



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

January 3, 2012



Folder Time Description

9:00 a.m. Meeting Called to Order at the Mariposa County Government Center

Introductions

Sheriff Doug Binnewies introduced the Department's Honor Guard.

Pledge of Allegiance by the Sheriff Binnewies and the Mariposa County Sheriff's Honor Guard

Sheriff Binnewies called for a moment of silence in recognition of the 173 fallen law enforcement officers during 2011.

Selection of Chair for 2012

BOARD ACTION: Board members thanked Supervisor Allen for serving as Chair in 2011. (M)Stetson, (S)Turpin, Supervisor Bibby was selected as Chair for 2012/Ayes: Unanimous.

Selection of Vice-Chair for 2012

BOARD ACTION: Following discussion, (M)Cann, (S)Stetson, Supervisor Turpin was selected as Vice-Chair for 2012/Ayes: Unanimous.

Presentation of the Gavel Plaque to Supervisor Allen for Serving as Chair for 2011

BOARD ACTION: Chair Bibby presented Supervisor Allen with the gavel plaque. Supervisor Allen commented on accomplishments during 2011, including reaching agreement for a two-tier retirement system for the employees, implementing performance reviews for appointed department heads, and dealing with tough budget issues.

1

Approval of Consent Agenda – See End of 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

BOARD ACTION: Input from the public was provided by the following:

Jim Rydingsword/Human Services Director, stated he would like to discuss item 104. Chair Bibby pulled this item for discussion.

Eleanor Keuning referred to item 111 and stated her personal preference is for employees to work a five-day work week so they are available to the citizens.

Supervisor Turpin pulled item 115. Supervisors Cann and Stetson referred to item 107 and asked how much revenue is anticipated. Jim Rydingsword stated he would obtain the information and forward it to the Board. Supervisor Cann referred to

item 114 and asked what facilities are involved; and Peter Rei/Public Works Director, responded. Supervisor Bibby referred to item 108 and asked for verification that the liquidation process for the vehicle has been completed; and Jim Rydingsword responded in the affirmative. Jim Rydingsword referred to item 104 and reviewed the background of the request and their normal processing – advising that in the normal course of business this flex promotion would have occurred on December 1st without any examination pursuant to the Merit Services procedures. He asked that the promotion be effective December 1, 2011, and advised that the funds are in their budget and there is no impact to the General Fund. Discussion was held. Rick Benson/County Administrative Officer provided input on his recommendation for a January 1, 2012, effective date. Steve Dahlem/County Counsel recommended that action include direction for the effective date.

Chair Bibby advised that item 115 would be considered after the Local Transportation Commission agenda. (M)Allen, (S)Cann, the balance of the items was approved, with direction that the effective date of the promotion in item 104 be December 1, 2011/Ayes: Unanimous.

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

Sheriff Binnewies provided statistical information on the Department's activities during 2011 – 36,403 calls for service, and 983 bookings. He commended his staff; and he recognized the volunteer service provided to the Department and the community by the late Ted (2007) and Betty (2011) Tetzlaff of North County. Board members also noted the volunteer services provided by the Tetzlaffs.

Peter Rei announced that the appointments are full for the household hazardous waste collection event scheduled in Lake Don Pedro for January 6th; and he announced that appointments are available for the event to be held in Mariposa on February 7th. He advised of the status of reorganization of the Department and of the promotion of Barbara Carrier to the Assistant Director of Public Works Support Services position. He also advised that the Foresta Bridge project is complete.

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

Eleanor Keuning asked when the next Parks and Recreation Commission meeting is scheduled, and she asked why the tennis courts are not included in the fee structure. She referred to the Tourism Bureau's update and advised of errors and misinformation she found on the bike map brochure – she will relay her concerns to the Tourism Bureau.

Marvin Wells congratulated Chair Bibby and Vice-Chair Turpin on their selections; commented on the need to protect the road runner; and he suggested that when the Patriots' go to the Super Bowl that a holiday be declared.

Board Information

Supervisor Allen stated he had a lot of family time over the holidays – went to Tenaya Lake and it was gorgeous and he ice skated with his daughter; and his family went to the Zip Line and he highly recommends this activity and commended Brian and his staff for this and for their educational component. He attended the fire station meeting last week and they reviewed the budgets.

Supervisor Stetson advised that he attended the fire station meeting. He plans to attend the CSAC meeting in Sacramento on Thursday; and the El Portal Planning Advisory Committee meeting on Tuesday evening. He thanked the Public Works Director, Pete Padilla, the National Park Service, and Supervisor Cann for their efforts on the Foresta Bridge project. He noted that most all of the lakes in the high country are still accessible.

Supervisor Cann noted that he went to Tenaya Lake and provided emergency assistance while there – he further noted that the Lake was accessible at this time in 1977 and 1999. He extended congratulations to Barbara Carrier on her promotion to Assistant Public Works Director and to Peter Rei on the reorganization. He noted that the tennis court lights have not worked for a long time. He attended a meeting with staff from Public Works and volunteers working on improving the level of cemetery maintenance and preservation. He advised that there is a merchants meeting scheduled for Thursday. He stated he is grieved by the incident at Mt. Rainer National Park where Ranger Margaret Anderson was killed on New Year’s Day; and he commented on the dangers law enforcement officers face and he thanked them for their service.

Supervisor Turpin thanked the department heads for their service to the County; and he thanked 2011 Chair Allen and the Board members for their service. He noted that he is still recovering from the ranch accident and he is working on walking. He noted the unusual weather and his discussion with friends that went over Tioga Pass. He commented on cold weather problems with a neighboring County hotel – the sprinklers froze and broke; and he is discussing this issue with the Building Director to try and avoid similar problems here. He is looking forward to a spectacular year ahead.

Supervisor Bibby expressed special thanks to the Sheriff and the Honor Guard for participation in the Board meeting and various events in the County. She thanked the Board and department heads for their work. She commented on the history of trying to address the light problems at the tennis courts.

2

Auditor

Review and Accept the Annual and Triennial Audit Reports for the Transportation Commission and Transit Fund

BOARD ACTION: Bill Davis/Auditor and Barbara Carrier/Assistant Director of Public Works Support Services reviewed the Audit Reports and findings. Chair Bibby asked that anything that needs formal action by the Board to resolve the findings come back to the Board for adoption. Discussion was held. Rick Benson noted that the findings are minor. Peter Rei noted that these are performance audits and not financial audits; and that the department will address the findings and bring back procedures for adoption. (M)Turpin, (S)Cann, Res. 12-16 was adopted accepting the Audit Reports/Ayes: Unanimous.

10:21 a.m. Recess

10:32 a.m. Board Convened as

LOCAL TRANSPORTATION COMMISSION

(Chair – Commissioner Lyle Turpin, Vice-Chair – Vacant)

3

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

4

Clerk of the Board

Selection of Chair and Vice-Chair

COMMISSION ACTION: (M)Stetson, (S)Allen, Commissioner Turpin was selected to continue as Chair/Ayes: Unanimous. (M)Cann, (S)Allen, Commissioner Stetson was selected to continue as Vice-Chair/Ayes: Unanimous.

10:37 a.m. The Board reconvened.

11 Consider Items Removed from the Consent Agenda
Item 115 – Supervisor Turpin initiated discussion and noted that the lowest responsible bidder may not be within the budgeted amount for this project. (M)Turpin, (S)Allen, item 115 was approved/Ayes: Unanimous.

10:43 a.m. Board Convened as

MARIPOSA COUNTY WATER AGENCY

(Chair – Director Cann; Vice-Chair – Director Turpin)

5 Public Presentation: For Items within the Jurisdiction of the Mariposa County Water Agency and not on Today’s Agenda (Speakers Limited to Five Minutes) – none

6 **Clerk of the Board**

Selection of Chair and Vice-Chair

AGENCY ACTION: Director Cann commented on the importance of pending issues, including the MID contract and the IRWMP project. (M)Allen, (S)Bibby, Director Cann was selected to continue as Chair/Ayes: Unanimous. (M)Allen, (S)Bibby, Director Turpin was selected to continue as Vice-Chair/Ayes: Unanimous.

10:47 a.m. Reconvened as

BOARD OF SUPERVISORS

7 **Administration**

Discussion and Direction to Set the Board’s Meeting Schedule for 2012

BOARD ACTION: Rick Benson reviewed the meeting schedule and discussion was held. (M)Allen, (S)Stetson, Res. 12-18 was adopted setting the Board’s meeting schedule, with the following changes from the regular meeting schedule: cancellation of the July 3rd meeting; direction for further consideration to be given on the November 20th meeting later in the year; and with cancellation of the December 26th and January 2nd (2013) meeting/Ayes: Unanimous.

8 **Clerk of the Board**

Review and Provide Direction Relative to Board Member Liaison Policy Areas and Selection of Board Member Representation

BOARD ACTION: Discussion was held. (M)Cann, (S)Stetson, direction was given to continue with the current structure and assignment of two Board members to each area: Developmental Services: Supervisors Stetson and Turpin; Fiscal and Educational Services: Supervisors Bibby and Allen; General Government: Supervisors Bibby and Cann; Health and Human Services: Supervisors Stetson and Bibby; Justice System Services: Supervisors Stetson and Allen; and Water and Infrastructure: Supervisors Turpin and Cann/Ayes: Unanimous.

9 **Clerk of the Board**

Selection of Board Member Representation on Agencies

BOARD ACTION: Discussion was held. Supervisors Cann and Stetson noted that membership from the sub-region of the Sierra Nevada Conservancy rotates between four counties, and this is the year for Mariposa County to have a member serve on this Board. Discussion was held relative to the vacant representative position to the San Joaquin Valley Rail Committee. Chair Bibby asked that there be further review of advertising/posting requirements and taking outside applications. County Counsel provided input on the posting requirements pursuant to the Maddy Act.

Input from the public was provided by the following:

Ruth Sellers stated she used to attend the San Joaquin Valley Rail Committee meetings and is interested in serving as a representative.

Marvin Wells stated he served on the San Joaquin Valley Rail Committee and he feels it is very important that the County be represented as their issues affect YARTS and Amtrak services to the County.

Supervisor Stetson stated he will further review the issues with the vacant representative position on the San Joaquin Valley Rail Committee and come back with information. Supervisor Turpin asked whether mileage costs are reimbursed if a public member is selected as a representative on the San Joaquin Valley Rail Committee.

(M)Allen, (S)Cann, the following appointments were made, with the only change from 2011 being for the Sierra Nevada Conservancy:

Area Agency on Aging/PSA 12: Representative – Supervisor Allen; Alternate – Supervisor Stetson

California State Association of Counties (CSAC): Director – Supervisor Stetson; Alternates – Supervisors Turpin, Bibby, Cann and Allen

Central Sierra Connect (CSC) Policy and Technical Committee: Representative – Supervisor Bibby; Alternate – Supervisor Stetson; and Staff – Rick Peresan/Technical Services Director

CSAC Advisory Committee on Court Facilities: Representative – Supervisor Turpin; Staff Support – County Administrative Officer and Public Works Director

CSAC Excess Insurance Authority/(EIA) Liability Insurance: Representative – County Administrative Officer; Alternate – Deputy County Administrative Officer

Calaveras-Mariposa Community Action Agency: Representative – Supervisors Turpin, with Supervisor Stetson as Alternate; and Representative – Bibby, with Supervisor Cann as Alternate

County Medical Services Program (CMSP): Representative – Supervisor Allen

Foreign Trade Zone Advisory: Member – Supervisor Bibby

Job Connection Mariposa Governing Board (Mother Lode Job Training): Representative – Supervisor Bibby; Alternate – Supervisor Stetson

Joint Powers Authority of the Central Sierra Economic Development District (CSEDD): Representative – Supervisor Cann; Alternate – Supervisor Stetson

Mountain Counties Air Basin: Representative – Supervisor Turpin; Alternate – Supervisor Cann

Mountain Valley Emergency Medical Services Agency and Regional Advisory Board: Representative – Supervisor Allen; Elected Alternate – Supervisor Bibby; Alternate/Chairman of EMCC

National Association of Counties (NACO): Representative – Supervisor Cann; Alternates – Supervisors Bibby, Turpin, Stetson and Allen

Regional Council of Rural Counties (RCRC): Representative – Supervisor Cann; First Alternate – Supervisor Stetson; Remaining Alternates – Supervisors Bibby, Allen and Turpin

RCRC – Environmental Services JPA's for Solid Waste: Representative – Supervisor Cann; Alternate – Public Works Director

San Joaquin Valley Rail Committee: Representative – Supervisor Stetson; Second Position - Vacant

San Joaquin Valley Regional Association of California Counties: Representative – Supervisor Allen

Sierra Nevada Conservancy: Representative to the Sub-region for Mariposa – Supervisor Stetson; Alternate – Supervisor Turpin

Yosemite Area Regional Transportation System (YARTS) JPA: Representative – Supervisor Stetson; Alternate – Supervisor Cann

Yosemite/Sequoia Resource Conservation and Development Area:

Representative – Supervisor Turpin; Alternate – Supervisors Stetson, Bibby, Cann, and Allen/Ayes: Unanimous.

10

Clerk of the Board

Discussion and Direction Relative to Appointment of Board Members to Contact Areas
BOARD ACTION: Discussion was held. Peter Rei offered his assistance with technical involvement with CalTrans for the Ferguson Rockslide.

(M)Allen, (S)Turpin, the following selections were made as contacts for the following areas:

Yosemite Gateway Partners: Supervisors Stetson and Cann

High Speed Rail Authority: Supervisor Stetson

Yosemite National Park Service Issues: Supervisors Stetson and Allen

Ferguson Rockslide Liaison: Supervisors Stetson and Cann, with the County Administrative Officer (CAO) as the lead contact person

Space Needs Issues: The CAO handles space needs issues, including departments that have issues arise and private property owners that want to discuss a sale with the County. Board members are to be kept informed of these issues, particularly the affected district/Ayes: Unanimous.

12

Administration

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

13

Administration

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

14

Administration

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: Deputy Sheriffs' Association (DSA); Name of County Designated Representative: Richard J. Benson; and

15

Administration

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

BOARD ACTION: Rick Benson withdrew these closed session items.

16

County Counsel

CLOSED SESSION: Conference with Legal Counsel: Existing Litigation: Jack Bankhead v. Mariposa County, et al.: Mariposa County Superior Court Case No. 10077

BOARD ACTION: (M)Cann, (S)Stetson, the closed session was held at 11:13 a.m./Ayes: Unanimous.

11:34 a.m. Report from Closed Session:

Chair Bibby announced that information was received on item 16/existing litigation.

Consent Agenda

CA-101

Clerk of the Board

Approval of the Summary of Proceedings of December 20, 2011, Regular Meeting

- CA-102 **Administration**
Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park; Res. 12-1
- CA-103 **Administration**
Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road; Res. 12-2
- CA-104 **Administration**
Approve the Promotion of an Eligibility Worker I to the Position of an Eligibility Worker II in the Human Services Department Effective January 1, 2012; Res. 12-3, with an effective date of December 1, 2011.
- CA-105 **Administration**
Ratify the Signature of the County Administrative Officer on the Revised Nationwide Retirement Solutions Plan, Roth Contribution Amendment and OBRA/PST Plan Document; Res. 12-4
- CA-106 **Human Services**
Approve the Attached Membership Certification for the Mariposa County Local Child Care Planning Council, and Authorize the Board of Supervisors Chair to Sign the Certification; Res. 12-5
- CA-107 **Human Services**
Approve Driving Under the Influence Program in Mariposa County to Accept Fines Collected According to Penal Code 1463.16; Res. 12-6
- CA-108 **Human Services**
Approve the Disposal and Sale at Auction of a Vehicle from the Human Services Fleet; Res. 12-7
- CA-109 **Supervisor Bibby**
Appoint Sandra Ziegenfuss to the Catheys Valley Cemetery Ad Hoc Committee for a Term Expiring December 31, 2015; Re-Appoint Judie Huffman to the Catheys Valley Cemetery Ad Hoc Committee for a Term Expiring December 31, 2015
- CA-110 **Public Works**
Approve Disbanding the Mariposa Pines Subdivision Sewer Advisory Board; Res. 12-8
- CA-111 **Public Works**
Authorize the Public Works Director the Ability to Offer the Option of a 4/10 Work Schedule to Specific Staff with in the Public Works Department Subject to the Director's Approval; Res. 12-9
- CA-112 **Public Works**
Approve the Second Amendment to an Agreement with Golder Associates Extending the Term of the Agreement to June 30, 2012, and Authorize the Board of Supervisors Chair to Sign the Amendment; Res. 12-10
- CA-113 **Public Works**
Approve the Second Amendment to an Agreement with Fujii Civil Engineering to Assist with Solid Waste and Household Hazardous Waste Compliance Requirements, Extending the Term of the Agreement to June 30, 2012, Increasing the Compensation

to a Not to Exceed Amount of \$6,360, and Authorize the Public Works Director to Sign the Amendment; Res. 12-11

- CA-114 **Public Works**
Approve Budget Action Increasing Revenue and Appropriations in the California Energy Efficiency Grant Fund; Make the Fund Non-Interest Earning (\$102,062) (4/5ths Vote Required); Res. 12-12
- CA-115 **Public Works**
Approve the Plans and Specifications for the Renovations to the County-Owned Building Located at 5085 Bullion Street; Authorize Public Works to Advertise the Project; and Authorize the Public Works Director to Award and Sign an Agreement with the Lowest Responsible Bidder (Agreement Subject to Review by County Counsel); Res. 12-17
- CA-116 **Sheriff**
Approve the Purchase of New Live Scan System for Applicant Submissions to Department of Justice and Approve Budget Action Transferring Funding in the Finger Print ID Sheriff Fund to Allow for the Purchase of the System (\$10,000); Res. 12-13
- CA-117 **Sheriff**
Authorize the Purchase of and Installation of Three Hot Water Heaters at the Mariposa County Adult Detention Facility in the Amount of \$18,161; Res. 12-14
- CA-118 **Planning**
Accept the Resignation of Brian Mattos from the Fish Camp Town Planning Advisory Council
- CA-119 **Supervisor Cann**
Approve Amendment Two to Agreement with the National Park Service for the Replacement of the Foresta Bridge, and Authorize the Board of Supervisors Chair to Sign the Amendment; Res. 12-15

11:35 a.m. Adjournment in memory of Daniel Johnson III.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS



SUMMARY OF PROCEEDINGS

January 10, 2012

<u>Folder</u>	<u>Time</u>	<u>Description</u>
---------------	-------------	--------------------

9:01 a.m. Meeting Called to Order at the Mariposa County Government Center

Chair Bibby noted the addendum to the agenda; and she advised that CA 106 and CA 107 were withdrawn by the department from today's agenda.

Pledge of Allegiance

Chair Bibby called for a moment of silence for our women and men that serve in the military and their families.

Introductions – none

- | | | |
|---|--|--|
| 1 | | <p>Approval of Consent Agenda – See End of 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
 BOARD ACTION: Supervisor Cann referred to item 110 and asked about the work to be done. Peter Rei/Public Works Director, responded that the agreement is to reimburse staff time for the next phase of the project. (M)Stetson, (S)Turpin, the balance of the items was approved/Ayes: Unanimous.</p> |
|---|--|--|

Departmental Presentation: For Items within the Jurisdiction of the Board and not on Today's Agenda – none

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

Marvin Wells commended Supervisor Cann for the district meeting he held on Monday evening; and he encouraged all of the Board members to hold meetings.

Sherry Davis advised of her work with the historical plaque committee to try and get plaques on buildings with historical information; they have met with the downtown business association, Rotary, and the Historical Sites and Records Preservation Commission, and consulted with Planning staff. Rotary approved funding for half of the costs for two plaques if the business owners will pay for the remaining half. Chair Bibby advised that if information is provided that the County could help in working with the property owners. Sherry Davis responded to Supervisor Cann's question and advised that the plaques cost \$600.

Kathy McCorry, Executive Director of the Chamber of Commerce, provided information on the visitor statistics for November and December; advised that the Coulterville Visitor Center will cost about \$10,000 above their contracted amount with

the County; advised of their installation and recognition dinner scheduled for January 27th and the e-waste recycling events scheduled for January 28th in Mariposa and February 25th in Coulterville.

Eleanor Keuning, speaking as a member of the Historical Sites and Records Preservation Commission, commented on the input relative to the historic plaques and noted the need to make sure that the information is correct.

Debbie Cook, aka Fannie d'Flame as Honorary Mayor of Coulterville for 2012, provided input on the Mayoral race and recipients of this fundraiser – her charity is the Coulterville Fire Brigade for education and prevention for the Fire Department; and she presented a “Coulterville Rocks” rock in appreciation of the support that she received.

John Peele referred to the meeting he attended on Monday evening hosted by Supervisor Cann and he asked what can be done to appeal the SRA (State Responsibility Area) fire fees that the State is implementing. Supervisor Cann advised that this is a State mandate and that lots of legal action is being considered; however, he noted that RCRC is recommending that property owners pay the fees to avoid liens in the interim of the matter being resolved. Chair Bibby advised that if citizens want to provide letters, the Board can forward them.

David Taylor, Lake Don Pedro Subdivision resident, thanked the Board for the recent household hazardous materials collection event.

Eleanor Keuning commented on the sign issues that were discussed at the merchants meeting on Thursday and presented examples of wayfinding signs used in other areas; and she commented on news stories relative to US jobs and presented clippings of news articles. She also discussed the Mariposa Creek Parkway project.

Board Information

Supervisor Stetson advised that he attended the CSAC meeting on Thursday in Sacramento; and he advised of the status of their proposed initiative for the November ballot to guarantee funding for realignment, and he commented on the Governor's proposal. He plans to attend the El Portal Planning Advisory Committee meeting this evening; the Airport Advisory Committee meeting on Thursday; and the fire station meeting on Friday. He went to the high country over the weekend and noted that all of the lakes are frozen.

Supervisor Cann advised that he attended the Mariposa County Business Association meeting on Thursday and he commented on the issues that were discussed. He had lunch with the Chair of the Board of Directors of MID (Merced Irrigation District) on Friday at the direction of the Board and he feels that the door is open for more negotiations. He attended a meeting on Monday with the ad hoc crosswalk team – they are working on another phase of the Safe Route to School grant for sidewalk projects. He mentioned the town hall meeting he held on Monday and stated he appreciated everyone for coming, and he will try to hold a meeting every quarter. On Thursday, he plans to attend the Gateway Partners meeting in Yosemite, a meeting of a group concerning about developing warming centers for serving about 30 homeless people we have in Mariposa, a meeting where Human Services is spearheading a poverty reduction initiative, and a meeting with John Muir's grandson/Hanna to support the Mining and Mineral Exhibit.

Supervisor Turpin advised that he plans to meet with the Public Works Director after the Board meeting and they will be scheduling a meeting of the Don Pedro Pedestrian and Equestrian Trails Advisory Committee. He plans to attend the Red Cloud Library and the Coulterville Community Club meetings next week. He expressed appreciation to Supervisor Stetson for attending the CSAC meeting. He referred to a “country wife's basic Christmas list” in the Western Livestock Journal. He announced that he will not be seeking reelection as Supervisor for District II; and he noted that he made this decision prior to his ranch accident.

Supervisor Allen advised that he attended the Area 12 Agency on Aging meeting in Sonora on Monday; and he provided input on the lunch and learn program for caregivers, Hi-CAP/health insurance advocacy, and he noted that the survey of counties based on questionnaires completed by seniors is available and that it notes the need for handyman services. He plans to attend the fire station meeting on Friday, and the Fish Camp Planning Advisory Committee meeting on Saturday. He extended congratulations to Nathan Ritter for his nomination by Congressman Denham to the US Military Academy and the Air Force Academy.

Supervisor Bibby advised that they are still looking for individuals to serve on the Mental Health Board. She extended special thanks to CHP for their service and assistance with parking issues, for attending meetings, for recording accident history at intersections and crosswalks; and to CalTrans for ADA incident research. She advised that she is trying to get information on walking paths and wants to move forward with wayfinding signs. She advised that Planning staff has been working on the sign ordinance and will bring back information.

9:46 a.m. Board Convened as

LOCAL TRANSPORTATION COMMISSION

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

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

3 **Public Works**

Approve Budget Action Transferring the Remaining Unused Local Transportation Money from the Transportation Planning Fund to the Local Transportation Fund (\$42,518)(4/5ths Vote Required)

COMMISSION ACTION: Discussion was held with Peter Rei/Executive Director and Barbara Carrier/Assistant Director of Public Works – Support Services. (M)Bibby, (S)Allen, LTC Res. 12-1 was adopted approving the budget action/Ayes: Unanimous.

4 **Public Works**

Authorize County Counsel and the Executive Director to Sign the Federal Fiscal Year 2012 Certifications and Assurances for Federal Transit Administration Assistance (FTA) Programs

COMMISSION ACTION: Discussion was held with Barbara Carrier. (M)Cann, (S)Bibby, LTC Res. 12-2 was adopted approving the requested action/Ayes: Unanimous.

9:54 a.m. Reconvened as

BOARD OF SUPERVISORS

5 Consider Items Removed from the Consent Agenda – none

5a **Public Works**

Approve Plans and Specifications for the Lake Don Pedro Fire Station #24, and Authorize the Public Works Director to Solicit Bids for Construction, Award Agreement to the Lowest Responsible Bidder, and Sign the Agreement (Agreement Subject to County Counsel Review as to Form)

BOARD ACTION: Discussion was held with Peter Rei relative to the request. Jim Wilson/Fire Chief responded to a question from the Board relative to the grant amount for the three fire stations. (M)Turpin, (S)Stetson, Res. 12-27 was adopted approving the requested actions/Ayes: Unanimous.

10:00 a.m. Recess and Lunch

2:30 p.m. Reconvened

6

Administration

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

7

Administration

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

BOARD ACTION: (M)Stetson, (S)Turpin, the closed sessions were held/Ayes: Unanimous.

8

Administration

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: Deputy Sheriffs' Association (DSA); Name of County Designated Representative: Richard J. Benson; and

9

Administration

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

BOARD ACTION: Supervisor Bibby excused herself from the meeting at 2:33 p.m. for action to hold these closed sessions and for the portion of the closed session on these matters due to a potential conflict of interest as she has a family member/husband that is in SMA. (M)Cann, (S)Allen, the closed sessions were held/Ayes: Turpin, Stetson, Cann, Allen; Excused: Bibby.

3:27 p.m. Report from Closed Session:

Vice-Chair Turpin announced that information was received and direction was given on items 8/labor negotiations with DSA and 9/labor negotiations with SMA.

3:32 p.m. Chair Bibby was present for

Report from Closed Session:

Chair Bibby announced that information was received on items 6/labor negotiations with SEIU and 7/labor negotiations with MCMCO.

Consent Agenda

CA-101

Clerk of the Board

Approval of the Summary of Proceedings of January 3, 2012, Regular Meeting

CA-102

Administration

Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park; Res. 12-19

CA-103

Administration

Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road; Res. 12-20

- CA-104 **Administration**
 Appoint Roger Biery, Citizen Member, and Karen Smith, Citizen Member Alternate, to the Central Sierra Economic Development District Committee (CSEDD)
- CA-105 **Administration**
 Approve Budget Action Transferring Funds from the Economic Development Budget to the Mariposa Creek Parkway Fund to Account for Escrow and other Costs Associated with the Acquisition of Property for the Parkway Project (\$12,539) (4/5ths Vote Required); Res. 12-21
- CA-106 **Human Services**
 Approve and Authorize the Board of Supervisors Chair to Sign the In Home Supportive Services (IHSS) Anti-Fraud Plan; item was withdrawn from the agenda
- CA-107 **Human Services**
 Approve an Agreement with LuEllen Luker, LCSW, to Provide Counseling Services as an Independent Contractor for Mental Health Clients who have Mariposa County Medi-Cal, and Authorize the Board of Supervisors Chair to Sign the Agreement; item was withdrawn from the agenda
- CA-108 **Human Services**
 Approve 2012 Low Income Home Energy Assistance Program (LIHEAP) Agreement No. 12B-5822 and Subsequent Amendments (Subject to Review by County Counsel), and Authorize the Human Services Director to Sign the Agreement and Subsequent Amendments; Res. 12-22
- CA-109 **Health**
 Approve Children’s Medical Services (CMS) Plan and Budget Justification for Fiscal Year 2011-2012 in the Amount of \$59,379 for California Children’s Services (CCS), \$72,429 for Child Health and Disability Program (CHDP), and \$8,033 for the Health Care Program for Children in Foster Care (HCPCFC), and Authorize the Board of Supervisors Chair to Sign the CHDP and the CCS Children’s Medical Services Certification Statements for FY 2011-2012; Res. 12-23
- CA-110 **Public Works**
 Approve the Program Agreement for the Triangle Road Project, and Authorize the Public Works Director to Sign the Program Agreement; Res. 12-24
- CA-111 **Public Works**
 Approve Budget Action Transferring Funds within the Foresta Bridge Budget to Cover Expenses of Foresta Bridge Construction (\$36,000); Res. 12-25
- CA-112 **County Counsel**
 Approve an Agreement with Abbott and Kindermann, LLP, to Represent the County of Mariposa in the Case of Jack Bankhead v. Mariposa County, et al., and Authorize the Board of Supervisors Chair to Sign the Agreement; Res. 12-26

3:33 p.m. Adjournment in memory of Amy Odgers Smith, Paul Downs, Kasey Holladay-Raber, and Vincent “Dutch” Walz.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

January 17, 2012



Folder Time Description

9:00 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Chair Bibby called for a moment of silence for the individuals serving in the military.

Introductions – none

- 1 Approval of Consent Agenda – See End of 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
BOARD ACTION: (M)Allen, (S)Turpin, all items were approved/Ayes: Unanimous.

- 2 **Chair Bibby**
Proclaim Sundays as “Eat Local, Buy California Grown Day” (Cathi Boze – Agricultural Commissioner)
BOARD ACTION: (M)Turpin, (S)Stetson, the Proclamation was approved and presented to Cathi Boze/Ayes: Unanimous. Supervisor Turpin commented on the exports of our hay and mill materials and the impact on prices we pay.

Departmental Presentation: For Items within the Jurisdiction of the Board and not on Today’s Agenda

Pete Judy, Chief Probation Officer, provided input on an automobile accident that occurred over the weekend involving the fatality of a probationer that was released to the County under the new realignment process.

Doug Binnewies, Sheriff, extended an invitation to the first local Courageous Law Enforcement Memorial Service event being hosted by the New Life Christian Fellowship on Saturday.

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

Marvin Wells thanked Supervisor Bibby for the Juvenile Justice - Delinquency Prevention Commission being able to swear in three new members on Wednesday. He also noted that the Patriot’s won the game on Sunday.

Ivan Laam questioned why an environmental review was not done on the marijuana ordinance; he commented on the potential revenue and a Court action relative to business licenses.

Ron Iudice, on behalf of the Mining and Mineral Exhibit, advised that they held a meeting with Robert Hanna, great great grandson of John Muir, last week – he is trying to help the parks stay open. Ron advised that he is hoping the Association will be taking over the operation of the Exhibit, and he thanked Supervisor Stetson for attending the meeting and helping.

Eleanor Keuning noted that it was 18 degrees at her house this morning. She questioned whether the proclamation for Sundays - “Eat Local, Buy California Grown Day” is plural for all Sundays. She referred to the news story she presented the previous week relative to the import and export of our food. She noted that Ken Moore was watering the landscaping at the Post Office and she thanked the Master Gardeners for this project.

Board Information

Supervisor Cann referred to the question relative to the Proclamation and noted that it is for all Sundays. He advised that he attended a meeting with CalTrans on Wednesday relative to signs in right-of-ways, and he commented on work with PG&E relative to poles and lighting in town. He noted that CalTrans is doing an ADA study. He advised that he will ask the Planning Director to give an update on the status and timeframes of the Catheys Valley Community Plan and the sign ordinance. He and Supervisor Stetson attended the Gateway Partners meeting on Thursday in Yosemite, and he commented on their work with Yosemite visitation and vehicle impacts issues and efforts to try and mitigate the impacts with scheduling. He advised that he met with County Counsel on Monday relative to the MID contract. He plans to attend the RCRC (Regional Council of Rural Counties) meeting in Sacramento on Wednesday; and he noted that they play a major role with the Governor on issues relative to the retirement system, SRA (State Responsibility Area) for fire protection, and realignment. He advised that IRWMP (Integrated Regional Water Management Plan) will meet on Thursday to review formal proposals to write the Plan and Application for the County. He plans to attend the Courageous Law Enforcement Memorial Service on Saturday.

Supervisor Turpin advised that he plans to attend the Greeley Hill Community Club meeting this evening, and the Red Cloud Library meeting on Wednesday. He is still working on scheduling a Don Pedro Pedestrian and Equestrian Trails Advisory Committee meeting. He noted that he passed four logging trucks this morning on his way to the meeting – he commented on purchasing local products and he noted that the issue of water storage is critical, especially given the lack of rain. He commented on his improvement with the physical therapy.

Supervisor Allen advised that he met with Planning and with residents of Wawona last week relative to the Wawona Specific Plan Update. He attended the Fish Camp Town Planning Advisory Council meeting, and he noted that the Park Service announced a different exit on Highway 41 – there will be a curved turn versus a stop sign, and they are working on entrance station improvements. Then he met with business owners in the area and reviewed some flood plain issues. He met with the Building Director relative to the fire station projects; and he commended Mike Kinslow/Building Director and Peter Rei/Public Works Director, for their work on these projects. He attended the fire station meeting on Friday; and he noted that the plans specifications for the Fish Camp station should be coming to the Board on February 7th.

Supervisor Stetson advised that he attended the El Portal Planning Advisory Committee meeting last Tuesday evening; the Gateway Partners meeting, the Mining and Mineral Exhibit meeting, and the Airport Advisory Committee meeting on Thursday; the fire station meeting on Friday; and the Democratic Club meeting on Saturday where there was an excellent presentation on climate change. He plans to attend the Midpines Planning Advisory Committee meeting this evening, a health

meeting on Wednesday, a meeting on Friday to discuss property in Midpines that is owned by Merced College, and the YARTS meeting on Monday.

Supervisor Bibby advised that she plans to attend a meeting on Wednesday with the Human Services Director and the Auditor relative to CDBG; and the following meetings on Thursday: a WIB meeting with Mother Lode Job Training relative to one-stop shops, a meeting on the Old Highway with the Public Works Director, and the Mt. Bullion community meeting. She referred to the Courageous Law Enforcement Memorial Service scheduled for Saturday and extended a special thanks to all law enforcement personnel for their work. She plans to attend the Mother Lode Job Training meeting on January 23rd. She extended thanks to CalTrans, Public Works and Planning staff for coming together on the downtown sign issues – another committee meeting will be scheduled and then Planning will come to the Board with a presentation. She noted that Planning is looking at May, 2012, to bring back the Catheys Valley Community Plan – they are waiting for the final assessment on changes and comments.

3

Treasurer

Approve Budget Action Reducing General Fund Contingency and Increasing Appropriations in the Treasurer’s Budget to Cover Professional Services Connected with the Foreclosure Process on the Delinquent Lake Don Pedro Limited Obligation Improvement Bonds Series 2006-A and Series 2007 (\$20,000) (4/5ths Vote Required)

BOARD ACTION: Discussion was held with Keith Williams/Treasurer, relative to the request, delinquent parcels and the process. Supervisors Bibby and Allen asked about being able to recover the costs for staff time in this process; and Keith Williams advised that he will further review the administrative service fee. Supervisor Cann clarified that if the Board does not take this action, that the County becomes responsible for the bond debt. (M)Cann, (S)Turpin, Res. 12-35 was adopted approving the requested action; and the Treasurer was requested to bring status reports to the Board on this process. Supervisor Turpin initiated discussion and asked that Public Works notify the property owners that as long as they stay current with their payments, they will not be impacted by the foreclosures and that the operation of the district is not being impacted by this action. Supervisor Bibby noted that she has requested that Public Works bring an item to the Board on the status of fees. Rick Benson/County Administrative Officer, suggested that the notice requested by Supervisor Turpin be included with the invoices; and Peter Rei stated he could work with the County Administrative Officer on the wording. Ayes: Unanimous.

4

Administration (10:00 a.m. Estimated Time)

Approve the Purchase of Real Property Located at 5362A Lemee Lane in Mariposa (APN # 013-010-0160), and Authorize the County Administrative Officer to Execute the Escrow Instructions, Deed Acceptance and any other Documents Necessary to Complete the Purchase

BOARD ACTION: Discussion was held with Rick Benson relative to the request and the costs, and it was clarified that no General Fund dollars are involved – funding is from the Mental Health Services Act grant from the State. (M)Allen, (S)Stetson, Res. 12-36 was adopted approving the requested actions/Ayes: Unanimous.

5

Consider Items Removed from the Consent Agenda – none

6

Administration

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

7

Administration

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

10

County Counsel

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

BOARD ACTION: (M)Allen, (S)Cann, the closed sessions were held/Ayes: Unanimous.

8

Administration

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: Deputy Sheriffs' Association (DSA); Name of County Designated Representative: Richard J. Benson; and

9

Administration

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

BOARD ACTION: Supervisor Bibby excused herself from the meeting at 10:15 a.m. for action to hold these closed sessions and for the portion of the closed session on these matters due to a potential conflict of interest as she has a family member that is in SMA. (M)Stetson, (S)Allen, the closed sessions were held/Ayes: Turpin, Stetson, Cann, Allen; Excused: Bibby.

10:17 a.m. The Board convened in Closed Session.

11:37 a.m. Recess and Lunch

2:01 p.m. The Board reconvened with Supervisor Bibby excused for the following announcement.

Report from Closed Session:

Vice-Chair Turpin announced that information was received on items 8/labor negotiations with DSA and 9/labor negotiations with SMA.

2:02 p.m. Chair Bibby was present for

Report from Closed Session:

Chair Bibby announced that information was received on items 6/labor negotiations with SEIU and 7/labor negotiations with MCMCO; and that information was received on item 10/anticipated litigation.

11

Planning

PUBLIC HEARING to Adopt a Resolution Adopting a Negative Declaration and Approving the Wawona Town Planning Area Specific Plan Update, General Plan Amendment 2011-001

BOARD ACTION: Kris Schenk/Planning Director, was present. Larry Enrico/Senior Planner, presented the staff report, including review of the background of the Plan and Update, review of recommendations from the WTPAC (Wawona Town Planning Advisory Committee), and review of the Planning staff and Commission recommendations. He advised of the temporary camping use issue that was raised at the end of the update process and options for handling this issue. Chair Bibby reviewed the public hearing process. Supervisor Allen noted that he forwarded the William Rosenberg letter to Planning to address the questions that were raised; advised of a

correction on circle page 76 of the Plan Update in Section A1.2.3 Nonconforming Uses and Structures to reflect "...shall be considered a nonconforming *use*..." He thanked the WTPAC for their work on this update, the National Park Service for their contributions, and the Planning staff for their work. He referred to the camping issue that was raised and noted that the testimony given during the Planning Commission's hearing was a trespass issue; and he feels the camping issue needs to go back to the community/WTPAC and not hold up this Plan as it has already been though the process and approved by the Yosemite National Park Superintendent. Supervisor Stetson thanked everyone for their work on this Plan; and he commented on the overlay design of the flood plain and asked if this would help the property owners obtain insurance with this change. Staff responded in the affirmative.

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

Dr. Ralph Harder, resident of Sutter Creek, stated he owns a cabin in Wawona – for 43 years. He referred to his email and noted that the WTPAC began working on this Plan in February 1998, versus the June 2003, date mentioned in the staff report.

Edward Mee, resident of Wawona and Chair of the WTPAC, stated they are proud of this document and it is important to the community. He commented on their work on the Plan and noted the importance of the Park. He thanked County staff and the Park Service. He agrees with Supervisor Allen that the Plan should move forward with adoption and that the camping issue should go back to the community.

Gene Spindler, member of the WTPAC, thanked Supervisor Allen for his support; and he thanked Larry Enrico and Kris Schenk for their work. He referred to the staff report and the options for action; and he recommended that the Board take action to approve the Plan today.

Anita Starchman Bryant, Starchman & Bryant Law Offices, advised they are representing David and Noel Fraguglia. She referred to her letter to the Board and the issues raised relative to the camping use, and she provided information on the Fraguglias' limited historic use of their property for camping activities. She feels the limitations on temporary camping were introduced to restrict her clients' use of their property in retaliation for their opposition to trespassing on their land. It is their position that the Fraguglias have established a legally existing nonconforming use. She feels the proposed camping use in the Plan is too restrictive, and she does not feel that Title 17 is applicable because of the hook-up requirements – establishment of a septic is prohibited by the Floodplain-Overlay designation. She asked for clarification of Supervisor Allen's request for a moratorium. Attorney Starchman Bryant responded to questions from the Board relative to the number of camping days on this parcel and whether there have been any concerns relative to this use. Supervisor Allen advised of his discussion with law enforcement officials for Wawona on Saturday – there was no issue with the camping until the trespass issue came up. Attorney Starchman Bryant advised that she compared the Plan Update to the old Plan and she applauded the efforts of staff and the community and she feels the changes are good, with the exception of the temporary camping use.

June Sloan, taxpayer in Wawona for 62 years, stated her family appreciates the Park Service and Planning staff and the WTPAC for their work on this plan for the "Wawona village." She asked why the infrastructure was not planned for full build-out of the area.

The public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to the status of the camping issue on the parcel in question if the Plan Update is adopted; and relative to Title 17 and the temporary septic hook-up requirements for camping. Steve Dahlem/County Counsel, noted that for the record, the Board is making a legally established nonconforming use determination on the record at this time on the camping issue. Larry Enrico suggested revised language on circle page 29 of the Plan Update to

reflect that the WTPAC was reactivated in the fall of 1987 and the committee members were appointed and their first meeting was held in February 1998, and that the committee met regularly thereafter.

(M)Allen, (S)Stetson, Res. 12-37 was adopted adopting a Negative Declaration and approving the Wawona Specific Plan Update, General Plan Amendment Application No. 2011-001, with direction that the temporary camping issue be referred back to the WTPAC for resolution, and with the changes in the Plan Update on circle page 76 to add “use” and on circle page 29 to clarify the history of the WTPAC as discussed/Ayes: Unanimous. The hearing was closed.

2:56 p.m. Recess

3:07 p.m. The Board reconvened.

12

Planning

Waive the Second Reading and Adopt an Ordinance Amending Zoning Ordinance Text for the Following:

Code Amendment 2011-041: Amendments to Title 17, Zoning, Adding Additional Permitted and Conditional Uses to the Neighborhood Commercial Zone-1, (Indoor) (CN-1) Zoning District and Adding a Definition for “Animal Hospitals and Veterinary Services” to the Definitions Section of the Zoning Ordinance

Code Amendment 2010-168: Amendment to Title 17, Zoning, to Amend the Agriculture Exclusive (AE) Zone and the Supplementary Standards to Allow Bed and Breakfasts and Transient Rentals with an On-Site Manager as a Permitted Use in the AE Zone

General Plan/Zoning Amendment 2011-024: Amendments to the Mariposa Town Planning Area Specific Plan and Title 17, Zoning, Adding Additional Permitted Uses to the Multi-Family Residential (MFR) and General Commercial (GC) Zoning Districts and Adding Definitions For “Daycare” Type Uses, “Residential Care Facilities,” and “Fitness or Exercise Studio and Health Club” to the Zoning Ordinance

General Plan/Zoning Amendment 2011-025: Amendment to the Mariposa Town Planning Area Specific Plan and Title 17, Zoning, Adding an Additional Permitted Use to the Single Family Residential (9,000 Square Foot) Zone (SFR-9K) and Adding a Definition for “Wellness Center” to the Definitions Section of the Zoning Ordinance

General Plan/Zoning Amendment 2011-026: Amendments to Section 3 of the Mariposa Town Planning Area Specific Plan and to Title 17, Zoning, Adding “Fitness or Exercise Studio and Health Club” as Either a Permitted Use or Administrative Use to the Professional Office (PO) Zoning District

BOARD ACTION: Kris Schenk was present. Discussion was held with Karen Peneschi/Assistant Planner, relative to the item. (M)Cann, (S)Allen, the second reading was waived and Ordinance No. 1087 was adopted approving recommended Code Amendments. Chair Bibby read the title of the Ordinance into the record. Ayes: Unanimous.

Consent Agenda

CA-101

Clerk of the Board

Approval of the Summary of Proceedings of January 10, 2012, Regular Meeting

- CA-102 **Administration**
Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park; Res. 12-28
- CA-103 **Administration**
Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road; Res. 12-29
- CA-104 **Administration**
Approve Budget Action Reducing General Contingency and Increasing Appropriations in the Indigent Defense Budget for Conflict Counsel and Child Defense Costs (\$47,000) (4/5ths Vote Required); Res. 12-30
- CA-105 **Administration**
Authorize the Auditor to Pay Invoices Totaling \$2,386.74 to Hanson Bridgett for Legal Advice Regarding the Federal Insurance Contributions Act (FICA) and Amending W-2 Filings; Approve Budget Action Reducing General Contingency and Increasing Professional Services in the Administration Budget to Pay for the Invoices (\$2,387) (4/5ths Vote Required); Res. 12-31
- CA-106 **Administration**
Approve a Letter of Support for the Mariposa Public Utility District's (MPUD) Application for Proposition 84 Funding, and Authorize the Board of Supervisors Chair to Sign the Letter; Res. 12-32
- CA-107 **Health**
Accept the Resignation of Jim Forga from the Quality Improvement Sub-Committee of the Emergency Medical Care Committee (EMCC); Appoint Steve Ward, Supervisor of Cal Fire Dispatch Agency, as a Representative to the Quality Improvement Sub-Committee of the (EMCC)
- CA-108 **Health**
Accept the Resignation of Dana Tafoya from the Quality Improvement Sub-Committee of the Emergency Medical Care Committee (EMCC); Appoint Pat Murphy, Mariposa County EMS Coordinator for Mountain Valley EMS Agency, as a Representative to the Quality Improvement Sub-Committee of the (EMCC)
- CA-109 **Public Works**
Approve the First Amendment to an Agreement with CH2M Hill, Inc. for a Feasibility Study on Darrah Road Bridge Extending the Term of the Agreement to June 30, 2012, Authorize the Board of Supervisors Chair to Sign the Amendment; Res. 12-33
- CA-110 **Public Works**
Approve the First Amendment to an Agreement with Total Waste Systems (TWS) to set Maximum Rates that can be Charged to Franchise Customers with an Effective Date of April 1, 2012, and Authorize the Board of Supervisors Chair to Sign the Amendment; Res. 12-34

CA-111

Chair Bibby

Approve Certificates of Recognition to the Mariposa County Students who Competed in the 2011-2012 Merced/Mariposa Section Future Farmers of America (FFA) Project Competition

3:14 p.m. Adjournment

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY BOARD OF SUPERVISORS

SUMMARY OF PROCEEDINGS

January 24, 2012



Folder Time Description

9:02 a.m. Meeting Called to Order at the Mariposa County Government Center

Pledge of Allegiance

Chair Bibby called for a moment of silence for our emergency personnel, volunteers and families; and for the seasonal Park Ranger/Ryan Hillar who was killed in the storm in Yosemite, and extended prayers for his family.

Introductions – none

- 1 Approval of Consent Agenda – See End of 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
BOARD ACTION: Supervisor Stetson pulled item 118. Supervisor Turpin pulled items 108, 109, and 110. (M)Cann, (S)Stetson, the balance of the items was approved/Ayes: Unanimous.

- 2 **Supervisor Cann**
Adopt a Resolution Recognizing Lester Bridges for his Outstanding Contributions to the Mariposa County Chamber of Commerce
BOARD ACTION: Board members commended Lester Bridges for his services. (M)Turpin, (S)Allen, Res. 12-38 was adopted and presented to Lester Bridges/Ayes: Unanimous.

9:20 a.m. Refreshment Break

9:36 a.m. The Board reconvened.

Departmental Presentation: For Items within the Jurisdiction of the Board and not on Today’s Agenda

Doug Binnewies, Sheriff, thanked Chair Bibby for the earlier recognition of Ranger Ryan Hillar who was killed when a tree fell in Yosemite Valley. He commented on the Courageous Law Enforcement Memorial Service held on Saturday and thanked the Board members that attended the event. Supervisor Turpin asked about the status of the rockslide on Highway 120 and emergency access. Sheriff Binnewies advised that the slide is located about ¼-mile above the El Portal Road/Highway 140 and 120 intersection; and he advised of alternative access for the residents in Foresta. Supervisor Stetson noted that he is appreciative of the information being provided by the Park Service.

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

Kathy McCorry, Executive Director of the Mariposa County Chamber of Commerce, thanked the Board on behalf of the Chamber members and staff for recognizing Lester and Barbara Bridges. She advised of the Chamber installation dinner scheduled for Friday; announced that the Mariposa Visitor Center is open on Sundays again – this leaves them open for 60-hours a week versus the 55-hours called for in the contract. They will be doing remodeling work/spring cleaning of their facilities at the end of February; however, they will remain open.

MaryAnn Huff, Director of the Mariposa County Chamber of Commerce, stated she is representing the North County and referred to the last Gateway Partners meeting. She noted that the North County is a recipient of a new John Muir Geotourism Center, and she advised of funds received from the Pulvino Family Trust, and of their partnership with the Northern County History Center on this project. She thanked the County and the Board for support. Supervisor Turpin thanked everyone that was involved in this project and the Pulvinos for the financial assistance.

Marvin Wells noted he had ten people at his house for the football playoff games and they enjoyed pomegranate jelly made by the Clerk of the Board; he noted the coast-to-coast bicycle ride that Lester Bridges did; and he suggested that a "Super Logan Holiday" be declared for the Patriot's playoff win and going to the Super Bowl.

Board Information

Supervisor Turpin welcomed the rain and commented on problems with potential predators and livestock in the North County. He advised that he is working on resolving pedestrian and equestrian trail issues in Don Pedro. He expressed concern with the recent Public Utility Commission's action giving utility companies the authority to disconnect service if a property owner is considered to be uncooperative. He commented on the SRA (State Responsibility Area) issues with CalFire.

Supervisor Allen recognized Debbie Walton/Child Support Services Director and her staff for the recent awards from the State for their services. He advised that he has been dealing with Fish Camp issues – lines that were left by Northland Cable when they stopped service in Fish Camp; and the item on the LAFCo agenda later this date. He advised that he has been reviewing the "green screen"/accounting system for the status of the budget for the County, and he asked department heads to review their budgets and expenditures as this will be a tight budget year. He noted that staff is working on an automated agenda processing system; and that there is no Board meeting next week. He plans to attend the Area 12 Agency on Aging meeting, the High School Student Loan meeting, and the Emergency Medical Care Committee meeting. He commented on impacts to the routing of emergency personnel with the Highway 120 rockslide.

Supervisor Stetson advised that he attended a meeting on Wednesday with Supervisor Bibby, as the Health Liaison Policy Committee, on health issues. He attended a meeting at Merced College on Friday relative to a parcel of land they own in Midpines. He attended the YARTS meeting on Monday in Merced; and he noted that it was attended by two new representatives and that Mariposa will be selecting a new representative. He plans to participate in a telephone conference call with Jim Branham of the Sierra Nevada Conservancy on Wednesday relative to setting the meeting schedule for 2012. He plans to attend the fire station meeting on Friday.

Supervisor Cann advised that he attended the RCRC (Regional Council of Rural Counties) meeting on Wednesday in Sacramento. He attended the IRWMP (Integrated Regional Water Management Plan) meeting on Thursday and they reviewed proposals that were submitted; and they will meet again on Wednesday with the firm that submitted the successful proposal. On Friday he worked with the Park Service on

getting a letter to Assemblymember Olsen relative to the importance of doing a permanent fix on the Ferguson Rockslide. He attended the Courageous Law Enforcement Memorial Service on Saturday; and he commended the Chief Ranger of Yosemite and the Sheriff and their spouses for making this ceremony happen. He attended a meeting with the crosswalk group on Monday, and they are working on another grant for sidewalks – he noted the importance of these projects as the school transportation is in the cut mode. He is planning to meet with representatives of PG&E on Tuesday relative to lighting in town and pole replacement, and the possible use of their poles for wayfinding signs. He advised of major topics that were discussed at the RCRC meeting – cutting of funding for school transportation, the Governor’s initiative to raise revenue and trigger cuts if the proposition does not pass, SRA issues and the status of the current regulations and fees, and the status of funding for State fairs.

Supervisor Bibby extended a special thanks to the SCOPE members for all that they do throughout the year – their annual picnic and service recognition was held on Saturday. She advised that the Courageous Law Enforcement Memorial Service was a beautiful and moving event, and she extended her appreciation to Sheriff Binnewies and his wife. She plans to attend the Mother Lode Job Training meeting on Monday and they are looking at budget cuts. She referred to the Chamber of Commerce’s installation dinner event and she commended all of the businesses in the County for their services. As the proud Aunt of Logan Mankins, she extended her congratulations to Logan and to the New England Patriots for going to the Super Bowl.

Supervisor Cann referred to the Governor’s proposed budget, and he noted that there are cuts to the IHSS budget and that the new regulations would prohibit a relative that lives in the house to be paid for providing services.

3 Consider Items Removed from the Consent Agenda

Item 108 – Supervisor Turpin initiated discussion relative to the request, including the position and the vehicle. Sheriff Binnewies and Rick Benson/County Administrative Officer, responded to the questions. (M)Turpin, (S)Allen, item 108 was approved. Supervisor Allen thanked the Sheriff for applying for this grant, and he suggested that review be given to leasing the vehicle versus the purchase. Ayes: Unanimous.

Item 109 – Supervisor Turpin initiated discussion relative to this request and expressed concern with charging the economically disadvantaged. Jim Rydingsword/Human Services Director, and Steve Dahlem/County Counsel, provided input and it was clarified that those who are economically disadvantaged could request a fee waiver. (M)Turpin, (S)Stetson, item 109 was approved/Ayes: Unanimous.

Item 110 – Supervisor Turpin advised that he clarified his question with Barbara Carrier/Assistant Public Works Director, during the recess and the “o” miles will be corrected. (M)Turpin, (S)Stetson, item 110 was approved/Ayes: Unanimous.

Item 118 – Supervisor Stetson advised of his discussion with staff on the insurance requirements; and Barbara Carrier provided input. (M)Stetson, (S)Allen, item 118 was approved/Ayes: Unanimous.

4 **Administration**

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

5 **Administration**

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

6 **Administration**

CLOSED SESSION: Conference with County Labor Negotiator; Name of Employee Organization: Deputy Sheriffs' Association (DSA); Name of County Designated Representative: Richard J. Benson; and

7

Administration

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

BOARD ACTION: Rick Benson advised that these closed sessions were not needed.

8

County Counsel

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

BOARD ACTION: Steve Dahlem advised that this closed session was not needed.

Chair Bibby reminded everyone that next week is a fifth Tuesday; thus, there is no Board meeting.

10:37 a.m. Recess and Lunch

2:01 p.m. Reconvene

9

Planning

PUBLIC HEARING to Consider Zoning Amendment No. 2010-162. Action Includes Adopting a Resolution Approving Zoning Amendment No 2010-162 and Finding that this Amendment is Exempt from Environmental Review; and Waiving the First Reading and Introducing an Ordinance Amending the Zoning Map by Rezoning Three Parcels Totaling 437 Acres Currently in the Mountain Preserve Zone (160 Acre Minimum) to the Agriculture Exclusive Zone (160 Acre Minimum.); Jerry Cox (Bison Creek Ranch), Project Applicant. The Property is Located at 6071 CYA Road/APNs 008-140-021, 008-140-022, and 008-140-023 (Continued from October 18, 2011)

NOTE: Staff Recommends that this Hearing be Continued to a Date and Time Certain – to be Determined on January 24, 2012

BOARD ACTION: Chair Bibby advised that Board will be asked to make a decision on whether to continue or hold this hearing. Kris Schenk/Planning Director and Sarah Williams/Deputy Planning Director were present. Alvaro Arias/Associate Planner, advised that this hearing was continued from October 18, 2011, and of staff's recommendation to continue the hearing to March to allow the property owner an opportunity to address the Notice of Intent correspondence regarding potential code violations.

Chair Bibby asked the applicant if there is any objection to continuing this hearing as recommended by staff. George Smith, stated he is Mr. Cox's uncle and that he has been involved with the development of the ranch. He expressed concern that their request for a Zoning Amendment has been continued since 2008, and he questioned the recommendation to continue the hearing to March. He stated he doesn't object to a continuance as long as it does not take more than three or four weeks. He asked for clarification of the noticing requirements, and Alvaro Arias responded.

Steve Dahlem noted that from a staff perspective, that the response is due from the applicant by February 6th to the Notice of Intent and that will take some time for staff to review. Sarah Williams advised that staff is meeting with the applicant today on the Notice of Intent issues; and that this provides the applicant an opportunity to meet with the individual departments relative to the potential violations. She feels that staff could provide information on the progress of resolution of the issues in later

February, and she suggested that the hearing be continued to February 21, 2012, at 2:00 p.m.

The public portion of the hearing was opened for input on the continuance of the hearing issue, and no input was received. The public portion on the continuance issue was closed. Chair Bibby asked the applicant if the February 21st day is agreeable; and Mr. Smith responded in the affirmative.

(M)Allen, (S)Cann, the public hearing to consider Zoning Amendment No. 2010-162 was continued to February 21, 2012, at 2:00 p.m. Supervisor Cann commented on the continuance; and Chair Bibby noted that if the information is not received timely from the applicant, that another continuance of the hearing may be considered. Ayes: Unanimous.

10 **LOCAL AGENCY FORMATION COMMISSION (LAFCo) Meeting
(See Separate Minutes)**

Consent Agenda

- CA-101 **Clerk of the Board**
Approval of the Summary of Proceedings of January 17, 2012, Regular Meeting

- CA-102 **Administration**
Resolution Continuing the Local Emergency Due to Landslides on Highway 140 Enroute to Yosemite National Park; Res. 12-39

- CA-103 **Administration**
Resolution Continuing the Local Emergency Due to Damages Associated with the Rains in Late December 2010, Including Ben Hur Road; Res. 12-40

- CA-104 **Administration**
Approve the Promotion of a Deputy Probation Officer I to a Deputy Probation Officer II, Effective January 1, 2012; Res. 12-41

- CA-105 **Administration**
Reject Claim No. C11-11 Filed by Honora Marquax Bowen for an Undetermined Amount, and Authorize the Board of Supervisors Chair to Sign the Notice of Rejection; Res. 12-42

- CA-106 **Administration**
Approve Budget Action Increasing Revenue and Appropriations in the Community Corrections Fund to Recognize Funding Received from the State for the Implementation of AB109 and Correcting Revenue Amounts in the Probation and Library Budgets (\$100,000) (4/5ths Vote Required); Res. 12-43

- CA-107 **Sheriff**
Approve Agreement 12-LE-11051360-002 with the United States Department of Agriculture, Sierra and Stanislaus National Forest, to Assist in Providing Law Enforcement Services on National Forest Lands, in the Amount of \$20,000, and Authorize the Board of Supervisors Chair to Sign the Agreement; Res. 12-44

- CA-108 **Sheriff**
Authorize the Sheriff to Participate in the California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET) and Allocate an Additional

Deputy Sheriff Grant Position to the Cal-MMET Fund Effective February 1, 2012; Approve Budget Action Increasing Revenue and Appropriations to Budget for the Cal-MMET Grant; Authorize the Purchase of a New Vehicle (\$122,558) (4/5ths Vote Required); Res. 12-50

- CA-109 **Human Services**
Authorize the Human Services Department to Collect Department of Justice Fees for Live Scan (Inkless Electronic Automated Fingerprint Imaging); Res. 12-51
- CA-110 **Public Works**
Approve an Agreement with Caltrans for the East Whitlock Road Project, and Authorize the Public Works Director to Sign the Agreement; Res. 12-52
- CA-111 **Public Works**
Reject all Bids for Uniform Rental, Laundry Service, and Related Janitorial Services and Supplies; Authorize the Public Works Director to Re-Advertise the Bids, Award the Agreement to the Lowest Responsible Bidder, and Sign the Agreement (Subject to County Counsel Review as to Form); Res. 12-45
- CA-112 **Public Works**
Approve Abandonment of the Ingress and Egress Road Easement for APN 012-160-083 as Shown in Parcel Map Book 27 Page 20 and Also Referenced on Grant Deed Document Number 974642 to Frank and Frances Long; Res. 12-46
- CA-113 **Public Works**
Accept the Silver Bar Road Project as Complete, and Authorize the Public Works Director to Record the Notice of Completion and Release the Retention; Res. 12-47
- CA-114 **Public Works**
Accept the Ashworth Road Project as Complete, and Authorize the Public Works Director to Record the Notice of Completion and Release the Retention; Res. 12-48
- CA-115 **Public Works**
Approve Amendment Two to an Agreement with International Surfacing Systems (ISS) Extending the Term to March 31, 2012, Authorize the Public Works Director to Sign the Amendment, and Accept the Hornitos Road, Triangle Road and Greeley Hill Road Projects as Complete, and Record the Notice of Completion and Release the Retention; Res. 12-49
- CA-116 **Chair Bibby**
Approve Certificates of Recognition for the Mariposa County Chamber of Commerce's Selection of 2011 Businesswoman of the Year Su Carney, Yosemite Gifts and the Souvenir Shack, 2011 Businessman of the Year Matt Hamlett, Partners in Grime, 2011 Business of the Year Pioneer Market, the Dubberke Family, and Special Recognition to the Volunteer of the Year (Chamber of Commerce)
- CA-117 **Chair Bibby**
Approve a Certificate of Recognition Recognizing Rose Housler as the Mariposa County High School Recipient of Merced River Chapter National Society Association Daughters of the American Revolution Good Citizen Award
- CA-118 **Public Works**
Approve an Agreement with Thor Matteson, Structural Engineer, to Conduct Phase 1, Initial Walk-Through Evaluation of the Courthouse, in the Not to Exceed Amount of

\$1,000; Authorize the Public Works Director to Approve Phase 2, Investigations Following Receipt of the Report for Phase 1, in the Not to Exceed Amount of \$6,000; and Authorize the Public Works Director to Sign the Agreement; Res. 12-53

2:12 p.m. Adjournment in memory of Brent Wallace (retired Tuolumne County Administrative Officer) and Ryan Hillar.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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



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

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

February 7, 2012

A. Call to Order and Roll Call

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

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

Chair Bibby advised that a new agenda management process is being used for this meeting and this process includes audio streaming; she noted that edits were made on Friday to the agenda; advised that Board members and staff can now use laptop computers versus the binders for the meetings; and she advised that Consent Agenda item 10 should have been scheduled as a timed item so it is being moved to the regular agenda for consideration later in the meeting.

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for the two County volunteer firefighters that we recently lost and for their families.

C. Introductions

Chair Bibby announced that Eric Jacobs is the new CalTrans Manager at Midpines and that she will try to get him to a Board meeting for introduction.

D. Approval of Consent Agenda

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.

Item 10 was considered with the regular agenda later in the meeting.

Input from the public was provided by the following:

Ruth Catalan questioned why item 4 is being considered routine. Supervisor Cann responded relative to the previous public discussion of this project.

Supervisor Turpin pulled item 6. The balance of the items was approved. Following discussion with Cathi Boze/Agricultural Commissioner, (M)Turpin, (S)Allen, item 6 was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration -2012-54

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

CA2. Administration -2012-55

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

CA3. Administration -2012-56

Designate the Mariposa Butterfly Festival to be a County Sponsored Event, Approve the Activities Associated with the Festival, Approve Closure of Areas During the Festival (See Attached), Approve the Use of the County Transit Bus, Approve the Attached Letter to Caltrans Regarding Traffic Detours and Authorize the Chairman of the Board of Supervisors to Sign the Letter.

CA4. Administration/Risk Management -2012-57

Recommend the Rejection of Claim No. C11-12 Filed by Jack Bankhead for \$10,500,000.00 and Authorize the Chair to Sign the Notice of Rejection.

CA5. Sheriff's Office -2012-58

Approve Agreement and Authorize Chairman of the Board of Supervisors to Sign an Interim Rental Agreement with 35-A District Agricultural Association for Use of the Fairgrounds Facility for the Calendar Year 2012.

CA6. Agricultural Commissioner -2012-63

Approve Agreements with Dan Wice and Custom Weed Control for Continued Implementation of the Participating Agreement No. 10-PA-11051650-072, Modification 1, with the Stanislaus National Forest for the Eradication of Yellow Starthistle and Other Noxious Weeds in the Merced River Canyon Project, and Authorize the Board of Supervisors Chair to Sign the Agreements

CA7. Public Works -2012-59

Appoint George Clover and Ruth Sellers to the Airport Advisory Committee. Mr. Clover Will Represent Category "A", a Member with Aviation Experience, with a Term Expiring on January 4, 2016. Ms. Sellers Will Represent Category "C", a Member Representing the General Public, with a Term Expiring on January 4, 2016 as Recommended by the AAC

CA8. Public Works -2012-60

Grant a Ten-Foot Wide Easement to Sierra Telephone Company to Provide Service to Midpines Fire Station; Authorize the Chairman of the Board to Sign the Grant of Easement; and Allow Public Works to Record the Easement.

CA9. Public Works -2012-61

Adopt a Resolution Authorizing the Director of Public Works to Execute the Program Agreement for the Silverbar Road Project.

CA10. Public Works -2012-70

Approve the Request for Proposals (RFP) for Privatizing the Solid Waste and Recycling Division of Public Works and Authorize the Director of Public Works to Advertise the Approved RFP

CA11. Community Services -2012-62

The Department Requests the Board of Supervisors' Approval of the Re-Appointment of Don Fox to the Area 12 Agency on Aging (A12AA) Advisory Council with a Term Expiring February 7, 2015.

E. Minutes Approval

1. Clerk of the Board of Supervisors (ID # 1017)

Approval of the Summary of Proceedings of January 24, 2012, Regular Meeting

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

F. Departmental Presentation

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

Peter Rei/Public Works Director, advised of the status of filling the Assistant Director - Operations and the Senior Engineer positions.

Rick Peresan/Technical Services Director, thanked Mary Hodson/Deputy County Administrative Officer, Tracy Gauthier/Deputy Clerk to the Board, and Margie Williams/Clerk of the Board, for their work on the new agenda management system.

Terri Haworth/Community Services Director, presented an Area 12 Agency on Aging's Analysis of 2011 Survey; advised that the senior fire wood program is complete for this winter and thanked everyone involved; and advised that the local artist group that meets at the Senior Activity Center is showcasing their artwork.

G. Public Presentation

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

Kathy McCorry/Executive Director of the Mariposa County Chamber of Commerce, announced the following: February 15th - training class for non-profits; February 23rd - meeting the candidates including those running for State Assembly; visitor center numbers were up for January 2012; and the Chamber will doing a major renovation/clean-up of the Mariposa Visitor Center at the end of the month.

Jeanetta Phillips/Mariposa Butterfly Festival, thanked everyone for their support and advised of their "call for volunteers" meeting scheduled for Thursday.

Kris Randall/Master Gardeners Coordinator, expressed appreciation for the Title III grant funds and advised of their planned activities for fire prevention education; advised of their summer garden planting workshop that was held on Saturday; advised they are working closely with the Fire Safe Council; thanked Noma Moore/Master Gardener for overseeing the planting of the new landscaping at the Post Office; and advised of upcoming workshops, including the next one in Coulterville/Greeley Hill on how to nurture the soil and composting. Supervisor Turpin suggested that the Master Gardeners work with the Fire Safe Council on concerns with the proposed SRA (State Responsibility Area) fees for CalFire.

Donna Brownell/Executive Director of the Mariposa County Arts Council, encouraged everyone to visit the Young Masters exhibit; and she advised that tickets are available for the Storytelling Festival.

H. Board Information

Supervisor Allen expressed his appreciation for being able to use the computer versus the large binder for the meetings; advised that he attended several events, including the following: fire station meeting last week and another meeting on Friday - the County Administrative Officer will be bringing information on the status of the budget to the Board, met with Public

Works relative to filling the position versus contracting for the County Surveyor work, met with the Human Services Director relative the weatherization program, and he attended the Emergency Medical Care Committee meeting - they did not have a quorum and discussion was held on changes for first responders and another meeting will be held a week from Wednesday in Sacramento. He plans to participate in a telephone conference call on Wednesday with the rural counties implementation working group on issues relative to releasing State prisoners back to the counties. He plans to attend a meeting on Friday with the Sierra National Forest.

Supervisor Stetson advised that he plans to attend the Airport Advisory Committee meeting on Wednesday, a meeting with Dr. Mosher and Supervisor Bibby on Thursday relative to health issues, the fire station meeting on Friday, and the Parks and Recreation Commission meeting on Monday - their meeting for February 6th was cancelled. He noted that there is a slide presentation this evening in El Portal by Katy Wells who walked the Merced River.

Supervisor Cann added his thanks to the Technical Services staff and Administration/Board staff for their work on the new agenda management system. He advised that he met with representatives of PG&E last week relative to issues in town, including power poles. He advised that he and Supervisor Bibby have committed to meeting weekly with Planning staff relative to the status of the sign ordinance. He extended his compliments to the Mariposa County Business Merchants Association on their recent meeting. He met with developers, surveyor and engineer and Planning staff relative to hillside development standards in the town planning area. He attended the Central Sierra Economic Development District meeting on Thursday, the Lions Club crab feed on Saturday, a meeting with a wayside sign graphic artist relative to signs in the historic district on Monday and he suggested that they get on the agenda for the Historic Sites and Records Preservation Commission. Later on Monday, he met with the crosswalk team and he noted that CHP has joined the group and they hope to get CalTrans' action on improving the safety of the crosswalks; and he attended a poverty reduction meeting with volunteers and support from Human Services to identify and help move people from poverty to sustainable work and support. He advised that information was received on Monday that the transient occupancy tax was up in December, and he congratulated all of those that are involved in producing these results.

Supervisor Bibby complimented all of the businesses and hospitality providers for the services they provide. She advised that she attended the Merced-Mariposa FFA Chapter award event on February 1st to recognize the members that participated in the project competition; and she attended the DAR (Daughters of the American Revolution) event on February 4th where Rose Housler/Mariposa County was recognized for a Good Citizen award. She attended the meeting with Planning staff on the status of the sign

ordinance and they will meet weekly. She attended the poverty reduction meeting on Monday and advised that if there are people that need services to please provide that information. She will attend a Mental Health Board special training on Saturday and complimented Jeremy Briese and the Human Services Department. She plans to attend the fire marshal meeting and the First 5 meeting on February 13th. She reminded everyone that Storytelling is scheduled for the weekend of March 10th and the Hornitos Enchilada Feed is scheduled for March 3rd.

Supervisor Turpin advised that he attended the Coulterville Community Club meeting with Dr. Mosher and discussion was held relative to use of the facilities for warming/cooling centers and for Red Cross disaster center. He attended the Northern Mariposa County History Center new season kick-off on Saturday and the Greeley Hill community breakfast on Sunday. He referred to the FFA activities and expressed concern with the Obama administration's attempt to further regulate the youth working on home farms and ranches. He expressed concern with CalFire's change in service to the North County - they plan to not have a dozer there, and yet the State is asking for more fees. He expressed concern with the State Department of Water Resources not being able to respond to citizens for two to three months.

Supervisor Cann commented on the SRA fees and issues with CalFire. He also noted that Sarah Williams/Deputy Planning Director's daughter, Mikaela Williams, received a gold award and the overall FFA project competition award; and her son, Ross Williams, received a gold award.

I. Regular Agenda Items

1. Board of Supervisors -2012-64

Accept the Amended Comprehensive Economic Development Strategy (CEDS) from the Economic Development Corporation of Mariposa County (Supervisor Cann)

Supervisor Bibby advised that the section on "commercial flights at the airport" be considered separately because she has a potential conflict of interest as there is the future possibility that land acquisition or aviation easements may be considered, and she has a remainder interest in property adjacent to the Airport.

Roger Biery/President of the Economic Development Corporation, reviewed the amended CEDS and the review process and timelines after today. He noted that the Economic Development Administration does not recognize tourism as an industry.

Discussion was held. Supervisor Allen asked why Lake McSwain was not included. Supervisor Cann noted a correction to the acreage for the field of dreams project. Supervisor Bibby asked about giving consideration to the timber industry; and she asked that appropriate advisory committees be involved in the process for projects that fall within their jurisdiction.

Input from the public was provided by the following:

Mike McCreary complimented Supervisor Cann and Roger Biery for their work on this, and he noted that the projects will spear economic development and that tourism is important. He commended those who give of their time to make this a better place to live.

Pete Judy noted that he is involved in several youth sports organizations; and he noted that the sports complex is not tied to just the youth - there are also adult and senior tournaments.

(M)Cann, (S)Allen, the CEDS was approved, with the exception of the "commercial flights at the airport" section, and with the inclusion of Lake McSwain and the correction of the acreage for the field of dreams/Ayes: Unanimous.

Supervisor Bibby excused herself from the meeting at 10:28 a.m. for the following action. (M)Cann, (S)Stetson, the section of "commercial flights at the airport" was approved/Ayes: Stetson, Turpin, Cann, Allen; Excused: Bibby. Supervisor Bibby returned to the meeting at 10:33 a.m.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

10:33 AM RECESS

10:48 AM RECONVENE

2. Planning -2012-65

Request for Issuance of a "Letter of Public Convenience and Necessity" to the Department of Alcohol Beverage Control to Increase the Number of On-Sale Alcohol Licenses from Twenty-Five (25), to Twenty-Six (26) in Mariposa County, Census Tract 06-043-010-001, for "The Alley" Located at 5027 Highway 140 #C, Town of Mariposa

Eileen Collins/Planning Technician presented the staff report.

Input from the public was provided by the following:

Ruth Sellers, on behalf of her neighbor Lyn who owns the old hotel, expressed concern with adding another establishment that serves alcohol near the hotel based on previous problems. She feels that consideration should be given to potential impacts on existing businesses.

Flora Savage, owner of The Alley, provided input on their request and the history of the license at this location - they want a place for professionals and tourists and to be able to maintain the ability for this premise to provide alcohol.

Discussion was held.

RESULT: ADOPTED [4 TO 0]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Lee Stetson, Janet Bibby, Kevin Cann, Jim Allen

ABSTAIN: Lyle Turpin

3. Fire -2012-66

Authorize a Vehicle Purchase from Expenditure Line #702-0253-578.06-40 (Vehicle Replacement) to Replace Rescue 22. Rescue 22 is One of Two Such Vehicles in the Fleet and Transports Specialized Structure Firefighting Equipment, Breathing Air Bottles and Heavy Rescue Equipment to Incident Scenes. the Current Vehicle was Unexpectedly Removed from Service Due to a Failing Diesel Motor. Requested Approval Amount Not to Exceed \$67,000.

Jim Wilson/Fire Chief thanked the Board for recognizing the two volunteer firefighters who recently passed away at the beginning of the meeting with a moment of silence. He reviewed his request and recommendation to replace Rescue 22. Discussion was held relative to the request and options, and with setting up a depreciation schedule for this vehicle. Joe Halencak/PWD-Fleet Superintendent, responded to questions on the depreciation schedule, and advised of his recommendation to purchase a new vehicle versus purchasing a new cab and chassis and rehabilitating and transferring the current storage box. Discussion was held. Rick Benson/County Administrative Officer, suggested that if the Board determines it wants to purchase a new vehicle that a budgeted amount be approved. Supervisor Turpin asked about the status of Rescue unit 26 and prioritizing replacement of vehicles; and Joe Halencak responded. Supervisor Allen asked that if funding is approved for purchase of a new vehicle that the Fire Chief meet with the Fleet Superintendent, MPUD Chief Dulcich, and the two Board liaison members on the final selection of the vehicle.

Input from the public was provided by the following:

Marvin Wells asked each Board member to consider the importance of the life of their next of kin and that of a public member when considering the options, and to let their heart be the guide in this decision.

Jim Dulcich, Chief of MPUD Fire Department, advised they house Rescue 22 and he feels that it is imperative that they have a good running vehicle that is capable of doing its job. He feels the current vehicle is under-horsepower and that a larger box is needed for the equipment and generator. He recommended option 3 with a medium duty vehicle.

Following discussion, the Board approved option 3/the purchase of a new/demo rescue vehicle with a budget of \$200,000, with direction that the recommendation for a specific vehicle go through the Board liaison committee, and that the Fire Chief work with the Fleet Superintendent on the final selection. Rick Benson asked for clarification of final approval; and Supervisor Cann advised that his motion includes that if the liaison committee or the Fleet Superintendent does not agree with the recommendation that the matter will come back to the Board. Steve Dahlem/County Counsel, recommended that

the terms and legality of the contract be subject to approval of County Counsel; and the motion was amended, agreeable with the maker and second, to include this.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. Administration -2012-67

Adopt a Resolution Approving the Change to the YARTS (Yosemite Area Regional Transportation System) Joint Powers Authority Agreement to Increase the Size of the YARTS Board of Commissioners from Three to Six Members; and Request for Selection of the Second Board Commissioner and Alternate Commissioner.

Following discussion, the Board approved the change to the YARTS JPA; and selected Supervisor Cann as the second Board Commissioner.

(M)Cann, (S)Stetson, Candy O'Donel-Browne was selected as the alternate Commissioner, and it was noted that she qualifies as an elected member of the John C. Fremont Hospital Board/Ayes: Unanimous.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

5. Personnel/Risk Management -2012-68

Authorize the Elimination of One Permanent Full-Time Weatherization Worker Allocation Effective March 1, 2012 Which Will Result in the Lay-Off of One Employee in the Human Services Department.

Rick Benson presented the staff report. Discussion was held. Jim Rydingsword/Human Services Director, responded to questions relative to the weatherization program.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

6. Administration -2012-69

Authorize the Auditor to Make a Payment to the Lake Don Pedro Community Services District (LDPCSD) in the Amount of \$40,489.28 from the Don Pedro Wastewater Treatment Plant Fund for the Connection Fee of the Lake Don Pedro WWTP and the Don Pedro Sewer Fund for the Under-Billing of Water Charges; Approve Budget Action Transferring Funds Between the Don Pedro Sewer Utility Capital Fund and the Don Pedro

WWTP Fund (\$35,000), and Reducing Contingency in the Don Pedro Sewer Fund. (\$5,490) 4/5ths Vote Required

Discussion was held with Rick Benson, and he clarified that no General Fund dollars are involved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Items removed from Consent Agenda

Public Works -2012-70

Approve the Request for Proposals (RFP) for Privatizing the Solid Waste and Recycling Division of Public Works and Authorize the Director of Public Works to Advertise the Approved RFP

Discussion was held with Pete Rei/Public Works Director and Greg Ollivier/PWD-Solid Waste/Recycling Manager relative to the request.

Input from the public was provided by the following:

Christine Bogusch stated she works for the Solid Waste Division. She expressed concern with problems that occurred when the operation was previously contracted out; and she provided input on their current operations and her concern that their diversion rate would change if a new operator removed the recycling. She does not support privatizing the operation.

Marvin Wells asked if the successful company would buy the equipment if the operation is privatized.

Pete Rei responded to the questions relative to the equipment and advised that he feels they would be answered in the context of a proposal. He further advised that they plan to put together a proposal for the County to continue operation, including options with changes to the current operation. Supervisor Allen advised of his previous discussion with the County Administrative Officer that no employee would lose their job if the operation is contracted out. Supervisor Turpin noted the need to stay with the previous commitment of not raising the fees for the specified period of time. Discussion was held relative to the current operation.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

7. **Administration (ID # 1040)**

Closed Session: Conference with County Labor Negotiator; Name of Employee Organization: Service Employees International Union Local 521 (SEIU); Name of County Designated Representative: Richard J. Benson
RESULT: WITHDRAWN

8. **Administration (ID # 1042)**

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

RESULT: WITHDRAWN

9. **Administration (ID # 1043)**

Closed Session: Conference with County Labor Negotiator; Name of Employee Organization: Deputy Sheriffs' Association (DSA); Name of County Designated Representative: Richard J. Benson

RESULT: WITHDRAWN

10. **Administration (ID # 1044)**

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

RESULT: WITHDRAWN

11. **County Counsel (ID # 1045)**

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

RESULT: WITHDRAWN

J. Adjournment at 12:36 PM

Adjournment in memory of Robert Lee McCreary, Jacqueline Brunskill, Robert Beattie, John Erhart, and Davinder Bhalla.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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



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

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

February 14, 2012

A. Call to Order and Roll Call

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

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

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for our military personnel.

C. Introductions

None

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

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

Supervisor Turpin commented on item 10 and the need to have better cost information for projects in the future.

All items were approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration -2012-71

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

CA2. Administration -2012-72

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

CA3. Human Services (ID # 1031)

Accept the Resignation of Vanessa Holt and Celeste Azevedo from the Drug and Alcohol Abuse Advisory Board.

CA4. Human Services -2012-73

Authorize the Human Services Director to Execute the 2011 Department of Energy (DOE) Weatherization Services Contractor Standard Agreement and Subsequent Amendments (Subject to Review and Approval as to Form by County Counsel).

CA5. Public Works -2012-74

Approve the First Amendment to the Professional Services Agreement with CH2MHill, Inc. for the Feasibility Study for the Darrah Road Bridge Widening Project Extending the Term of the Agreement to June 30, 2012; Authorize the Chair of the Board to Sign the Amendment

CA6. Public Works -2012-75

Approve Budget Action Transferring Funds Within the Airport Slurry Seal Budget to Account for Two Change Orders Done to the Contract with Valley Slurry Seal (\$20,000).

CA7. Public Works -2012-76

Approve the Merco Cycling Classic Bike Race to be Held on Thursday, March 1, 2012. Event to be Held from 9:00 A.M. to 3:00 P.M. on Merced Falls Road, Hornitos Road and Lake McClure Road.

CA8. Personnel/Risk Management -2012-77

Approve an Amendment to the Juvenile Corrections Officer Job Description by Changing the Title of the Classification to Probation Corrections Officer and Incorporate Minor Changes to Reflect that This Classification Will Also Monitor Low Risk Adult Offenders.

CA9. Human Services -2012-78

Approve a Two Year Agreement with HughesNet for Internet Service; Authorize the Chairman of the Board of Supervisors to Sign the Agreement.

CA10. Public Works -2012-79

Approve Change Order No. 2 in the Amount of \$32,115.00 for Additional Work on the Greeley Hill Sidewalk Project (97-27); Authorize the Public Works Director to Sign the Change Order and Release Retention Funds

E. Presentations**1. Board of Supervisors (ID # 1075)**

Proclaim the Month of February 2012 as “National Teen Dating Violence Awareness and Prevention Month” (Aaron Marcus - Program Specialist, Mountain Crisis Services)

For presentation

Input from the public was provided by the following:

Eleanor Keuning referred to date information on this proclamation.

The Proclamation was presented to Aaron Marcus, and he advised of a current survey of students and of their work with the School District.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

F. Minutes Approval**Board of Supervisors (ID # 1087)**

Approval of the Summary of Proceedings of February 7, 2012, Regular Meeting

The minutes were approved with a correction in the Board Information to reflect that Supervisor Bibby will be attending the Mental Health Board special training.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

G. Departmental Presentation

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

Pete Rei/Public Works, introduced Bill McKenzie the new Senior Civil Engineer.

H. Public Presentation

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

Jackie Burns and George Catlin presented information and advised of the Ever Better Community, a countywide conference scheduled for March 17th. The conference will address ethics in hard times and local strengths and volunteerism.

Karen Cutter thanked the Board for closing its meeting in memory of her husband, Marc. She presented information on the Butterfly Festival, scheduled for May 4, 5, and 6, 2012.

Ron Loya/Historical Sites and Records Preservation Commission, expressed concern that the historic inventory for the County has not been updated and he provided information on the Commission's responsibility and attempts to pursue updating the inventory. He asked the Board to direct the Planning Department to pursue Certified Local Government Program process to preserve the integrity of the County's resources.

Jeanetta Phillips advised that the new Geotourism map guide of the Sierra Nevada's has been printed.

Eleanor Keuning noted that her earlier comments on the Proclamation were meant for another event. She thanked Public Works for graveling Leonard Road and asked that further work be done on a quagmire spot. She referred to recent and upcoming events and noted that various groups seem to be working on similar issues in the County.

I. Board Information

Supervisor Stetson advised that he attended the fire station meeting and a meeting on health issues with Dr. Mosher and Supervisor Bibby on Friday; and the Parks and Recreation Commission meeting on Monday. He plans to attend the El Portal Town Planning Advisory Committee meeting this evening, and the Midpines Town Planning Advisory Committee meeting next Tuesday evening. He is meeting with representatives of the Sierra Nevada Conservancy on Thursday.

Supervisor Cann commended everyone who participated in making the Geotourism guide happen. He advised that he and Supervisor Bibby met with Planning staff last Tuesday on the sign ordinance. He met with a new business owner on Thursday that purchased the property where the Bloomer's Nursery was located. He attended the Regional Watershed Management Plan meeting on Thursday - they are working on the IRWMP Plan; and he attended the Republican Central Committee dinner on Saturday. On Monday he attended a meeting with the Tourism Bureau, Chamber of Commerce, and the Arts Council relative to Yosemite National Park's request of the gateways for proposals to try and coordinate traffic during peak visitation

hours to reduce traffic impacts in the Park. He plans to attend a meeting with Tenaya Lodge representatives on Wednesday; the AAUW is holding a speech contest at the High School on bullying in the evening; and the next poverty reduction meeting is scheduled for February 23rd.

Supervisor Turpin stated he is interested in seeing the Geotourism guide. He advised that the Don Pedro Equestrian and Pedestrian Trails Advisory Committee took a field trip on Thursday to see an area where a garage encroaches into the trail easement. He and his wife attended the Don Pedro Sweetheart Ball on Saturday, and he commended Station 24/Don Pedro and Station 64/Tuolumne County for jointly putting on this event. He expressed concern that environmental extremists have convinced the 9th Circuit Court that grazing and timber harvest activities are detrimental to the public lands - and he commented on pending issues.

Supervisor Allen advised that he met with homeowners in Lushmeadows last Wednesday and they are happy with Public Works and the Sheriff's Department. He participated in a conference call with CSAC (California State Association of Counties) and RCRC (Regional Council of Rural Counties) representatives relative to AB 109/State prisoners coming back to local facilities and concerns with medical costs - he also met with the Chief Probation Officer on Thursday on these issues. He attended the fire station meeting on Friday; and he met with representatives of the Sierra National Forest and was advised that they are moving the large helicopter used for fire fighting from Mariposa to Fresno to have facilities for staff, and the Travel Management Plan is working well for them. He participated in a telephone conference call on Monday with RCRC relative to changes in first responders to emergency medical responders, and he plans to attend a meeting in Sacramento on Wednesday on concerns with fingerprinting costs and requirements - currently separate fingerprints and fees are being required for each organization that an individual participates in.

Supervisor Bibby noted that it is the responsibility of each individual organization to determine whether individuals should participate in the fingerprinting. She attended the sign ordinance meeting last week and plans to attend another one today. She attended the health meeting with Dr. Mosher and discussion was held relative to concerns on livable dwellings, food handlers, flu, and septic failures. She attended the Mental Health Governing Board training on February 11th and extended special thanks to Lori Ritter and Jeremy Briese, and noted that another series of the training will be held on March 7th. She thanked everyone who participated in the 4-H, FFA, and Friends of the Fair Sweetheart event at McCay Hall on February 11th. She attended the fire marshal meeting on February 13th; and the First 5 meeting on February 13th - discussion was held relative to reductions in funding. She plans to attend the Calaveras-Mariposa Community Action Agency meeting this Friday. She reminded everyone that Storytelling tickets are on sale.

J. Regular Agenda Items

1. Administration (ID # 1078)

PUBLIC HEARING: DESIGN PHASE – to Provide Citizens an Opportunity to Comment on Potential Projects in Preparation of Submitting a Community Development Block Grant Application for FY 2012-13.

Staff report was given by Rick Benson/County Administrative Officer, and Marilyn Lidyoff/Business Development Coordinator. Staff recommended three projects for consideration: 1) Public Works - storm water drainage project for Coulterville/\$1.5 million; 2) Human Services - coordinated poverty reduction effort/job training; and 3) Human Services - computer lab training center. Jim Rydingsword/Human Services Director, provided input on the Human Services projects that were requested and advised that they will be working with Mother Lode Job Training. Chair Bibby noted that correspondence was received from James and Rita Kidd, and asked whether any other correspondence was received. Supervisor Cann noted that the Economic Development Corporation placed a graduated care facility as a high priority; and he commented on the need for starting a conference and performing arts center. Discussion was held relative to grant requirements, funding and poverty level information. Supervisor Allen asked whether application could be made for repairs to the Courthouse, and whether the Community Services Director was contacted relative to potential projects for seniors and their needs. Supervisor Turpin asked about the job training program, and he asked whether consideration was given to including the Library in the computer lab training. Supervisor Stetson noted a correction on page 111 to clarify items 1 and 2. Supervisor Bibby asked about the status of the "reuse" funding and Jim Rydingsword advised that information will be forthcoming to the Board.

Input from the public was provided by the following:

Merlin Jones spoke in support of the storm drain project for Coulterville and commented on his observations of flooding that has occurred.

Debbie Cook, fire fighter for Coulterville Fire Station and Public Information Officer for the Fire Department, spoke in support of the storm drain project for Coulterville and commented on recent experiences with flooding and safety issues.

Eleanor Keuning spoke in support of a graduated care facility for our seniors; and she questioned whether there are jobs available for the poverty reduction effort/job training program.

Marvin Wells stated he agrees with Supervisor Allen on the senior transition needs; and he asked for clarification of the projects that can be applied for.

Chair Bibby advised of County Counsel's recommendation that staff respond to questions during the public portion of the hearing, including questions from the Board. Then the public portion will be closed, and questions will be taken relative to clarification of the process.

Staff responded to the questions that were raised, and Marilyn Lidyoff advised of information that was provided to the two Board members that she met with on this item. Jim Rydingsword suggested that based on the comments today, that they need to go back and have staff and the consultants look at project options for the additional \$500,000. Supervisor Bibby stated she feels it is important that board and care facilities for seniors be operated by the private industry versus government.

The public portion of the hearing was closed. Supervisor Allen requested that all Board members be provided with all of the materials and that all of the materials be included in the agenda package in the future for this and for future items. Chair Bibby noted that there is an April 6th deadline and that staff will bring back an item for Board action. The hearing was closed.

2. Public Works -2012-80

Approve Funding and Increasing the Allocation of the Permanent Part-Time (PPT) County Surveyor Position in the Road Fund from 0.60 PPT to .080 PPT Effective April 1, 2012; Authorize the Department to Recruit and Fill This Position Effective April 1, 2012; Approve Budget Action Transferring Funding Within the Road Fund and Reducing This Fund's Contingency to Accommodate This Request (\$30,500). 4/5ths Vote Required

Required

Discussion was held with Pete Rei/Public Works Director, relative to the request, and he thanked Roger Stephens for all of his work with the surveyor function. It was clarified that the request is for a .80 position effective April 1, 2012, and the motion reflected this correction.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

3. Board of Supervisors -2012-81

Approve a Cooperative Agreement with the National Park Service to Sublet the Building at 5037 Stroming Road; Authorize the Chairman of the Board of Supervisors to Sign the Cooperative Agreement (Supervisor Cann)

Supervisor Cann initiated discussion relative to the process and the agreement that has been reached with the National Park Service - this will allow the Park Service to consolidate their administrative services at the "Stroming building." He advised of corrections to the agreement. Steve Dahlem/County Counsel, advised that there are other documents that will need to be executed, including a consent to sublease; and he asked for authority for the Chair to sign any documents that are necessary to implement this agreement, subject to review by County Counsel. The agreement was approved as requested and with the technical corrections to be made, and action included the authority for the Chair to sign any documents that are necessary to implement this agreement as requested by County Counsel.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. Personnel/Risk Management (ID # 1066)

CLOSED SESSION: Conference with County Labor Negotiator; Name of

Employee: Mariposa County Managerial and Confidential Organization

(MCMCO); Name of County Designated Representative: Richard J. Benson

Board convened in closed session at 11:08 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

11:21 a.m. Report from Closed Session:

Chair Bibby announced that information was received on item 4/labor negotiations with MCMCO.

K. Items removed from Consent Agenda

None

L. Adjournment at 11:20 a.m.

Respectfully submitted,

MARGIE WILLIAMS

Clerk of the Board

JANET BIBBY

Chair, Board of Supervisors



MARIPOSA COUNTY

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



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

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

February 21, 2012

A. Call to Order and Roll Call

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

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

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for the families who recently lost family members and for our military.

C. Introductions

None

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

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

Input from the public was provided by the following:

Eleanor Keuning referred to item 7 and asked for clarification of the type of work that could be done and whether it could include paving handicapped parking spaces.

Supervisor Turpin pulled items 4 and 7. Supervisor Cann stated he would like to have further discussion on item 3 and what this means to the recreation programs. Supervisor Bibby pulled items 3 and 8.

The balance of the items was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration RES-2012-82

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

CA2. Administration RES-2012-83

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

CA3. Administration/Personnel RES-2012-87

Approve the Transfer of a 60% Permanent Part-Time Recreation Program Coordinator in the Parks and Recreation Division of the Public Works Department to a Full-Time Recreation Program Coordinator Position Effective Immediately

CA4. Public Works RES-2012-88

Waive Encroachment Permit Fee for the Stanislaus National Forest to Place Five Motorized Travel Restriction Signs Along Specified County Roads with Entrances to the Stanislaus National Forest

CA5. Planning (ID # 1071)

Appoint Kevin Shelton to the El Portal Planning Advisory Committee for a Term to Expire February 28, 2013 (Supervisor Stetson)

CA6. Treasurer-Tax Collector-County Clerk RES-2012-84

Approve an Agreement with Kenneth and Lamerna Mari 1990 Trust, in the Amount of \$200 Per Month for Secure Storage Facilities Capable of Storing the Election Department Electronic Voting Machines, and Authorize the Chairman of the Board of Supervisors to Sign the Agreement.

CA7. Treasurer-Tax Collector-County Clerk RES-2012-89

Approve an Agreement with the State of California for Help American Vote Act (HAVA) Grant Money to Purchase Accessibility Equipment for Polling Locations, and Authorize the Board of Supervisors Chair to Sign the Agreement; Approve Budget Action Increasing Revenue and Appropriations in the Elections Budget Accepting the Grant Funds (\$19,940) 4/5ths Vote Required

CA8. Human Services RES-2012-104

Direct the Auditor to Pay for the Crisis Support Contract from the Behavioral Health Budget (001-0402) and from the Mental Health Services Act Budget (Fund 410) (Continued from February 21, 2012)

E. Minutes Approval

Approval of the February 14, 2012, minutes was withdrawn.

F. Departmental Presentation

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

Pete Rei/Public Works Director, advised that eight bids were received for the Don Pedro Fire Station.

G. Public Presentation

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

Eleanor Keuning commented on the different groups that are addressing poverty and homelessness issues and expressed concern with the meeting being held at the same time as other events.

Kathy McCorry/Executive Director of the Mariposa County Chamber of Commerce, advised that their "fat Tuesday" Mardi Gras mixer is scheduled for this evening; a "meet the candidate" night is scheduled for Wednesday with all of the candidates running for the State Assembly; an e-waste and scrap metal recycling event is scheduled for Saturday in Coulterville; they will start the remodel of the Mariposa Visitor Center on Sunday; candidate night for District II Supervisor is scheduled for April 17th; and the Chamber is working on printing a new County road map.

H. Board Information

Supervisor Cann referred to Eleanor Keuning's comments on the poverty reduction meetings. He advised that he met with people on Wednesday about bringing one (RCRC), and possibly two (CSAC CAO), conferences to Mariposa; was honored to be a judge on Wednesday evening for the AAUW high school speech contest; he and Supervisor Bibby met with a cross section of fire representatives on Thursday to finalize plans for the

purchase of Rescue 22 - they hope to have the vehicle delivered in July; and he attended the Friends of the Fairgrounds meeting and he noted Tuolumne County's consideration of modifying the transient occupancy tax to fund their fairgrounds and a State park. He plans to attend the RCRC Executive Board meeting in Sacramento on Wednesday; the Regional Water Management Plan meeting, the poverty reduction meeting, and the candidates forum on Thursday - and he complimented the Chamber for being able to get all five Assembly candidates to be here; and he plans to be back in Sacramento on Friday for a meeting - RCRC has been working with the Forest Service on negotiating with counties before implementing local statutory applications.

Supervisor Turpin advised that he attended the Solid Waste meeting on Thursday. He noted that Mariposa County is a coordinated county and the federal agencies are required to keep the County informed of changes, and he commented on the OHV route issues.

Supervisor Allen advised that he attended the meeting in Sacramento on Wednesday relative to changes for first responders to emergency medical care; he participated in a telephone conference call with RCRC on Friday relative to the US Forest Service attempts to pass a law that gives them law enforcement authority that concern the Sheriffs. He commented on issues with AB 109/return of state prisoners to the counties. He plans to attend the fire station meeting on Friday.

Supervisor Stetson advised that he plans to attend the Midpines Planning Advisory Committee meeting this evening; the Mental Health budget meeting on Wednesday; the CSAC Conference via telephone on Thursday; the Sierra Nevada Conservancy meeting on Thursday afternoon; the fire station meeting on Friday; and he plans to meet with the Public Works Director on Yosemite West issues on Monday. He noted that a portion of Highway 120 will be closed for about six weeks to repair the slide damage. He advised that he had an automobile accident on Wednesday on his way to the Government Center and he commended all of the emergency services for their response and for the services they provide.

Supervisor Bibby advised that she attended the meeting relative to the replacement of Rescue 22; the poverty reduction meeting and she will try to get clarification of the meetings and dates that Eleanor Keuning referred to; and she met with the Human Services Director on Community Action Agency funding. She commented on AB 109 and the recent proposal to transfer juvenile offenders back to the counties. She plans to attend the Mental Health meeting on Wednesday relative to funding and audit of programs; the poverty reduction meeting on February 23rd; and the Bridgeport Fire Station meeting. She noted that a memorial services is scheduled for Ed Uebner on February 26th and she extended prayers to the family. She extended a special thanks to the Sheriff's Department and the Search and Rescue for their services with recent incidents. She noted the Hornitos Enchilada dinner is scheduled

for March 3rd; and the 25th Silver Anniversary Storytelling Festival is scheduled to start on March 9th.

I. Regular Agenda Items

1. Administration/Economic Development RES-2012-85

Public Hearing: Approve the Close Out of the Microenterprise Revolving Loan Program on Grant Agreements #08-EDEF-5890 and #10-STBG-6727

Public Hearing Noticed at 9 AM

Rick Benson/County Administrative Officer, and Marilyn Lidyoff/Business Development Coordinator, presented the staff report; and reviewed the status of applications and funding. Staff responded to questions from the Board relative to the status of reimbursement of the \$12,000; whether the four businesses that received loans are still in business; status of the CDBG grant for the Rural Medial and relative to meeting the grant requirements. The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed. Action was taken to approve closing out the grant agreements, and the hearing was closed.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Administration RES-2012-86

Authorize Issuing a Request for Proposals (RFP) for the Sale, Removal, and Restoration of the House Located at 5101 Bullion Street, Mariposa (Garber House)

Discussion was held with Rick Benson and revisions to the request for proposals were suggested by the Board members.

Input from the public was provided by the following:

Eleanor Keuning, Historic Sites and Records Preservation Commission, referred to the Commission's discussion and concern that moving the structure takes away its contribution to the historic downtown district. She noted that there are resources at the State level for restoration, and she asked about the timeframes.

The request for proposals was approved with the suggested revisions to allow 120 days from award of the contract for removal of the structure, to remove the restoration provision, to clarify that the structure must be relocated within

Mariposa County, and authorizing the County Administrative Officer to award the bid.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

3. Administration/Personnel (ID # 1093)

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

After considering the items that were removed from the Consent Agenda, the Board convened in closed session at 11:16 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. Administration/Personnel (ID # 1096)

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

RESULT: WITHDRAWN

5. Administration/Personnel (ID # 1099)

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

RESULT: WITHDRAWN

6. Administration/Personnel (ID # 1103)

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

RESULT: WITHDRAWN

10:12 a.m. Recess

10:22 a.m. Reconvened

J. Items removed from Consent Agenda

Administration/Personnel RES-2012-87

Approve the Transfer of a 60% Permanent Part-Time Recreation Program Coordinator in the Parks and Recreation Division of the Public Works Department to a Full-Time Recreation Program Coordinator Position Effective Immediately

Discussion was held with Pete Rei relative to the request. Supervisor Bibby stated she feels it would be better to leave the position at 60% at this time given budget concerns.

RESULT: ADOPTED [4 TO 1]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

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

NAYS: Janet Bibby

Public Works RES-2012-88

Waive Encroachment Permit Fee for the Stanislaus National Forest to Place Five Motorized Travel Restriction Signs Along Specified County Roads with Entrances to the Stanislaus National Forest

Supervisor Turpin initiated discussion relative to the request and noted the need to provide information on areas where the OHVs are allowed; and he advised that he will contact the Forest Service relative to his concerns. Pete Rei provided input on the request. Discussion was held. The requested action was approved and Supervisor Turpin will contact the Forest Service to provide follow-up information.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Treasurer-Tax Collector-County Clerk RES-2012-89

Approve an Agreement with the State of California for Help American Vote Act (HAVA) Grant Money to Purchase Accessibility Equipment for Polling Locations, and Authorize the Board of Supervisors Chair to Sign the Agreement; Approve Budget Action Increasing Revenue and Appropriations in the Elections Budget Accepting the Grant Funds (\$19,940) 4/5ths Vote Required

Discussion was held with Keith Williams/Treasurer-Tax Collector-County Clerk, relative to the request and the allowed uses of the funds.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Human Services RES-2012-104

Direct the Auditor to Pay for the Crisis Support Contract from the Behavioral Health Budget (001-0402) and from the Mental Health Services Act Budget (Fund 410) (Continued from February 21, 2012)

Supervisor Bibby initiated discussion with Jim Rydingsword/Human Services Director, and she advised of her discussion with the Auditor on this request and of her concern relative to the status of the Mental Health funding. She asked that the matter be continued for clarification of the funding and for the Auditor to review. The Board concurred with continuing the matter to February 28, 2012.

10:50 a.m. Recess

11:16 a.m. The Board convened in Closed Session.

12:23 a.m. Report from Closed Session:

Chair Bibby announced that direction was provided to staff on item 3/labor negotiations with MCMCO.

K. 12:24 p.m. Lunch

L. 2:03 p.m. Reconvene

1. Planning RES-2012-90

Continued Public Hearing to Consider Zoning Amendment No. 2010-162, Which Proposes to Amend the Zoning Map by Rezoning Three Parcels Totalling 437 Acres Currently in the Mountain Preserve Zone (160-Acre Minimum) to the Agriculture Exclusive Zone (160-Acre Minimum); Jerry Cox (Bison Creek Ranch), Project Applicant. the Property is Located at 6071 CYA Road/APNs 008-140-021, 008-140-022, and 008-140-023. (Continued from January 24, 2012)

Staff report was given by Alvaro Arias/Associate Planner; and he advised that the public hearing was continued to today for staff to review possible violations. He advised that the applicant has made progress on the violations, and the remaining violations have to do with Building Department issues. He further advised that a letter was distributed prior to the hearing relative to the status of the violations. Discussion was held on whether or not to continue the hearing for the violations to be corrected. Steve Dahlem/County Counsel, responded to a question from the Board as to whether to separate the violations from the rezoning request, and he recommended that the hearing be opened on all of the issues. He suggested that if staff has any additional information for the hearing that it be presented at this time. Supervisor Bibby asked whether the applicant received the four page letter that was distributed prior to the meeting. Sarah Williams/Deputy Planning Director, advised that the only information that the

Board has not received pertains to the violation issues that have been resolved with the Tax Collector, Assessor, and the Agricultural Commissioner. She further advised that nearly all of the advertising issues have been resolved, with the exception of two website references. Staff responded to questions from the Board relative to the need to address the outstanding violation issues regardless of what happens on the zoning amendment; and relative to the findings that need to be met to approve the zoning amendment and staff's recommendation. Sarah Williams responded that the input previously received from the neighbors had to do with uses that were occurring that were not allowed under Williamson Act Contract; those issues have been addressed through this process of bringing the land into compliance with the Williamson Act and the applicants have been advised that they can not have any uses that are in conflict with the Contract. She further advised that only day recreational use is allowed and no permanent facilities are allowed. Weddings are not allowed as an agritourism use. County Counsel responded to a question from the Board and advised that it would be appropriate to close the public portion of the hearing prior to deliberations, then the Board could determine whether to continue the hearing or make a decision on the zoning amendment. Staff responded to a question from the Board and advised that all of the information on the zoning amendment was presented when the hearing was first conducted.

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

George Smith stated he is Mr. Cox's uncle and he feels that the problems with the building violations and the zoning amendment are separate issues and should not be considered together. He feels the land was incorrectly zoned with the previous owner and the Agricultural Exclusive zone is a better zone. He responded to questions from the Board relative to the unpermitted structures and of his efforts to correct the violations.

Jerry Cox, owner of Bison Creek Ranch, responded to questions from the Board relative to assurance that if the rezoning request is granted that they will comply with all requirements. He advised that some of the things were done before he purchased the property and then his mother lived on the property and made some improvements. They are working to bring everything into compliance with the Williamson Act Contract requirements and they have been conducting agricultural activities on the land for over ten years.

George Smith responded to further questions from the Board relative to the agricultural activities that are occurring; and he advised they have bison and horses, and that the land has been brushed for grazing. He further noted that the timber is gone so they do not feel that the Timber Preserve is an appropriate zone. He provided input on the history of the processing of the zoning amendment. He responded to questions from the Board relative to the use of the gazebo structure; relative to the status of

correcting the website issues; relative to their agreement with the status of the violations presented by staff; and relative to the previous building permit processes and status.

There were no speakers in support of the application, or in opposition.

General Comments:

Jerry Cox stated all of the structures are in compliance with the Williamson Act Contract, and they have done everything they could in the last month to correct the violations; and he feels the land should be rezoned.

Staff responded to questions from the Board as to whether the Williamson Act Contract should be withdrawn if the zoning change is not approved; and whether there are any Williamson Act Contract violations at this time; relative to the finding that needs to be made that everything is in compliance with all laws given the outstanding violations.

The public portion of the hearing was closed.

Clarification of process:

Staff responded to questions from the Board relative to needing to change the dates in the formal resolution and ordinance to reflect this continued hearing and action date.

Deliberation:

(M)Turpin, (S)Allen, Res. 12-90 was adopted finding that the project is exempt from environmental review and approving Zoning Amendment Application No. 2010-162 with the recommended findings; and the first reading was waived and the Ordinance introduced amending the Mariposa County Zoning Map pursuant to Zoning Amendment No. 2010-162 with the recommended findings. Chair Bibby read the title of the Ordinance into the record. Ayes: Unanimous. The hearing was closed.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

M. Adjournment

The Board adjourned at 3:16 p.m. in memory of Lawrence R. Miller, Kelly Verceles, Joe Rhoan, Sr., Jill Clayton, Stanley E. Tomerlin, and Edgar "Ed" Uebner.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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



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

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

February 28, 2012

A. Call to Order and Roll Call

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

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

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for our military families.

C. Introductions

None

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

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

Supervisor Cann discussed the status of funding for item 4 with Pete Rei/Public Works Director. Supervisor Bibby pulled item 3 for discussion with the Auditor in the afternoon.

The balance of the items was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration RES-2012-91

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

CA2. Administration RES-2012-92

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

CA3. Human Services RES-2012-104

Direct the Auditor to Pay for the Crisis Support Contract from the Behavioral Health Budget (001-0402) and from the Mental Health Services Act Budget (Fund 410) (Continued from February 21, 2012)

CA4. Public Works RES-2012-93

Approve Change Order #1 to the Foresta Bridge, K. W. Emerson, Inc Agreement in the Amount of \$35,830.63, and Authorize the Director of Public Works to Sign the Change Order; Approve the Budget Action Transferring Funds from the Roads Budget (300) and Within the Foresta Bridge Budget (508) to Allow for the Additional Costs Necessary to Complete and Recognizing the \$11,106 in Additional Funding Authorized by the National Park Service (\$58,665). 4/5ths Vote Required

CA5. Fire RES-2012-94

Authorize the Fire Chief to Apply for the 2012 Staffing for Adequate Fire and Emergency Response (SAFER) Recruitment and Retention Grant Program Funded by the Department of Homeland Security and Federal Emergency Management Agency (FEMA).

CA6. Public Works RES-2012-95

Authorize the Replacement of T-1, a 2003 Dodge Pick-Up Used by the Engineering Department of Public Works.

CA7. Human Services RES-2012-96

Approve a Contract for Services with LuEllen Luker, LCSW to Provide Counseling Services as an Independent Contractor for Mental Health Clients

who Have Mariposa County Medi-Cal, and Authorize the Board of Supervisors Chair to Sign the Contract; Approve a One-Time Cash Incentive Payment of \$2,500 to Assist Independent Contractors in Establishing a Private Practice in Mariposa County.

E. Minutes Approval

1. Clerk of the Board of Supervisors (ID # 1130)

Approval of the Summary of Proceeding of February 14, 2012, Regular Meeting

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

2. Clerk of the Board of Supervisors (ID # 1132)

Approval of the Summary of Proceeding of February 21, 2012, Regular Meeting

The minutes were approved with minor corrections to the Bison Creek Ranch public hearing portion.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

F. Departmental Presentation

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

Jim Wilson/Fire Chief, advised that the Local Hazardous Mitigation Plan has been approved by FEMA Region 9 and it is moving through the local adoption process - an item will come to the Board to open the 30-day comment period, and then adoption can be scheduled to place the Plan in the General Plan. Supervisor Allen asked about the status of the Emergency Operation Plan for the County, and Jim Wilson advised that the first draft has been reviewed and a stakeholders meeting is scheduled in later March.

G. Public Presentation

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

Suzette Prue/John C. Fremont Healthcare District Board of Directors, introduced David Hill the new CEO for the District.

Ken Melton, agent for Steve McQueen's Land Division Application, read his letter into the record expressing concern with the County's processing of the application; and he requested that the Board direct that their appeal on said application be processed under the fee structure that was in place at the time the project application was made.

Donna Brownell, Executive Director of the Mariposa County Arts Council, announced that she is retiring after eleven years with the Council; she invited everyone to the Storytelling Festival; and she thanked the Board for its support. Board members thanked Donna for her dedicated service.

David Taylor, Lake Don Pedro resident, advised that the Community Services District Board of Directors held an emergency meeting on Monday and they have a plan in process for setting up a temporary office following the fire at their facilities.

Eleanor Keuning thanked the Chamber of Commerce for organizing the candidates' night for this Assembly district last week; advised that the Ewing Wing fundraiser is scheduled for March 17th; and she asked about the status of the fire marshal services. Chair Bibby responded that discussion has been continuing on the fire marshal services between the County and MPUD and an item will be brought to the Board.

Ray Westmoreland, representing the Mariposa Patriots Tea Party, invited everyone to their meetings advising that they are educational; and he provided a DVD on "The Ultimate War: Globalism vs. America - A Seminar on the United Nations' Agenda 21 Program."

H. Board Information

Supervisor Turpin advised of historical photographs taken in 1934 that Ray Westmoreland provided of Highway 49 North and the Pine Tree Mine; and Ray Westmoreland provided input. Supervisor Turpin thanked the Chamber for the e-waste and metal recycling collection event they sponsored in Coulterville on Saturday. He plans to attend the Don Pedro Pedestrian and Equestrian Trails Advisory Committee meeting on Thursday. He advised that he discussed the issues with the Forest Service signs with Maggie Dowd, and they will be reviewing future signs. He commented on the loss of the Don Pedro Community Services office building and noted the issues are being addressed by the Directors.

Supervisor Allen advised that he met with Rob Binder last week on Airport and Airport Advisory Committee issues; attended the candidates' night on Thursday; and he attended the fire station meeting on Friday and an item will be brought to the Board next week on the budget. He plans to attend the following: the Mountain Valley Emergency Medical Services Agency meeting in Copperopolis on Wednesday and they will be reviewing their mid-year budget; the Area 12 Agency on Aging meeting in Calaveras on

Thursday; and the AB109/Community Corrections Partnership meeting on Friday. He noted that the Hornitos Enchilada Feed is scheduled for Saturday.

Supervisor Stetson advised that he met with Rob Binder; attended the Midpines Planning Advisory Committee meeting on Tuesday; met with staff and Supervisor Bibby on health issues on Wednesday; participated in a conference call with CSAC on Thursday, and in the afternoon he met with local representatives of the Sierra Nevada Conservancy to prepare for their meeting in Red Bluff next week; attended the candidates' night on Thursday; attended the fire station meeting on Friday and a meeting at the Midpines Community Park in the afternoon; and he met with the Public Works Director and Fire Chief on Monday relative to Yosemite West issues. He plans to attend an ad hoc meeting on Wednesday relative to the trail development in Midpines. He plans to attend a meeting on Friday relative to Yosemite West road maintenance issues, and a meeting in the afternoon to address fire issues.

Supervisor Cann advised that he met with the Townsend Group on ADA and crosswalk issues in town, and he advised that they subsequently spoke with CalTrans and that has resulted in CalTrans' agreeing to conduct an ADA study; and he met with the local crosswalk committee on Monday. He attended the RCRC Executive Committee meeting on Wednesday in Sacramento - there has been no change in the SRA fees; however, there are bills working their way through the legislature to increase and bills to eliminate the fees and litigation is being prepared. He attended a meeting in the afternoon relative to AB 109 and medical costs for the inmates; he attended the Watershed Management Plan meeting and the poverty reduction and warming center meeting on Thursday; he attended a meeting in Sacramento on Friday with RCRC, the US Forest Service and BLM to reach agreement on the process for communication; and he attended the Mariposa County Merchants meeting on Thursday. He plans to go to Washington D.C. on Friday to attend the NACO Conference, representing RCRC on various issues, so he will miss the Board meeting next week.

Supervisor Bibby advised that she attended a meeting on February 22nd with Supervisor Stetson and Mental Health representatives and the County Administrative Officer and the Auditor to discuss Mental Health funds; and she noted there is a new requirement for the Mental Health Board to review and make recommendations. She attended a meeting on February 27th relative to ingress and egress issues for the Bridgeport Fire Station. She plans to attend a meeting on Airport operations and goals on February 29th; and the Mental Health Board meeting and the Bridgeport Fire Station design meeting on March 1st. She suggested that anyone who has input on the ADA issues in town forward their concerns to the Board so that CalTrans is made aware and can address them. She noted the Enchilada Feed is scheduled for March 3rd and thanked the Patron's Club for all that they do. She noted that tickets for

the 25th annual Storytelling Festival are available, and she complimented Donna Brownell and Marilyn Rudzik for their work on this event.

Supervisor Turpin thanked RCRC for their work with the Forest Service and BLM issues. He officially requested that an agenda item be scheduled to review the concerns that were expressed by Mr. Melton under Public Presentation with the timelines on processing the Land Division Application - Chair Bibby suggested that Supervisor Turpin work with the County Administrative Officer on this.

I. Regular Agenda Items

1. **Technical Services RES-2012-97**

Receive a Presentation from the Technical Services Director and Approve the Purchase of the Recommended Infrastructure and Email Upgrades.

Rick Peresan/Technical Services Director, gave a presentation focusing on the following for 2012: information security, GIS, infrastructure, and application systems; and he requested authorization to use the budgeted funds for the server virtualization and email upgrade projects. Discussion was held.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

10:44 a.m. Recess

10:55 a.m. Reconvened

2. **Administration/Personnel RES-2012-98**

Approve Employment Agreement with the Director of Public Works and Authorize the Chairman of the Board of Supervisors to Sign the Agreement.

Discussion was held.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

3. **Public Works RES-2012-99**

Approve Plans and Specifications for the Midpines Fire Station #21; Authorize the Public Works Director to Solicit Bids for Construction, Award the Bid and Enter into a Contract with the Lowest Responsible Bidder

Discussion was held with Pete Rei and he advised of correction in the staff report to reflect that the design work is being done by Keith and Associates.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. Public Works RES-2012-100

Approve Plans and Specifications for the Fish Camp Fire Station #33 and Authorize the Public Works Director to Solicit Bids for Construction and Execute a Contract with the Lowest Responsible Bidder

Discussion was held with Pete Rei and he advised of correction in the staff report to reflect that the design work is being done by Keith and Associates; and he advised that the site work and construction are in one contract for this project.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

5. Public Works RES-2012-101

Authorize the Director of Public Works to Approve Change Order #3 to Palmer Tractor Contract for the Bridgeport Fire Station, in the Amount of \$13,635.02 and Approve the Budget Action Transferring Funds from the Tobacco Settlement Fund (367) into the Bridgeport Fire Station Budget (521) in the Amount of \$50,000 to Allow for the Additional Costs Necessary to Complete This Phase of the Project. 4/5ths Vote Required

Discussion was held with Pete Rei and Ken Pritchett/PWD-Junior Engineer, responded to questions relative to the Change Order.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

6. Public Works RES-2012-102

Discussion and Direction to Staff Regarding Rejecting the Bid Protest Filed by Carter Construction for the 5085 Bullion Street Remodeling Project

Discussion was held with Pete Rei; and Steve Dahlem/County Counsel, advised that he concurred with the Public Works Director's analysis.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

7. **Public Works RES-2012-103**

Approve Budget Action Reducing General Contingency and Increasing Funding in the Land, Buildings, and Improvements Fund to Fully Fund the 5085 Bullion Remodeling Project - New Health Building (\$13,838); Approve a 10% Change Order Authority. 4/5ths Vote Required

Discussion was held with Pete Rei, and Rick Benson/County Administrative Officer, concurred with the ten percent contingency for this project.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

J. 11:32 a.m. LOCAL TRANSPORTATION COMMISSION

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

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

8. **Public Works LTC-2012-3**

Adopt a Resolution Authorizing the Local Transportation Commission (LTC) Executive Director to Sign a Fund Transfer Agreement with the State of California for the State Transportation Improvement Program (STIP) Planning, Programming, and Monitoring (PPM) Program for the Fiscal Year 2011-2012 in the Amount of \$78,000.

Discussion was held with Barbara Carrier/Assistant Director of Public Works - Support Services. (M)Cann, (S)Bibby, LTC Res. 12-3 was adopted approving the requested action/Ayes: Unanimous.

K. 11:35 a.m. BOARD OF SUPERVISORS

Reconvene as the Board of Supervisors

L. Closed Session

9. **County Counsel (ID # 1111)**

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

The Board convened in closed session at 11:44 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

10. **Administration/Personnel (ID # 1094)**

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

RESULT: WITHDRAWN

11:57 a.m. Report from Closed Session

Chair Bibby announced that direction was given to staff as a result of item 9/anticipated litigation.

M. 11:58 a.m. Lunch

N. 2:02 p.m. Reconvene

Items removed from Consent Agenda

Human Services RES-2012-104

Direct the Auditor to Pay for the Crisis Support Contract from the Behavioral Health Budget (001-0402) and from the Mental Health Services Act Budget (Fund 410) (Continued from February 21, 2012)

Supervisor Bibby initiated discussion relative to the request, and she suggested that the payment for the Crisis Support contract continue to be taken from the Behavioral Health budget pending resolving issues with the Mental Health Services Act Budget. Jim Rydingsword and Bill Davis/Auditor concurred with this suggestion. The motion approved continued payment from the Behavioral Health budget.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

Continued Regular Agenda Items

11. **Administration RES-2012-105**

Approve Mid-Year Adjustments Reducing General Contingency by \$35,795
4/5ths Vote Required

Rick Benson reviewed the status of the mid-year budget and recommended adjustments. He also asked for consideration of removing the hiring moratorium and discussion was held - this would need to come back as a

separate agenda item for the Board to take action. Mary Hodson/Deputy County Administrative Officer responded to questions from the Board. Shannon Hansen/Parks and Recreation Manager; Barbara Carrier and Pete Rei responded to questions from the Board.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

P. Adjournment

The Board adjourned at 2:42 p.m. in memory of Ryder Leslie-Jay Lord, Ort Holden, and Max C. Norton.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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



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

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

March 6, 2012

A. Call to Order and Roll Call

9:01 AM Meeting Called to Order at the Mariposa County Government Center with Supervisor Cann excused to attend the NACO (National Association of Counties) conference on behalf of RCRC (Regional Council of Rural Counties)

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

B. Pledge of Allegiance

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

C. Introductions

None

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

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

Agenda.

Input from the public was provided by the following:

Rob Binder, Airport Advisory Committee member, asked that item 13 be removed from the Consent Agenda and be considered separately. He advised that the Committee recommended that paragraph three of the ground lease linking lease fees to the short-term tie-down fee be removed.

Tim Wennberg referred to item 13 and noted concerns with the impact the economy is having on hangar rentals; he noted the need to promote aviation; he feels that the terms of the hangar leases are being violated; and he feels the playing field for the ground leases needs to be equalized.

Ruth Sellers agreed with the input by Rob Binder; noted that the County signed a ten-year lease agreement with KMPI; and she asked what the County gains when the lease amounts are raised.

Supervisor Allen advised that he will excuse himself from consideration of item 13 due to a potential conflict of interest. Chair Bibby suggested that item 13 be continued to March 13th to the timed agenda and for comments from the Committee to be included in the item. Pete Rei/Public Works Director, stated he is okay with continuing the item.

Supervisor Stetson initiated discussion with Pete Rei on item 11.

Action was taken to approve all of the items, with the exception of item 13.

Supervisor Allen was excused at 9:16 a.m. for the following action. (M)Turpin, (S)Stetson, item 13 was continued to March 13th as a timed item/Ayes: Stetson, Turpin, Bibby; Excused: Allen, Cann.

Supervisor Allen returned to the meeting at 9:18 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Lee Stetson, Lyle Turpin, Janet Bibby, Jim Allen

EXCUSED: Kevin Cann

CA1. **Administration RES-2012-106**

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

CA2. **Administration RES-2012-107**

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

CA3. Planning (ID # 1124)

Accept the Resignation of Frank Long from the Historic Sites and Records Preservation Commission (Chair Bibby)

CA4. Planning (ID # 1034)

Reappoint Tre Ford and Candy O'Donel-Browne to the Midpines Planning Advisory Committee for Terms to Expire on February 28, 2014 (Supervisor Stetson)

CA5. Planning (ID # 1055)

Reappoint Jim Eppler and Louis Cordero Sr. to the Catheys Valley Community Planning Advisory Committee for Terms to Expire on February 28, 2014 (Supervisor Bibby)

CA6. Planning (ID # 1058)

Reappoint Greg Baxter, Jeff Cerioni, Howard Davies and Donn Harter, to the Fish Camp Town Planning Advisory Council for Terms to Expire on February 28, 2014 (Supervisor Allen)

CA7. Planning (ID # 1059)

Reappoint Gale Banks, Paul DeSantis, Chuck Jones and Roger Soulanille to the Wawona Town Planning Advisory Committee for Terms to Expire on February 28, 2014 (Supervisor Allen)

CA8. Planning (ID # 1060)

Reappoint Magnum Godfrey to the Coulterville Town Planning Advisory Council for a Term to Expire February 28, 2014 (Supervisor Turpin)

CA9. Planning (ID # 1061)

Reappoint Dennis Bunning, Representing the Mariposa County Farm Bureau; Michael Hubert Representing Mariposa County Resource Conservation District and Linda Meyer, Member at Large to the Agricultural Advisory Committee for Terms to Expire February 28, 2014 (Chair Bibby)

CA10. Public Works RES-2012-108

Authorize Public Works to Waive the Encroachment Permit Fee for the 4-H Citizenship Project for a One Day Bike-A-Thon as a Fund Raiser for Multiple Sclerosis

CA11. Public Works RES-2012-109

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

CA12. Public Works RES-2012-110

Accept the Smith Station Road Project as Complete, and Authorize the Public Works Director to Record the Notice of Completion and Release the Retention.

CA13. Public Works RES-2012-124

Approval of New Airport Lease Documents for Ground, Hangar, and Tie Down Spaces (Continued from March 6, 2012)

CA14. Administration/Personnel RES-2012-111

Approve an Amendment to the County Surveyor Job Description by Amending the Minimum Qualifications to Add Language that a Civil Engineer License is Qualifying If the License is Issued Prior to January 1, 1982.

E. Presentations**1. Board of Supervisors (ID # 1139)**

Proclaim the Month of March 2012, as “Women’s History Month” (Connie Waldron, Representing “Merced River Chapter, Daughters of the American Revolution”)

The Proclamation was presented to Connie Waldron, and she provided input and advised that there is a display at the Library.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lyle Turpin, District II Supervisor

AYES: Lee Stetson, Lyle Turpin, Janet Bibby, Jim Allen

EXCUSED: Kevin Cann

F. Minutes Approval**1. Clerk of the Board of Supervisors (ID # 1148)**

Approval of the February 28, 2012, Minutes

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Lee Stetson, Lyle Turpin, Janet Bibby, Jim Allen

EXCUSED: Kevin Cann

G. Departmental Presentation

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

Doug Binnewies, Sheriff, advised that there has been a slight increase in the theft of propane and he suggested that the covers on the tanks be locked.

H. Public Presentation

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

Kathy McCorry, Mariposa County Chamber of Commerce and Visitor Centers, advised that they started the remodel of the Mariposa Visitor Center; provided input on the February visitor statistics; advised a new visitor kiosk has opened in Catheys Valley at The Ranch House; and advised that the following "meet the candidates" events have been scheduled: April 12th at the Ponderosa Basin Fire Station for the District 5 Supervisor, and April 17th at the Coulterville Visitor Center for the District 2 Supervisor.

I. Board Information

Supervisor Allen noted that today is the Kids Day newspaper fundraising event for Valley Children's Hospital - Central California. He attended the following meetings: Mountain Valley Emergency Medical Services Agency on Wednesday in Copperopolis; Area 12 Agency on Aging meeting on Thursday in San Andreas - he noted the workshops that are scheduled for family caregivers and commented on the success of the yoga classes led by Gail White for the seniors; the AB109/Community Corrections Partnership Committee meeting on Friday and he noted that a day reporting center is being considered; the Hornitos Enchilada Feed on Saturday; and he met with the Superintendent of Schools on Monday relative to school funding issues. He advised that he is currently conducting interviews of the applicants for the vacant position on the Fish Camp Planning Advisory Council. He plans to attend the fire station meeting on Friday, and he noted that there is a breakfast scheduled for Saturday at the Ponderosa Basin Fire Station.

Supervisor Stetson advised that he met on three occasions with various members of the Midpines Planning Advisory Council relative to trails in the Midpines area and along Highway 140. He attended the Yosemite West Maintenance District Advisory Committee meeting with the Public Works Director on Friday relative to fire and water issues. He plans to leave for Red Bluff after the Board meeting today to attend the Sierra Nevada Conservancy meeting; and he plans to attend the El Portal Planning Advisory Committee meeting next Tuesday evening.

Supervisor Turpin advised that he attended the Don Pedro Pedestrian and Equestrian Trails Committee meeting at the Don Pedro High School on Monday with the Public Works Director. He attended the Greeley Hill Community Club breakfast on Sunday, and this evening the Coulterville Community Club is holding its monthly meeting. He commented on the status of "green economy and energy" costs and concerns with the rising costs.

Supervisor Stetson advised that he attended the last official showing due to the economy at the 6th Street Cinema on Saturday, and he commended everyone for their support and contributions.

Supervisor Bibby advised that she attended the following on March 1st - the fire station design meeting, and the Mental Health Board meeting - the Human Services Director provided an overview of the audit exceptions and future planning for mental health activities. She noted that there is a Mental Health advance training scheduled for Wednesday evening. She attended the Enchilada Feed on Saturday and commended the Patron's Club and community volunteers and attendees for their support. She met with the CEO of the Hospital on March 5th. She noted that the Storytelling Festival begins on Friday. She plans to attend the Calaveras Mariposa Community Action Agency subcommittee meeting on March 12th for discussion on funding issues. She noted there is a possible mobile livestock vendor meeting and a First 5 meeting. She thanked the Daughters of the American Revolution - Merced River Chapter and Connie Waldron for the Women's History information. She noted that she has a vacancy on the Commission on Aging and that if anyone is interested to please contact her.

J. Regular Agenda Items

1. Planning ORD-2012-1088

Waive the Second Reading and Adopt an Ordinance Amending the Mariposa County Zoning Map Pursuant to Zoning Amendment No. 2010-162. the Ordinance Will Rezone Three Parcels Totaling 437 Acres Currently in the Mountain Preserve Zone (160-Acre Minimum) to the Agriculture Exclusive Zone (160-Acre Minimum); Jerry Cox (Bison Creek Ranch), Project Applicant. the Property is Located at 6071 CYA Road/APNs 008-140-021, 008-140-022, and 008-140-023.

The title of the Ordinance was read into the record - Ordinance No. 1088 was adopted.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Lee Stetson, Lyle Turpin, Janet Bibby, Jim Allen

EXCUSED: Kevin Cann

2. Public Works (ID # 1120)

Discussion and Direction Concerning the Water Supply for the Mariposa County Landfill

Discussion was held with Pete Rei and he advised of options that were considered for providing water to the landfill, and of the status of the agreement with the SPCA relative to water. Steve Dahlem/County Counsel, responded to

questions from the Board relative to the County covering the costs of the water provided to the SPCA. Supervisor Bibby asked that Public Works discuss the status of the water quality with the Health Officer, and she asked for clarification of the number of lots that are involved. Discussion was held relative to the terms of the proposal from the Mariposa Industrial Park and review by the Solid Waste Task Force.

Input from the public was provided by the following:

Larry Harris, representing the Mariposa Industrial Park, provided input on the changes and upgrades they made to the water system to be compliant with the State Water regulations; advised that seven lots are in the industrial park and he advised of their contribution to the water system. He responded to questions from the Board, and he advised that the water meets the State's quality standards and that they have not had a problem with providing water since last July.

Supervisor Bibby asked for more information on the proposed water rates and for clarification of the term "selling water" in the proposal relative to the County's connection with the SPCA for their water. Rick Benson/County Administrative Officer, commended on the water supply regulations and he noted that the invoices for the water is being paid from the Solid Waste budget and that budget should not be used to pay for the portion for the SPCA. Pete Rei provided input on the regulations and the budget.

Pat Stacy, current President of the SPCA, provided input on their operating budget and the services they provide, and she referred to their 1982 agreement with the County. She expressed concern with the quality of the water and its impact on their appliances and plumbing and she noted that there are times that they have been without water; and she doesn't feel that they should have to cover the costs of the water they use.

Ruth Catalan, speaking as an animal lover and member of the SPCA, stated she supports Pat Stacy's comments, and she feels that the County should cover their water costs due to the services they provide.

Supervisor Allen noted that he is a member of the SPCA and questioned whether that is a conflict for this matter. County Counsel noted that he is also a member of the SPCA and he feels that full disclosure eliminates any conflict.

Supervisor Turpin stated he feels that the portion of costs for the SPCA should not be paid from the Solid Waste budget, and that the Board needs to make a

determination relative to the County's contribution to those costs. Rick Benson suggested that direction be given to staff to enter into formal negotiations to reach an agreement with the Industrial Park, and to pay the January invoice knowing that there will be budgetary impacts; and he further suggested that the Board make a decision relative to the water used by the SPCA by separate agreement. Supervisor Bibby noted that Public Works will need to bring back a budget action; and she asked that staff further pursue the option of installing a well at the landfill for the long term.

3. Public Works (ID # 1122)

Discussion and Direction Regarding a Process for the Implementation of a Special Event Permit with Applicable Fees for Events that Occur on County-Maintained Roadways, that Are Held by Profit and Non-Profit Organizations.

Discussion was held with Pete Rei relative to the suggested Special Event Permit and process; concern with insurance requirements and additional regulations; and relative to combining the Public Assemblage Permits to have one permit for events. Pete agreed that the permits could be combined and administered through Public Works.

Input was provided by the following:

Sheriff Binnewies commented on the history of reviewing the Public Assemblage Permits and he stated he is interested in working with the Public Works Director to combine the permits as discussed.

11:05 a.m. Recess

11:18 a.m. Reconvened

4. Administration RES-2012-112

Approve Budget Actions Transferring Funding from the Tobacco Settlement Fund and the CSA #3 Fund to the Capital Improvement Fire Station Funds and Reducing the Unfunded Liability Designation by \$365,050 to Fund the Construction Costs of the Don Pedro, Midpines, Fish Camp, and Bridgeport Fire Stations (\$1,116,838) 4/5ths Vote Required

Discussion was held with Rick Benson relative to the recommended budget actions; and he advised of a correction to the figure for the community support contribution to the Fish Camp Station and advised of additional funding from FEMA. Chair Bibby noted that correspondence was received from Karen Glendenning on this matter and that it has been distributed to the Board members and staff. Supervisor Allen advised that he responded to Karen Glendenning on the questions she raised; and he noted that it was agreed that Fish Camp would contribute \$42,558 for the five percent grant match from

their fundraising efforts. Pete Rei and Jim Wilson/Fire Chief, provided input relative to the fire station projects.

Input from the public was provided by the following:

Donn Harter, Chair of the Fish Camp Fire Rescue Association, advised that they are grateful that this project is coming to fruition, but they are a little concerned with the increased costs and asked for clarification of whether they are subsidizing funding for the other projects. He advised that they have worked for over 35-years on fundraising, and he offered his services to the other communities on assisting with fundraising. Rick Benson clarified the funding issues.

Ruth Sellers questioned the mistakes that have been made over the years and asked why there was not just one design to cover all four stations, and she questioned the high cost.

Brad Aborn stated he was expecting FEMA to cover more of the costs - stated this is a complicated issue and he feels that it would be better for all of the Board members to be present to take action.

Jim Wilson and Pete Rei responded to the questions that were raised relative to the different designs and the costs. Mary Hodson/Deputy County Administrative Officer, provided input on the fund balances. Rick Benson noted that there are still minor issues to be addressed with the committee on the Midpines station. He advised that he will prepare a revised budget action form to reflect the \$42,558 donation from the Fish Camp community. The Board recessed at 12:17 p.m. for the revised budget action form to be prepared; and reconvened at 12:26 p.m. Rick Benson presented the revised budget action form, and discussion was held.

The recommended budget actions were approved, with the inclusion of the revisions to reflect \$439,796 being taken from the POB Designation fund.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Lee Stetson, Lyle Turpin, Janet Bibby, Jim Allen

EXCUSED: Kevin Cann

K. Items removed from Consent Agenda

Direction was given on Item 13 earlier in the meeting.

L. Closed Session

5. **Administration/Personnel (ID # 1098)**

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

RESULT: WITHDRAWN

6. **Administration/Personnel (ID # 1095)**

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

RESULT: WITHDRAWN

7. **Administration/Personnel (ID # 1101)**

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

RESULT: WITHDRAWN

8. **Administration/Personnel (ID # 1104)**

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

RESULT: WITHDRAWN

9. **County Counsel (ID # 1123)**

CLOSED SESSION: Anticipated Litigation; Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9; Number of Cases to Be Discussed: 1

The Board convened in closed session at 12:34 p.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Lee Stetson, Lyle Turpin, Janet Bibby, Jim Allen

EXCUSED: Kevin Cann

12:44 p.m. Report from Closed Session

Chair Bibby announced that information was received as a result of item 9/anticipated litigation.

M. Adjournment

The Board adjourned at 12:45 p.m. in memory of Todd R. Kleinsmith.

Respectfully submitted,

MARGIE WILLIAMS

Clerk of the Board

JANET BIBBY

Chair, Board of Supervisors



MARIPOSA COUNTY

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



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

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

March 13, 2012

A. Call to Order and Roll Call

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

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

Chair Bibby advised that the Local Hazard Mitigation Plan has been withdrawn from the agenda to allow for additional time to review the document.

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for our military families.

C. Introductions

Pete Rei/Public Works Director, introduced Gary Taylor, the new Assistant Director of Operations.

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

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

comments to the Consent Agenda or request to have an item removed from the Consent Agenda.

Supervisor Cann referred to item 10 and the amount of paperwork that is involved in this item and similar items for minimal funding amounts, and he suggested that the process be reviewed. Supervisor Allen noted that large documents are noted as being available at the Clerk of the Board's Office, and that they could be placed on-line and linked to the item. Supervisor Stetson suggested that the items be duplexed for the printed packages to save paper. All items were approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration RES-2012-113

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

CA2. Administration RES-2012-114

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

CA3. Administration/Personnel RES-2012-115

Approve a Resolution Certifying the Industrial Disability Retirement of Sheriff's Sergeant Mark R. Jones Effective March 30, 2012.

CA4. Administration RES-2012-116

Approve Budget Action Increasing Revenue and Appropriations in the Administration Budget to Account for the Sub-Lease with the National Park Service for the Stroming Building (\$50,000). 4/5ths Vote Required

CA5. Administration RES-2012-117

Approve a Two-Year Consulting Services Agreement with Nimbus Consulting Group to Provide State Mandated Cost Reimbursement (SB 90) Consulting Services at a Cost of \$7,500 Each Year; Authorize the Board of Supervisors Chair to Sign the Agreement.

CA6. Administration/Personnel RES-2012-118

Approve 1) Recruiting and Filling an Account Clerk II Position and an Accountant I/II Position in the Human Services Administration Budget; 2) Promoting an Eligibility Worker II to Eligibility Worker III in the Social Services Budget Effective March 13, 2012.

CA7. Administration RES-2012-119

Authorize the Clerk of the Board to Sign Bank Signature Cards for the Treasurer's Deposit Accounts

CA8. Public Works RES-2012-120

Approve Budget Action Transferring Funds in the Roads Budget to Match Allocated Positions. (\$9,364)

CA9. Victim Witness RES-2012-121

Approve Budget Action Increasing Revenue and Appropriations in the Vertical Prosecution Grant Budget (\$1,055); Ratify the District Attorney Signing the Grant Amendment to Accept the Additional Funding. 4/5ths Vote Required

CA10. Health RES-2012-122

Approve an Amendment (A01) for Standard Agreement 10-95270 with California Department of Public Health HIV/AIDS Surveillance Program for Fiscal Years 2010-2013 for HIV/AIDS Surveillance Related Services in the Amount of \$9,620, and Authorize the Board of Supervisor Chair to Sign the Amendment.

CA11. Sheriff's Office RES-2012-123

Approve an Agreement with the Department of Boating and Waterways to Participate in Boating Safety and Enforcement Financial Aid Program for Fiscal Year 2012-2013, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA12. Planning (ID # 1154)

Re-Appoint Michael Ross and Paul Amstutz to the El Portal Planning Advisory Committee for Terms Expiring February 28, 2014; Accept the Resignations of Kirstie Kari and Mark Deglomine from the El Portal Planning Advisory Committee

E. Minutes Approval

1. **Tuesday, March 06, 2012**

F. Departmental Presentation

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

Bob Brown/District Attorney, advised of several serious cases that have been resolved recently. Discussion was held with Bob Brown and Doug Binnewies/Sheriff, relative to AB 109 and the impact on the jail population - Chair Bibby suggested that a report be brought back to the Board.

G. Public Presentation

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

Kathy McCorry/Executive Director of the Mariposa County Chamber of Commerce and Visitor Centers, advised that they are hosting a

branding party on April 13th to celebrate the remodeling of the Mariposa Visitor Center; and they are working on the new Mariposa County road map. She introduced Dana Johnson/Village Profile, who advised of her work with the Chamber on the map project.

H. Board Information

Supervisor Stetson advised that he attended the Sierra Nevada Conservancy meeting in Red Bluff on Wednesday and Thursday, and he noted they will be meeting in Mariposa County in September. He presented the Geotourism map that the Conservancy created with National Geographic. He met with the trails subcommittee from the Midpines Planning Advisory Committee on Monday. He met with the Human Services Director and Supervisor Cann, and with the Auditor and Supervisor Cann on potential reorganization. He plans to attend the El Portal Town Planning Advisory Committee meeting this evening; and the RCRC (Regional Council of Rural Counties) meeting on Wednesday in Sacramento on behalf of Supervisor Cann.

Supervisor Cann advised that he met with the team from the County working on the MID contract. He attended the Mariposa County Merchants meeting on March 1st. He attended the NACO conference in Washington, D.C. on March 2 through 7th on behalf of RCRC, and he advised of meetings he attended and issues they worked on, including Secure Rural Schools Act reauthorization, Surface Transportation reauthorization, the Farm Bill, and federal lands management issues. The final presentation of projects was submitted to the Central Economic Development District on March 8th. He continued work with the graphic artist on the signs on Monday, and he will meet with Planning staff this afternoon on this matter, and an item will be coming to the Board.

Supervisor Turpin advised that he attended the Coulterville breakfast on Sunday. The Red Cloud Library meeting is scheduled for Wednesday in Greeley Hill. He referred to a story in the Ag Alert on SRA and implementation. He expressed concern with the status of transportation funding for bridges. He advised that he is working with Public Works on right-of-way maps for grant projects.

Supervisor Allen advised that he is continuing with interviews for the vacancy on the Fish Camp Town Planning Advisory Committee. He attended the fire station meeting on Friday, and the breakfast at the Ponderosa Basin fire station on Saturday - he encouraged Public Works to look at the retaining wall and drainage problems at the station. He met with the Auditor and with the Human Services Director on possible reorganizations. He plans to attend the going away party on Wednesday for Bob and Muriel Larson and he commended them for their community service.

Supervisor Bibby extended special thanks to the Arts Council and the locals that attended the successful 25th Storytelling Festival. She

attended a livestock USDA facility meeting on Monday - they are trying to create a processing plant that is closer to the Mother Lode communities. She met with the Calaveras-Mariposa Community Action Agency funding committee to discuss funding for the programs. She met with the Human Services Director relative to staffing, and with the Auditor relative to staffing and reorganization. She plans to attend the sign meeting later today, and a meeting on March 19th on the Local Hazard Mitigation Plan. She thanked Public Works for completing a survey of the local bridges.

I. Regular Agenda Items

1. Fire (ID # 1150)

Board Review and Comment on the Final Draft Version of the Local Hazard Mitigation Plan (LHMP) Pursuant to Requirements of the Federal Emergency Management Agency (FEMA) Prior to Formal Adoption and Inclusion to the Safety Element of the County General Plan.

This item was withdrawn to allow additional time for review.

RESULT: WITHDRAWN

2. Public Works RES-2012-124

Approval of New Airport Lease Documents for Ground, Hangar, and Tie Down Spaces (Continued from March 6, 2012)

Supervisor Allen was excused at 9:46 a.m. for this item due to a potential conflict of interest. Discussion was held with Pete Rei relative to the revised lease forms and the status of the existing lease agreements. Rob Binder, representing the County Airport Advisory Committee, advised that the Committee feels that the ground lease form should not be approved, but they are okay with the others. He advised that they object to the last two sentences at the end of paragraph three in the ground lease relative to the linkage of the fees to the tie down space fees. They would like the ground lease fees to be fixed for the term of each lease, and he noted that KMPI has a fixed fee for the term of their lease. Discussion was held. Pete Rei stated he does not feel that the fees have to be linked - that could be changed. Supervisor Bibby suggested that the end of 2014 be used for the expiration of all of the leases to allow time to further review the issues, and she expressed concern with the possibility of subletting. Rob Binder noted that the commercial leases and sublease issues are on the Committee's agenda to address in the future. Rick Benson/County Administrative Officer, recommended that there be a provision that would protect the County in periods of high inflation. Pete Rei agreed with extending the expired leases to the end of 2014, and with deleting the linkage of the fees until the end of 2014 and with further review to occur.

Input from the public was provided by the following:

Rob Binder, speaking as an individual, presented information and input on how other airports operate.

Ruth Sellers asked whether the personal property tax revenues from the planes go to the Airport Enterprise Fund.

The new Airport lease documents were approved, with the deletion of the last two sentences in paragraph three of the ground lease relative to the linkage of the fees; and with direction that the expired leases be extended to 2014. The motion was amended, agreeable with the maker and second, to clarify that just the ground lease is being changed to delete the linkage of fees and that authorization be given to extend expired leases to December 31, 2014. The rest of the lease documents were approved as submitted.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Lyle Turpin, District II Supervisor

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

EXCUSED: Jim Allen

10:28 a.m. Recess

10:37 a.m. Reconvened

3. Administration/Personnel RES-2012-125

Approve the Elimination of One Social Worker Supervisor II Position in the Alcohol and Drug Budget of the Human Services Department Effective March 31, 2012, Which Will Result in the Lay-Off of an Employee who is Slated to Retire

Discussion was held with Rick Benson and Jim Rydingsword/Human Services Director, relative to the request.

Input from the public was provided by the following:

Ruth Sellers asked if this provides an opportunity for the employee that will be laid off to draw unemployment benefits; and if so, she feels this action should be delayed until the planned retirement.

Rick Benson and Jim Rydingsword responded to the question and clarified the situation.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

4. Administration RES-2012-126**Adopt a Resolution Supporting and Sponsoring Assembly Bill 1973
Regarding Ferguson Slide**

Discussion was held.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

J. WATER AGENCY

The Board convened as the Mariposa County Water Agency at 10:55 a.m.

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

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

5. County Counsel WA-2012-1**WATER AGENCY Approve a Legal Services Agreement with Wanger Jones
Helsley, PC to Represent the County of Mariposa Regarding the Federal
Energy Regulatory Commission (FERC) Licensing Process and the
Agreements Between Merced Irrigation District (MID) and the County of
Mariposa Regarding Water Rights, and Authorize the Board of Supervisors
Chair to Sign the Agreement**

Discussion was held with Steve Dahlem/County Counsel.

Input from the public was provided by the following:

Marvin Wells questioned the amount of time for negotiations and the period of the new contract with MID. Supervisor Cann and Rick Benson responded to his questions.

(M)Allen, (S)Bibby, Water Agency Res. 12-1 was adopted approving agreement/Ayes: Unanimous.

K. BOARD OF SUPERVISORS

11:02 a.m. Reconvene as the Board of Supervisors

L. Items removed from Consent Agenda

None

M. Closed Session

6. **Administration (ID # 1168)**

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

7. **County Counsel (ID # 1147)**

CLOSED SESSION: Anticipated Litigation: Significant Exposure to Litigation Pursuant to Subdivision (B) of Government Code Section 54956.9. Number of Cases to be Discussed: 1

The Board convened in closed session at 11:12 a.m.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

11:50 a.m. Report from Closed Session

Chair Bibby advised that information was received as a result of item 7/anticipated litigation.

N. Adjournment

The Board adjourned at 11:51 a.m. in memory of Thomas R. Tucker, Sr., Lorna Payne, Irvin "Glenn" Nielson, Joyce Lile, and Elizabeth Ann "Bets" Strathearn.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors



MARIPOSA COUNTY

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



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

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

March 20, 2012

A. Call to Order and Roll Call

9:00 AM Meeting Called to Order at the Mariposa County Government Center with Supervisor Bibby excused due to illness.

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

B. Pledge of Allegiance

Vice-Chair Turpin called for a moment of silence following the Pledge of Allegiance for those who are serving in our military.

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.

Judge Walton/Superior Court asked that item 13 be pulled for input and separate action.

Supervisor Allen pulled item 13 and asked that it be taken after approval of the balance of the Consent Agenda while the Superior Court Judges were present.

The balance of the items was approved.

Judge Walton stated he supports the rejection of the bid because it was significantly higher than the estimate that was first received for this project, and he believes that the other contractors were not willing to submit a bid because there were unanswered questions at the pre-bid meeting. He would like to have better information available for the rebid. Judge Parrish/Superior Court, stated he appreciates that a structural engineer will look at the Courthouse and he wants this to occur before the project is rebid. He expressed concern with the pending repairs issues with the Courthouse.

Discussion was held and Pete Rei/Public Works Director provided input relative to the status of the contract and work by the structural engineer/Thor Matteson.

Further action was taken on item 16.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

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

EXCUSED: Janet Bibby

CA1. **Administration -2012-127**

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

CA2. **Administration -2012-128**

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

CA3. **Planning (ID # 1160)**

Accept the Resignation of Sharon Tucker from the Greeley Hill Planning Advisory Council (Supervisor Turpin)

CA4. Planning (ID # 1161)

Appoint Pamela Henderson to the Historic Sites and Records Preservation Commission As an Alternate for the Northern County History Center Representative (Supervisor Turpin)

CA5. Planning (ID # 1162)

Re-Appoint Larry Williams to the Wawona Town Planning Advisory Committee for a Term Expiring February 28, 2014 (Supervisor Allen)

CA6. Planning (ID # 1163)

Re-Appoint Robert Mason and Joe Simon to the Catheys Valley Community Planning Advisory Committee for Terms to Expire February 28, 2014 (Supervisor Bibby)

CA7. Human Services (ID # 1171)

Accept the Resignation of Timothy Greer from the Mental Health Board

CA8. Human Services (ID # 1172)

Appoint Lisa Carisio to the Mental Health Board for a Term Expiring on March 20, 2015

CA9. Human Services -2012-129

Approve an Amendment to the Existing Lease Agreement with Sierra Pines Property Management for the Property Located at 5119 Jones Street, Unit #A and #B, Mariposa CA, and Authorize the Board of Supervisors Chair to Sign the Amendment

CA10. Sheriff's Office -2012-130

Approve Budget Action Increasing Revenue and Appropriations in the Boating Budget for One Time Funding from the State Boating and Waterways for Fiscal Year 2011-2012 (\$9,865) 4/5ths Vote Required

CA11. Public Works -2012-131

Approve Plans and Specifications for the Ben Hur Road Slide Restoration Project at Post Mile 17.50; Authorize the Public Works Director to Solicit Bid Proposals, Award the Bid to the Lowest Responsible Bidder, and Sign the Agreement

CA12. Human Services -2012-132

Approve Filling a Social Worker IV Position in the Social Services Budget Effective April 1, 2012.

CA13. Public Works -2012-136

Reject the Bid Received from BC Construction for the Lower Courtroom Remodel Project

CA14. Treasurer-Tax Collector-County Clerk -2012-133

Authorize the Annual Authority of the Treasurer to Invest and Reinvest Funds of the County and Funds of the Other Depositors Pursuant to Government Code 27000.1 and 53607. Approve the Investment Policy and Guidelines for the County of Mariposa Pursuant to Government Code 53646(A) (1) and Authorize the Chairman of the Board of Supervisors to Sign the Investment Policy and Guidelines.

CA15. Human Services -2012-134

Approve the Renewal of an Agreement with Heritage Oaks Hospital for Residential Inpatient Services in an Amount Not to Exceed \$18,000, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA16. Child Support Services -2012-135

Allocate and Authorize the Department of Child Support Services Hiring of 50% Permanent Part-Time Child Support Services Office Assistant I/II Effective July 1, 2012.

Motion To: **Motion to Reconsider Approval of Item 16**

COMMENTS - Current Meeting:

Rick Benson/County Administrative Officer, advised of a correction to the title of the position to reflect "Child Support Assistant I/II." Steve Dahlem/County Counsel, stated he feels the Board should take action to reconsider item 16. Debbie Walton/Child Support Services Director, clarified the need for the correction.

(M)Stetson, (S)Allen, the Board took action to reconsider the previous approval of item 16/Ayes: Stetson, Turpin, Cann, Allen; Excused: Bibby.

(M)Stetson, (S)Allen, item 16 was approved with the correction to the title of the position to reflect "Child Support Assistant I/II"/Ayes: Stetson, Turpin, Cann, Allen; Excused: Bibby.

E. Minutes Approval

1. **Tuesday, March 13, 2012**

F. Departmental Presentation

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

G. Public Presentation

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

Helen Kwalwasser, Kiwanis, advised of their raffle fundraiser for their 4th of July event - information on the tickets for the riding lawnmower is available from members of Kiwanis and at West America Bank.

Kris Randal, Master Gardener Coordinator, advised that Fresno and Madera Counties will join Mariposa in hosting the next Statewide Master Gardener Conference at the Tenaya Lodge in October 2014.

Pete Judy, President of the Mariposa Girls Youth Softball League, thanked the Board for its support and thanked Public Works for their assistance.

Eleanor Keuning expressed concern with AB 29/SRA fees; stated she feels it is important to know the candidates for the upcoming election; expressed concern with the proposed closure of the Mining and Mineral Exhibit; and referred to recent newspaper articles relative to noticing the unemployed of a program to keep their homes, foster youth funding, and determination of the size of cages for laying hens.

H. Board Information

Supervisor Allen advised that he concluded interviews for the vacant position on the Fish Camp Town Planning Advisory Committee and an agenda item will be forthcoming for appointment of Bob Bassett. He attended the going away party for Bob and Muriel Larson and he thanked them for their community service. He attended a meeting on ADA compliance with swimming pools. He worked with RCRC (Regional Council of Rural Counties) on AB 2127 relative to the sentencing guidelines for Judges on education releases versus work releases. He plans to attend the fire station meeting on Friday.

Supervisor Stetson attended the El Portal Town Planning Advisory Committee meeting last Tuesday evening; and he attended the RCRC meeting in Sacramento on Wednesday - they approved an MOU with the Forest Service and BLM on communications, discussed emergency medical responder changes, and SRA issues. He plans to attend the Midpines Planning Advisory Committee meeting this evening, the Miss Representation film presentation by AAUW on Wednesday, the trails meeting on Wednesday in Midpines, and the fire station meeting on Friday.

Supervisor Cann thanked Supervisor Stetson for attending the RCRC meeting, and he commented on the status of issues with the SRA fees. He referred to the public input on foster youth programs and noted that the County adopted a bridge program and suggested that more information could be obtained from Human Services. He referred to the public input on the Mineral Exhibit and he noted that the Mining and Mineral Exhibit Association has been working to save the Exhibit from closure. He advised that Bob Chophonot donated pictures of the Amgen Tour through Mariposa with Lance Armstrong and of the historic overlay district of downtown. He advised that

after the Board meeting last week, he and Supervisor Bibby met with Planning on sign issues, and he provided information on the status of replacing the sign at the County line. He met with a local consortium and Tom McClintock last Tuesday evening and discussed the Yosemite Park Visitor Center project. He met with the Fire Chief on Monday and discussed the Hazard Mitigation Plan and processing. Then he met with the ad hoc crosswalk committee, and they are applying for another Safe Route to Schools grant with the assistance of the Townsend Group for sidewalks. He met on Monday evening with a group of travel writers from Bakersfield. He plans to attend the Tourism Bureau meeting on Thursday. He noted that the Yosemite Mariposa Forum is holding a celebration to declare a successful conclusion of its mission on Thursday evening, as the Yosemite Gateway Partners is active.

Supervisor Turpin advised that he met last week with the Public Works Director and the Business Development Director relative to the grant funded road project, and they will meet this afternoon. He participated in a telephone call meeting last week with Planning. He participated in a telephone call with Maggie Dowd/USFS and Bill Haag/BLM relative to the status of projects.

I. Regular Agenda Items

1. Farm Advisor (ID # 1158)

Presentation of University of California Cooperative Extension Annual Report

Maxwell Norton/Interim Farm Advisor, thanked the Board for the memorial certificate for his father. He presented the annual report and advised of activities. He thanked the many Master Gardener and 4-H volunteers, and a volunteer who donated a computer for the volunteers to use. He noted that the Master Gardeners are planning to hold their Statewide Conference in Mariposa County in 2014. He advised that the University is in the process of recruiting for his replacement. Supervisor Allen noted the volunteers are appreciated and he commented on the importance of the 4-H programs with so many of the classes that teach skills being eliminated in the schools.

2. Auditor (ID # 1183)

Presentation and Discussion of the County's Audited Financial Statements

Bill Davis/Auditor, reviewed the financial highlights of the Financial Statements. Discussion was held relative to status of the property tax revenues and the audit findings for the Human Services Department. Rick Benson provided input on the findings relative to the Workers Compensation Fund and the Human Services Department. Jim Rydingsword/Human Services Director, provided input on the status of their work to resolve the issues. He advised that a report will be coming to the Board and that he feels there needs to be a discussion on what we are doing with Human Services in the County.

Input from the public was provided by the following:

Ruth Catalan asked why it took so long to find out that funds were not used on the programs they were allocated for - she would like to know who is responsible and feels there should be an investigation.

Marvin Wells questioned how we could be so far off-course; asked about the liabilities and the assets and the timeframe for paying off the liabilities, and he asked if the County has a resolution to maintain the General Fund at a certain level. He also questioned the error rate in the time keeping.

Eleanor Keuning stated she has always been trusting of the Human Services Department and the grant funding that is received.

Further discussion was held. Bill Davis advised that he will review the questions that were raised relative to the property tax revenues and the sales and use tax revenues.

10:45 a.m. Recess

10:58 a.m. Reconvened

3. Administration -2012-137

PUBLIC HEARING: Adopt a Resolution Approving a Grant Application to the California Department of Housing and Community Development Block Grant (CDBG) Program in the Amount of \$2 Million to Fund the Coulterville Storm Water Project, a Low Income Job/Training and Employment Project, and a Low Income Computer Skills Training Project; and Authorize the County Administrative Officer to Sign the Grant Application.

Vice-Chair Turpin reviewed the hearing procedures. Rick Benson introduced the item and Marilyn Lidyoff/Business Development Coordinator, presented the staff report and reviewed the projects. Staff responded to questions from the Board relative to the Coulterville storm water project, and Supervisor Turpin noted the need to include Pine Street for the culvert portion of the project. Marilyn Lidyoff thanked Laura Phillips/consultant with Human Services and Mother Lode Job Training for their assistance with the grant application. Staff responded to a question from the Board relative to the definition of "Colonia" activities.

Input from the public was provided by the following:

Mary Jane Erickson, Manager for Mother Lode Job Training, noted that with the reduction in adult education classes at the High School, the

computer project will help to serve the community and she feels that this project will be a huge benefit.

The public portion of the hearing was closed.

The grant application was approved for submittal as requested, with the change in adding Pine Street. The hearing was closed.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

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

EXCUSED: Janet Bibby

J. Items removed from Consent Agenda

Item 13 was pulled and separate action was taken at the end of the Consent Agenda.

K. MARIPOSA COUNTY PUBLIC FINANCE CORPORATION

4. Administration (ID # 1157)

Mariposa County Public Finance Corporation Annual Meeting

Minutes of Annual Meeting

March 20, 2012

I. Meeting Called to Order at 11:18 a.m. by President Allen, with Supervisor Bibby excused due to illness.

II. Election of Officers

CORPORATION ACTION:

(M)Cann, (S)Stetson, Supervisor Bibby was selected as President/Ayes: Stetson, Turpin, Cann, Allen; Excused: Bibby.

(M)Cann, (S)Stetson, Supervisor Turpin was selected as Vice-President/Ayes: Stetson, Turpin, Cann, Allen; Excused: Bibby.

The gavel was passed to Vice-President Turpin.

III. Public Comment - None

IV. Approval of Minutes of February 1, 2011

CORPORATION ACTION:

Supervisor Turpin asked that the fleet maintenance facility be added to the header of the report of activities with the Government Center since the funding covered both projects.

(M)Allen, (S)Cann, the minutes were approved/Ayes: Turpin, Cann, Allen;
Abstained: Stetson; Excused: Bibby.

V. Report of Activities

CORPORATION ACTION:

Rick Benson reviewed the report and he noted that the Certificates of Participation for the Government Center/Fleet Maintenance Facility and the Solid Waste Composting Facility are the only items on the books as "County debt." Supervisor Cann asked that there be a review of the interest rates on the loans in comparison with current interest rates to determine if there would be any value to refinance.

(M)Cann, (S)Allen, the report was accepted/Ayes: Stetson, Turpin, Cann, Allen;
Excused: Bibby.

VI. Other Business - None

VII. Adjourn

CORPORATION ACTION:

Vice-President Turpin adjourned the meeting at 11:30
a.m.

L. BOARD OF SUPERVISORS

11:31 a.m. Reconvened as the Board of Supervisors

M. 11:31 a.m. Lunch**N. 2:01 p.m. Reconvened****5. Planning -2012-138**

PUBLIC HEARING to Consider Public Comments on the 2012 General Plan Annual Report; Accept and Direct that the 2012 Annual Report be Filed with the State Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD); Adopt a Resolution

Establishing the 2012 Schedule of General Plan Amendments; and Consider the Planning Commission's Recommended General Plan Amendment to the Natural Resources Land Use Section

Kris Schenk/Planning Director, was present. Alvaro Arias/Planner, presented the staff report, and he advised of a correction to reflect Community Plan for Catheys Valley and Midpines versus Town Planning Area in section 3.4. He advised of the recommended actions. Staff responded to questions from the Board relative to the Annual Report. Supervisor Turpin asked that Planning be included in the review of the environmental review requirements for the road project grant; and he asked that the Safety section of the Report relative to the fuel reduction be sent to our State legislators and the Governor so they are aware that Mariposa County is doing its part when they are making SRA decisions. He also asked that the Health Department be included in the revision of the zoning ordinance for emergency shelters.

The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed.

Staff reviewed the suggested revisions to the Annual Report: delete the footnote on the Yosemite National Park General Management Plan in the Area Plan Status; correct this public hearing date; delete the last sentence relative to future planning decisions to be made for Lake Don Pedro by Community Services District/page 9 of 15; correct the last sentence on page 5 of 15 relative to the General Plan/Zoning Amendment No. 2011-026 concerning administrative use; change the status of the Yosemite West Special Plan to intermediate term; correct the Program Implementation Status by removing the hiring of a consultant for the Housing Element; and to update the status to reflect that the Wawona Specific Plan has been adopted. Supervisor Turpin reiterated his previous request to send the Safety section of the Report to the State.

The recommended actions were approved, with the suggested revisions to the Annual Report. The hearing was closed.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Kevin Cann, District IV Supervisor

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

EXCUSED: Janet Bibby

0. Adjournment

The Board adjourned at 2:50 p.m. in memory of Terry Allen, Gordie Varney, and Kynan Stanners.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

LYLE TURPIN
Vice-Chair, Board of Supervisors



MARIPOSA COUNTY

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



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

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MINUTES

March 27, 2012

A. Call to Order and Roll Call

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

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

B. Pledge of Allegiance

Chair Bibby called for a moment of silence following the Pledge of Allegiance for all of the families and friends who have lost loved ones recently, and for the men and women serving in our military.

C. Introductions

None

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

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

Input from the public was provided by the following:

Ruth Catalan referred to item 18 and asked for more information on the funding, status of the position and justification for the contract.

Supervisor Turpin pulled items 7, 9 and 19. Supervisor Cann pulled items 7 and 19. Supervisor Stetson pulled item 4. Supervisor Allen pulled item 18. Supervisor Bibby pulled items 12 and 18.

The balance of the items was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

CA1. Administration RES-2012-139

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

CA2. Administration RES-2012-140

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

CA3. Community Services (ID # 1173)

Accept the Resignation of Don Pucilowski from the Mariposa County Commission on Aging

4. 1179 pulled from Consent

CA5. Public Works RES-2012-141

Approve the Temporary Road Closure of Jessie Street Between 9Th and 10Th Streets from May 4 - May 6, 2012, for the Mariposa Butterfly Festival (Requested by Habitat for Humanity)

CA6. Sheriff's Office RES-2012-142

Approve Amended Agreement with the City of Fresno as Required for Purchasing Authority Pertaining to the California Statewide Interoperability Executive Committee (CalSIEC) Central Planning Area Public Safety Inter-Operable Communications Grant (PSIC) And to Rescind RES: 11-584, and Authorize the Board of Supervisors Chair to Sign the Amendment

7. 1187 pulled from Consent

CA8. Community Services RES-2012-143

Approve Amended Agreements with Area 12 Agency on Aging for FY 2011-2012 and Authorize the Board of Supervisors Chair to Sign the Amendments;
Approve Budget Actions Adjusting Revenue and Appropriations in the Senior Nutrition Fund to Correspond with the Amended Grant Agreements (\$8,910).
4/5ths Vote Required

9. 1190 pulled from Consent

CA10. Sheriff's Office RES-2012-144

Approve the Purchase of a New Sheriff's Patrol Vehicle.

CA11. Public Works (ID # 1192)

Accept Resignations from Patrick Tierney and Jim Johnson from the Airport Advisory Committee; Adjust Robin Binder's Representation from a Member in Category 'C' (General Public) to Category 'A' (Expertise in Aviation); Appoint Pat Skogen and Kevin Darcy to the Airport Advisory Committee

12. 1193 pulled from Consent

CA13. Technical Services RES-2012-145

Approve Budget Action Transferring Funds Within the Technical Services Budget to Properly Account for Purchases Related to the Server Virtualization (\$35,215)

CA14. Public Works RES-2012-146

Approve a Professional Services Agreement with Analytical Environmental Services (AES) in the Amount of \$35,470 for Environmental Assessment of Disaster Recovery Initiative (DRI) Roads Project, and Authorize the Board of Supervisors Chair to Sign the Agreement

CA15. Administration/Economic Development RES-2012-147

Approve a Subrecipient Agreement with Community Service Employment Training (CSET) in the Amount of \$108,500 to Assist the County with Implementing the Microenterprise Business Assistance Program; Authorize the County Administrative Officer to Sign the Agreement.

CA16. Administration RES-2012-148

Approve Budget Action Increasing Revenue and Appropriations in the Administration Budget to Recognize Federal Reimbursement for Improvements to the Stroming Building as Part of the Contract with the National Park Service for Sub-Leasing the Building (\$55,642). 4/5ths Vote Required

CA17. Administration/Risk Management RES-2012-149

Authorize Bickmore Risk Services to Perform an Actuarial Study of the County's Excess Liability and Excess Workers' Compensation Programs at a Cost of \$4,500

18. 1201 pulled from Consent

19. 1203 pulled from Consent

CA20. County Counsel RES-2012-150

Approve an Agreement with FAGALDE, ALBERTONI & FLORES LLP to Represent the County of Mariposa in Case No. 1:09-CV-02249-GSA-PC Filed by Bernard Hughes in the United States District Court, Eastern District-Fresno, and Authorize the Board of Supervisors Chair to Sign the Professional Service Agreement

E. Items removed from Consent Agenda

A. Public Works RES-2012-151

Approve Budget Action Reducing General Contingency and Increasing Appropriations in the Land, Building, Improvements Fund to Allow for the Purchase of a Replacement Air Conditioning Unit for the Midpines Hall (\$27,215), 4/5ths Vote Required

Item 7 - Discussion was held with Pete Rei/Public Works Director, and Rick Benson/County Administrative Officer. Motion by Turpin to approve this item was withdrawn for further discussion. The item was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

B. Public Works RES-2012-152

Approve a Program Agreement with Caltrans for Colorado Road Project (HPLUL 5940(084)), and Authorize the Public Works Director to Sign the Program Agreement

Item 4 - Discussion was held with Pete Rei, and the item was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor

SECONDER: Jim Allen, District V Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

C. Public Works RES-2012-153

Approve Plans and Specifications and Agreement for Coulterville Streetlights to be Funded by the Coulterville Lighting District Fund; Approve the Budget Action Transferring Funds Within the Coulterville Lighting Fund; Authorize the Public Works Director to Solicit Bid Proposals, Award the Agreement to the Lowest Responsible Bidder, and Sign the Agreement (Subject to Review and Approval as to Form by County Counsel)

Item 9 - Discussion was held with Pete Rei relative to the review process as this is in an historic district - he will further review. The item was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

D. Public Works RES-2012-154

Approve Contract Change Order No. 2 with Palmer Tractor in the Amount of \$40,614.16 for Additional Work Performed at the Midpines Fire Station Site, and Authorize the Public Works Director to Sign the Change Order

Item 19 - Discussion was held with Pete Rei and the item was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Lyle Turpin, District II Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

E. Human Services RES-2012-155

Approve Budget Action Increasing Revenue and Appropriations in the Energy Grant Fund to the Full Amount of 2012 Low Income Home Energy Assistance Program (LIHEAP) & Weatherization Contract (\$193,348).

4/5ths Vote Required

Discussion was held with Jim Rydingsword/Human Services Director, and the item was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Lee Stetson, District I Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

F. Human Services RES-2012-156

Approve a Professional Service Agreement (PSA) with Michael Bishop, Ph.D., LMFT to Provide Administrative Services for Behavioral Health, and Authorize the Board of Supervisors Chair to Sign the Agreement; Approve Budget Action Increasing Revenue and Appropriations in the Behavioral Health Budget to Cover the Increase in Professional Services Expenditures, 4/5ths Vote Required

Discussion was held with Jim Rydingsword relative to the status of the position and this request and funding. Steve Dahlem/County Counsel, advised of his review of AB 1028/relative to PERS and of his determination that this is a true independent contractor. The item was approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jim Allen, District V Supervisor

SECONDER: Kevin Cann, District IV Supervisor

AYES: Stetson, Turpin, Bibby, Cann, Allen

F. Minutes Approval

1. **Tuesday, March 20, 2012**

G. Departmental Presentation

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

Doug Binnewies/Sheriff, thanked the Board for its global approach with adopting the ordinance recently prohibiting marijuana dispensaries and cooperatives; and he advised that this has helped the public safety offices in deflecting marijuana cultivation operations. He responded to questions from the Board and advised of what the public should watch for and report.

Pete Judy/Chief Probation Officer, advised that the Probation and Sheriff's Department conducted probation searches as a part of AB 109 high-profile prevention action on Friday. The Board members thanked Probation, Sheriff and the District Attorney for their proactive approach.

Supervisor Cann referred to the discussion last week on the outside audit report and findings with the Human Services Department; and he advised that he spoke with County Counsel relative to asking the Auditor and the Human Services Director to be present today to respond to unanswered questions. He noted that it was agreed that there would be no personnel issues discussed and that since this is not on today's agenda, that no action could be taken. Bill Davis/Auditor responded to questions relative to prior audits and the findings in this audit; and discussion was held. Jim Rydingsword/Human Services Director, responded to questions relative to the Mental Health Plan and funding in relation to the audit findings.

10:42 a.m. Recess

10:56 a.m. Reconvened

H. Public Presentation

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

Eleanor Keuning thanked Public Works for taking care of the quagmire on Leonard Road; questioned whether a survey was taken of the computer training needs for the CDBG public hearing that was held last week; commented on the warming centers and issues in other areas; and thanked the Sheriff for speaking at a meeting she attended.

Marvin Wells thanked Probation, Sheriff, and District Attorney for their proactive approach; and he commented on the outside audit findings and corrective actions. He asked about the rumors of YARTS expanding to Highways 41 and 120, about funding and the amount that

Mariposa County contributes. Supervisor Stetson responded to the questions concerning YARTS under Board Information.

I. Board Information

Supervisor Cann advised of information that is available from RCRC (Regional Council of Rural Counties) on the SRA/fire fees (State Responsibility Area) issues. He advised that Mariposa Safe Families received a pedestrian safety grant which ties in with the Safe Route to Schools sidewalk project. He attended the Tourism Bureau meeting on Thursday, advised that Jeff Hentz accepted a position in Daytona Beach, Florida, and advised of recruitment for his replacement. Last Friday he had a continuing discussion with legal counsel on the MID contract. He met with David Hill, the new CEO of the John C. Fremont Healthcare District, on Monday. He is planning to meet with Planning this afternoon on the sign ordinance, and attend a meeting on the status of the old Masonic Hall. He plans to give a presentation on Thursday at the Tenaya Lodge to a group that is studying gateway interactions with federal entities.

Supervisor Turpin advised that he met with the Public Works Director on the Disaster Recovery Initiative last Tuesday after the Board meeting, and they will meet again this afternoon; and he plans to meet with the Public Works Director and the Business Development Coordinator on Wednesday with the Groveland Forest Service staff on this project. He provided an update on the status of his rehabilitation.

Supervisor Allen advised that he met with a property owner last week in regard to building compliance issues and communications; and he urged citizens to call the Board members if they need assistance with departments. He attended the fire station meeting last week, and he noted that the Public Works Director advised of a cost savings. He attended the Farm Bureau rib dinner in Hornitos on Saturday. He asked the Risk Manager (County Administrative Officer) to coordinate ADA compliance with the departments. He announced that April 21st has been tentatively scheduled for the ground breaking ceremony for the Fish Camp Fire Station.

Supervisor Stetson advised that he attended the Midpines Planning Advisory Committee (PAC) meeting last Tuesday evening, and he attended the Bear Creek Trail ad hoc committee meeting on Thursday - he noted that this has become a separate committee from the Midpines PAC. He plans to attend a meeting in Yosemite West on Wednesday or the weekend relative to issues of management of waste resources. He attended the fire station meeting on Friday. He plans to attend the YARTS meeting on Monday; and he addressed Marvin Wells' questions relative to funding and discussion of expanding the routes to Highways 41 and 120. He noted the County's contribution of \$136,360 has remained the same since the inception of YARTS in 2000.

Supervisor Bibby thanked Vice-Chair Turpin for chairing the Board meeting last week.

J. Regular Agenda Items

1. Human Services (ID # 1216)

PUBLIC HEARING to Approve Submission of the Revised MHSA WET Plan to the State; Authorize the Human Services Director to Sign the Agreement and Any Subsequent Amendments with the State Department of Mental Health (DMH) with Regards to the Revised MHSA WET Plan; Authorize the Human Services Director to Implement the Activities Within the Revised MHSA WET Plan * NOTE: Hearing is Being Continued to April 24, 2012 at 9:00 A.M or as Soon There After as it May be Heard

(M)Allen, (S)Stetson, the public hearing was continued to April 24, 2012, at 3:00 p.m./Ayes: Unanimous.

K. Adjournment

The Board adjourned at 11:23 a.m. in memory of Kenneth Mari.

Respectfully submitted,

MARGIE WILLIAMS
Clerk of the Board

JANET BIBBY
Chair, Board of Supervisors