government Center noting that there was a quorum with all Board members present.

| Attendee Name | Title                   | Status  | Arrived |
|---------------|-------------------------|---------|---------|
| Lee Stetson   | District I Supervisor   | Present | 2:00 PM |
| Merlin Jones  | District II Supervisor  | Present | 2:07 PM |
| Janet Bibby   | District III Supervisor | Present | 2:00 PM |
| Kevin Cann    | District IV Supervisor  | Present | 2:00 PM |
| John Carrier  | District V Supervisor   | Present | 2:00 PM |

### B. Pledge of Allegiance

The Pledge was led by Supervisor Carrier.

### C. Closed Session

#### 1. Human Resources/Risk Management (ID # 4322)

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

No Board or public comment.

This Closed session was held at 2:07 PM and reported out at 2:18 PM.

**RESULT: CLOSED SESSION HELD**

### Report Out

**2:18 PM** Chair Cann reported out that on motion of Supervisor Stetson, seconded by Supervisor Jones, the Board took unanimous action to appoint Robert W. Ryder, M.D., as County Health Officer effective January 5, 2015.

**D. Adjournment**

**2:18 PM** Chair Cann adjourned the meeting.

Respectfully submitted,

RENÉ LaROCHE  
Clerk of the Board

KEVIN CANN  
Chair, Board of Supervisors