



MARIPOSA COUNTY

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ROSEMARIE SMALLCOMBE, CHAIR
MILES MENETREY, VICE-CHAIR
TOM SWEENEY
MARSHALL LONG
WAYNE FORSYTHE

DISTRICT I
DISTRICT V
DISTRICT II
DISTRICT IV
DISTRICT IV

ACTION SUMMARY MINUTES

April 12, 2022

A. 9:00 AM Call to Order and Roll Call

Attendee Name	Title	Status	Arrived
Rosemarie Smallcombe	District I Supervisor	Present	9:00 AM
Tom Sweeney	District II Supervisor	Present	9:00 AM
Marshall Long	District III Supervisor	Present	9:00 AM
Wayne Forsythe	District IV Supervisor	Present	9:00 AM
Miles Menetrey	District V Supervisor	Present	9:00 AM

B. Pledge of Allegiance

Chair Smallcombe led the Pledge.

C. Introductions

None.

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

No public comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Wayne Forsythe, District IV Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

CA1. **Health and Human Services RES-2022-223**

Resolution Continuing a Shelter Crisis Local Emergency in Mariposa County

CA2. **Health and Human Services RES-2022-224**

Resolution Continuing the Public Health Local Emergency Due to the COVID-19 Pandemic

CA3. **Sheriff's Office RES-2022-225**

Resolution Continuing the Local Emergency Due to the COVID-19 Global Pandemic

CA4. Board of Supervisors RES-2022-226

Ratify Letters Requesting Support through Congressionally Directed Spending for the Wawona Ambulance Bay

CA5. Health and Human Services RES-2022-227

Ratify an Agreement with Archie's Mini Storage to Provide Storage Space to the County for \$125 Per Month

CA6. HHS/Community Services RES-2022-228

Approve Third Amendment to Agreement with Area 12 Agency on Aging (A12AA); Authorize the Board of Supervisors Chair to Sign the Amendment; and Approve Budget Actions in the Congregate Nutrition Services and Transportation Increasing Revenue and Appropriations to Recognize Unanticipated Funds (\$46,620) 4/5ths Vote Required

CA7. HHS/Community Services RES-2022-229

Approve a Memorandum of Understanding (MOU) with the County of Merced and the County of Madera to Support Functional Assessment Service Team Collaboration; and Authorize the Acting Health and Human Services Agency Director to Sign the MOU

CA8. HHS/Community Services 2022-39

Appoint Nina Rhodes to the Commission on Aging Representing an At-Large Position with a Term Expiring on April 12Th, 2026

9. *Item removed for Separate consideration*

E. Items removed from Consent Agenda

1. Public Works RES-2022-230

Approve Encroachment Permit Fee Waiver of \$150.00 for the Annual 4-H Citizenship Project Bike-A-Thon

No public comment.

AMENDED: Correction to date a time. Event to take place on May 7th, 2022, at 10:00 AM.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

F. Board Recognitions

1. HHS/Community Services 2022-40

Proclaim April 17-23, 2022, as "Volunteer Week"

Lydia Arre/Senior Center Program Manager gave the presentation and expressed appreciation to all Mariposa County Volunteers. Public comment received from Julianne Simms/Division Director of Human Services and Joe Lynch/Interim Health and Human Services Agency Director who both expressed their thanks to our local volunteers and support of this proclamation.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

G. Departmental Presentation

Walter Wall/District Attorney announced that Ellie the English black lab has arrived. She is the Courthouse facility dog who will be here to support victims while in court. Ellie was trained at Assistance Dogs on the West and her handler is Jessica Mimnaugh/Victims Witness. Linda Milanese/Assistance Dogs of the West CEO/President gave an explanation on the program. She noted that they were one of the first companies to put dogs in the court system in the last 15 years and have been around for 27 years. These dogs begin life in a puppy enrichment center where they are exposed to different types of textures and stimulations. These dogs are trained to respond to 90 different cues. Ms. Milanese explained that having dogs can increase oxytocin and lowers the heart rate, which for a child on the witness stand as a victim of sexual assault, this can calm them and empower them to tell their tale. In response to a question from Supervisor Menetrey, Ms. Milanese explained that Decoy, the original dog in training, had a physical abnormality and could not be released into a professional place. She was released from the program to one of Ms. Milanese's assistants and is now a family dog. Only 2% of their dogs are released. They have a 98% success rate.

Kristina Allen/Deputy Director of Public Health gave a brief update on her time in Atlanta at the 2022 Preparedness Summit. She expressed how wonderful it was to be in a room filled with other individuals who had been through similar experiences and seeing how they responded to the Pandemic. The highlight of her trip was being able to visit the Center for Disease Control (CDC) Campus. Dr. Allen stated that they would be coming back on April 26th, 2022, to rescind the two local emergencies related to COVID-19. She stated that the LHI testing site is now antigen tests as well as PCR tests for COVID-19. The vaccine clinics will take place on Thursday's all day for the month of April. Dr. Allen apprised the Board that the CDC approached them to ask if they would present to the Public Health side of the Park Service.

Jeremy Briese/ Sheriff stated he is also working with Dr. Sergienko on creating a unified approach to terminating the COVID-19 local emergency. Sheriff Briese brought up that during a rain storm the previous day, there was a complex over the embankment rescue on Highway 49 N. by Schilling Road and an adult and juvenile were rescued. Sheriff Briese also highlighted the Animal Control Unit as they respond to all calls involving animals. He also wanted to acknowledge that it is National Public Safety Dispatch Week. Our dispatchers are the first ones the public hears, and they do a tremendous job.

Kari Kisela/ Mariposa County Chamber announced that on April 27th, 2022, a town hall Q and A regarding the Hospital begins at 5:30 PM in the Board Chambers.

H. Public Comment on Non-Agenda Items

No public comment.

Recess Board of Supervisors

9:40 AM Chair Smallcombe recessed the Board of Supervisors meeting and the Deputy Clerk of the Board read the Government Code announcement.

I. LOCAL TRANSPORTATION COMMISSION

9:40 AM Chair Smallcombe called the Local Transportation Commission to order.

Public Comment Period

No public comment.

LTC Regular Agenda

1. Public Works LTC-2022-5

Approve Fiscal Year 2022 Certifications and Assurances for Federal Transit Administration Assistance (FTA); and Authorize Local Transportation Commission (LTC) Executive Director to Sign the Certifications and Assurances

Larry Harris/Deputy Public Works Director introduced Jeannie Morvay-Clayton/Transportation Program Manager/Transportation Planning who gave the staff report stating this must be done every year. No public comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

Adjourn LTC

9:44 AM Chair Smallcombe adjourned the meeting of the Local Transportation Commission.

J. YOSEMITE WEST MAINTENANCE DISTRICT

9:44 AM Chair Smallcombe called to order the meeting of the Yosemite West Maintenance District.

Public Comment Period

No public comment.

Yosemite West Maintenance District Regular Agenda

1. Clerk of the Board of Supervisors YWMD-2022-1**Selection of Yosemite West Maintenance District Board Chair for 2022**

No public Comment. Discussion ensued.

ACTION: Rosemarie Smallcombe was selected at the 2022 Chair.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Miles Menetrey, District V Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

2. Clerk of the Board of Supervisors YWMD-2022-2**Selection of Yosemite West Maintenance District Board Vice-Chair for 2022**

No public Comment. Discussion ensued.

ACTION: Miles Menetrey was selected at the 2022 Vice-Chair.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Wayne Forsythe, District IV Supervisor

SECONDER: Tom Sweeney, District II Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

3. Public Works YWMD-2022-3**Approve Budget Action Transferring Funds from the Yosemite West Maintenance District Budget to CIP Fund for Tree Work Within the Ferguson Burn Scar Project (\$62,500) 4/5ths Vote Required**

Larry Harris gave the staff report and stated this item is directly related to item K.2. Public comment was received by Jonathan Noel who inquired if the scope of work included the re-planting of trees. Mr. Harris stated this project is to remove 2000 trees but there has been no discussion of re-planting.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tom Sweeney, District II Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

Adjourn Yosemite West Maintenance District

9:55 AM Chair Smallcombe adjourned the meeting of the Yosemite West Maintenance District.

Reconvene as Board of Supervisors

9:55 AM Chair Smallcombe reconvened the meeting of the Board of Supervisors.

K. Regular Agenda Items**1. HHS/Social Services RES-2022-231**

Approve the USDA Emergency Rural Health Care Grant Application; and Authorize the Acting Health and Human Services Agency Director to Sign the Grant Application

Julianne Simms gave the staff report, noting this grant will address food insecurities. No public comment. Board discussion ensued.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

2. **Public Works RES-2022-232**

Approve an Agreement with Central Sierra Enterprises Inc. for Ferguson Fire Tree Work DSR#3946 in an Amount Not to Exceed \$250,000; Waive Any Minor Irregularities in the Bids (See Attached SMCI Response Letter); Authorize the Board of Supervisors Chair to Sign the Agreement (Subject to Approval as to Legal Form by County Counsel); and Approve Budget Action Reducing General Fund Contingency and Increasing Revenue in the Public Works Budget to Cover the Cost of the Agreement (\$187,500) 4/5ths Vote Required

Larry Harris gave the staff report and noted this item is directly related to J.3. In response to a question of clarification, Mr. Harris stated that the \$1,000 plus cost to drop a tree also includes the remoteness of the job and getting a crew into this area is expensive. No public comment. Kudos were given to the Public Works Department from Supervisor Menetrey.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Miles Menetrey, District V Supervisor

SECONDER: Tom Sweeney, District II Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

3. **Public Works RES-2022-233**

Approve Plans and Specifications for Construction of the Mariposa Roof Replacement Project to Include the Hall of Records, Child Support Services, Probation and Administration Buildings; Authorize the Public Works and Transportation Director to Advertise and Award the Project to the Lowest Responsible Bidder; and Authorize the Board of Supervisors Chair to Sign the Agreement (Subject to Approval as to Legal Form by County Counsel)

Larry Harris gave the staff report. No public comment.

SPECIAL ANNOUNCEMENT: Deputy Director Harris announced that Matt Hespenheide has been named the County Engineer.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

4. **Public Works RES-2022-234**

Approve the Request for Proposals (RFP) for the Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan; Authorize the Public Works and Transportation Director to Select the Lowest Responsible Bidder; and Authorize the Director of Public Works and Transportation to Sign the Agreement (Subject to Approval as to Legal Form by County Counsel)

Larry Harris gave the staff report and noted the County has been looking to do this for some time and introduced Matt Hespenheide/ADA coordinator who noted this plan will return multiple times to the Board for updates. No public comment. Thanks were given from Supervisor Long for this item.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

5. **Public Works/Fleet RES-2022-235**

Approve a Budget Action Transferring Funds Within the Public Works and Transportation Budget (\$295,097); Authorize the Director of Public Works and Transportation to Proceed with the Purchase of Two (2) Replacement Roads Backhoes; Declare the Replaced Equipment as Surplus; and Authorize the Disposal of These Vehicles through Public Auction

Larry Harris gave the staff report. No public comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

6. **Public Works/Fleet RES-2022-236**

Approve a Budget Action Transferring Funds Within the Fleet Maintenance Budget for Up-Fitting Five (5) Sheriff Leased Vehicles (\$99,500)

Larry Harris gave the staff report. In response to a question, Mr. Harris stated these are purchased through Enterprise, not on State Bid. No public comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

7. Item moved to end of 2:00 PM session

8. **Board of Supervisors RES-2022-237**

Declare the Mariposa County Trails Day (MCTD) Event at the Arts Park with a Guided Nature Walk on June 4Th, 2022 as a County Sponsored Event (Miles Menetrey)

Supervisor Menetrey gave the staff report. Public comment received from Michael Martin and Wendy Brown who thanked the Board and were in favor of this item.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Tom Sweeney, District II Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

L. Closed Session

1. Administration/Human Resources (ID # 12831)

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

No public comment.

RESULT: CLOSED SESSION HELD

2. Administration/Human Resources (ID # 12832)

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

No public comment.

RESULT: CLOSED SESSION HELD

Recess

10:37 AM Chair Smallcombe recessed the Board into closed session.

M. 11:45 AM Lunch - Board of Supervisors Served Lunch at the Senior Center

N. 2:00 PM Reconvene

Chair Smallcombe reconvened the meeting.

Report Out

2:00 PM Chair Smallcombe reported that information was received, and direction was given on both closed session items.

1. Board of Supervisors (ID # 12801)

Receive a Presentation from Mariposa County Safe Families, Inc. Program Director (Board Chair)

Megan Atkins/Executive Director of Mariposa Safe Families, Inc. (MSF) gave a PowerPoint presentation. Public comment received from Julianne Sims who expressed her appreciation to MSF for the work they do for our local families. Board discussion ensued. Accolades were given to Mariposa Safe Families, Inc. for the programs they provide to the youth of our community.

RESULT: INFORMATION RECEIVED**2. Sheriff's Office (ID # 12810)****Receive a Presentation from the Sheriff's Office Regarding 2021 Marijuana Eradication, State Regulations and Introduction of Sheriff's New Internal Tiering System**

Jeremy Briese/ Sheriff gave a PowerPoint presentation and began by introducing the Marijuana Enforcement Team (MET). Sheriff Briese also showed a video of "Operation Green Sweep" which showed video footage of 23 different eradication projects. Sheriff Briese explained that in 2021, MET received over 100 + marijuana complaints and discussed the new tier system. The tier system will allow categorize each complaint and set a priority status.

Public comment was received by Adam Malisch who recently moved here from Santa Barbara. Mr. Malisch expressed his concern for all the illegal pot grows, especially in his neighborhood. He worries about the safety of his family as well as environmental degradation of these grows. He asked what the threshold is between legal and criminal as well as what he can do as a private citizen to help the Sheriff's Department and the Board.

Lori Kinslow expressed her pleasure with the Sheriff's Department and the Board for the work that is currently being done. She stated the Sheriff has been great to work with.

David James expressed how he feels it is "we and they", there are the local neighbors, friends, and family and then there is the "interlopers" who encroach on the rights of those around them. These interlopers interfere and intrude on our community. They do not send their children to school or contribute to our community or organizations. Mr. James expressed his distaste for the water use as well as the chemicals the marijuana growers use which can leak into water systems. He stated these individuals brazenly break the law and that they should go.

Board discussion ensued with Kudos given all the way around. In response to a question from Supervisor Forsythe, Sheriff Briese stated that to invest in new Sheriff's Deputies it is roughly a \$120,000 investment. Dallin Kimble confirmed that as a conservative estimate. In response to Chair Smallcombe, any cultivation above 30 plants is criminal. Sheriff Briese plans to continue to approach this new process and educate the public on what they can and cannot do.

RESULT: INFORMATION RECEIVED***Recess***

3:14 PM Chair Smallcombe recessed the Board of Supervisors meeting for a short break and reconvened at 3:21 PM.

3. Administration 2022-ORD-1175

Rescind Ordinance 2022-1172; Waive the Second Reading and Adopt an Ordinance Titled "County Office Hours and Holidays", Which Will Rescind and Replace Title 2.64 of Mariposa County Ordinance Code Regarding County Office Hours and Holidays

Dallin Kimble gave the staff report noting that this originally came before the Board on April 5th, 2022, but was set up for adoption not introduction, this action corrects that error. No public comment.

RESULT: INTRODUCED [UNANIMOUS] Next: 5/10/2022 9:00 AM

MOVER: Miles Menetrey, District V Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

O. Board Information

None.

P. Adjournment

3:25 PM Chair Smallcombe adjourned the meeting in memory of Sam Patterson.

Respectfully submitted,

Danielle Bondshu
Deputy Clerk of the Board II

Rosemarie Smallcombe
Chair, Board of Supervisors