



MARIPOSA COUNTY

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

DISTRICT III
DISTRICT I
DISTRICT II
DISTRICT IV
DISTRICT V

ACTION SUMMARY MINUTES

February 22, 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

Dallin Kimble/County Administrative Officer introduced Ahmed Helmi/Development Director of KOA/Terramor and Brian Fulce/Independent Local Project Manager of KOA who discussed an upcoming Yosemite Project.

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

Chair Smallcombe noted CA.5 was being removed for a separate vote. Public comment received from Jonathan Noelle and Karen Glendenning. Supervisor Long asked that CA.13 be withdrawn and rescheduled.

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-2022-120

Resolution Continuing a Shelter Crisis Local Emergency in Mariposa County

CA2. Health and Human Services RES-2022-121

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

CA3. Sheriff's Office RES-2022-122

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

CA4. Administration/Human Resources RES-2022-123

Appoint County Clerk Keith Williams as Acting Clerk of the Board Effective March 1, 2022 and Approve a 10% Increase in Salary for the Term of This Appointment Effective April 1, 2022

CA5. *Item moved for separate vote*

CA6. Board of Supervisors

Approve the Minutes of Tuesday, January 18, 2022

CA7. Board of Supervisors

Approve the Minutes of Tuesday, January 25, 2022

CA8. Clerk of the Board of Supervisors RES-2022-124

Ratify an Agreement with CivicPlus for the County's Website

CA9. Health and Human Services RES-2022-125

Approve the Overfill of a Program Manager in Health and Human Services in the Public Assistance Division Effective Immediately

CA10. HHS/Behavioral Health & Recovery Services RES-2022-126

Approve the Second Amendment to an Agreement with InSync Healthcare Solutions, LLC to Increase the Amount Not to Exceed \$266,147; Include an Additional Twelve (12) Licenses for Services; and Authorize the Board of Supervisors Chair to Sign the Amendment

CA11. HHS/Community Services 2022-14

Accept the Resignation of Sue Overstreet from the Mariposa County Commission on Aging Effective Immediately

CA12. Planning 2022-15

Re-Appoint Tony McDaniel, Michael Martin, Wendy Brown and Ralph Menderhausen to the Merced River Trail Community Working Group (MRTCWG) with Terms to Expire February 28, 2025; and Acknowledge the Service of Dean Bernacchi and Jeff Gabe to the MRTCWG

CA5. *Item moved for separate vote*

CA14. Planning 2022-17

Re-Appoint James Rhodes to the Coulterville Planning Advisory Committee with a Term to Expire February 29, 2024; and Acknowledge Nina Mimnaugh's Service to the Coulterville Planning Advisory Committee (Supervisor Sweeney)

CA15. Planning 2022-18

Re-Appoint Caroline McGrath, Candy O'Donel- Browne, Eileen Collins and Heather Huppe to the Midpines Planning Advisory Committee for Terms to Expire February 29, 2024 (Supervisor Smallcombe)

CA16. Planning 2022-19

Re-Appoint Elnora George as a Voting Member Representing the Mariposa Farm Bureau; Re-Appoint David Mecchi as a Voting Member Representing the Mariposa Resource Conservation District; and Re-Appoint Lyle Turpin as the Alternate Voting Member Representing the Mariposa Resource Conservation District to the Agricultural Advisory Committee, for Terms to Expire February 29, 2024

CA17. Planning 2022-20

Re-Appoint Catherine Collamer, Ryan Kelly, Greg Magruder, Paul Amstutz and Mark Abney to the El Portal Planning Advisory Committee with Terms to Expire February 29, 2024 (Supervisor Smallcombe)

CA18. Planning 2022-21

Re-Appoint Kim Tucker to the Housing Programs Advisory Committee for a Term to Expire February 28, 2025; and Acknowledge the Service of Courtney Twiss and Candy O'Donel-Browne

CA19. Planning 2022-22

Re-Appoint Jesse Figueroa to the Greeley Hill Planning Advisory Committee for a Term to Expire February 29, 2024.

CA20. Public Works RES-2022-127

Authorize the Public Works Director to Waive the Encroachment Permit Fee of \$150 for the 44Th Annual Indian Gulch Run in Hornitos on March 20, 2022

CA21. Public Works RES-2022-128

Declare the Saturday April 23, 2022 Butterfly Parade a County Sponsored Event; and Approve the Application for a Cal Trans Encroachment Permit in Support of Closing Highway 140 from 10:00 AM to 11:30 AM, Between Highway 49 North and Highway 49 South

CA22. Public Works RES-2022-129

Approve an Agreement with Caltrans for 2017 Storm Repairs to Ben Hur Road; and Authorize the Board of Supervisors Chair to Sign the Agreement

CA23. Public Works RES-2022-130

Approve Budget Action Transferring Funds Within the Public Works Budget for Purchase of a Backhoe (\$198,391)

CA24. Public Works RES-2022-131

Ratify an Agreement with CivicPlus for CivicRec Cloud Service

CA25. Public Works/Solid Waste RES-2022-132

Adopt a Resolution Affirming the Notification of Intent to Comply with SB 1383 Regulations; and Authorize and Direct the Public Works Director to Submit the Notification to CalRecycle on Its Behalf

CA26. **Sheriff's Office RES-2022-133**

Approve First Amendment to Contract with Stanislaus County Sheriff's Office Coroner's Division for Forensic Pathology Services Increasing the Amount Not Exceed \$70,000 to \$150,000; and Authorize the Board of Supervisors Chair to Sign the Amendment

E. Items removed from Consent Agenda

1. Board of Supervisors RES-2022-134

Resolution Recognizing Rene LaRoche, Upon Her Retirement as Clerk of the Board (Board Chair)

Chair Smallcombe introduced this item. Public comment received by Sarah Williams/Planning Director who expressed her thanks for all Rene's hard work and professionalism over the last several years.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

2. Planning 2022-16

Re-Appoint Jeanetta Phillips, Ruth Sellers and Kathleen Leavitt to the Historic Sites and Records Preservation Commission for Terms to Expire February 28, 2025

Supervisor Long asked that this item be withdrawn and rescheduled for March 1st, 2022 for further clarification.

RESULT: WITHDRAWN AND RESCHEDULED Next: 3/1/2022 9:00 AM

F. Departmental Presentation

Dr. Kristina Allen/Deputy Director of Public Health stated the County was seeing a decline in the case rate. There was still high transmission as there were 37 new cases in a 7-day period. There were 15 county employees out as either positive or as a close contact. There were successful travel clinics for Arbor Works as well as Cathey's Valley and north county communities. Dr. Allen noted that the We Vax Mobile Van had been delivered but was still in need of some outfitting and that the plan is to have it up and running as soon as possible. She also stated there will be a media campaign to let communities know when the van will be in their area.

Matthew Matthiessen/John C. Fremont Healthcare District CEO mentioned that as our community moves out of COVID-19 restrictions and to a more normal reality, the John C. Fremont Clinics will be scaling back on Telemed and will move towards seeing more patients in the office. Mr. Matthiessen noted that it was Heart Health Month, and urged the public to not put off their health care.

Karie Kisela/ Mariposa County Chamber of Commerce announced that on March 18th, 2022, at 11:00 AM there will be a Grand Opening for Granny's Grub which is located where old Grizzly Den was by the Triangle Market Store.

G. Public Comment on Non-Agenda Items

No public comment.

Recess Board of Supervisors

9:19 AM Chair Smallcombe recessed the Board of Supervisors meeting, followed by the Deputy Clerk of the Board reading the Government Code announcement.

H. LOCAL TRANSPORTATION COMMISSION

9:19 AM Chair Long called the meeting to order.

Public Comment Period

No public comment.

LTC Regular Agenda

- 1. Clerk of the Board of Supervisors LTC-2022-1**
Selection of 2022 Local Transportation Commission Chair

Discussion ensued. No public comment.

Action: Rosemarie Smallcombe was selected as the 2022 Local Transportation Commission Chair.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tom Sweeney, District II Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

- 2. Clerk of the Board of Supervisors LTC-2022-2**
Selection of 2022 Local Transportation Commission Vice-Chair

Discussion ensued. No public comment.

Action: Wayne Forsythe was selected as the 2022 Local Transportation Commission Vice-Chair.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Miles Menetrey, District V Supervisor

SECONDER: Tom Sweeney, District II Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

- 3. Public Works LTC-2022-3**

Authorize Staff to Issue a Request for Proposal (RFP) to Retain a Consultant to Update the Mariposa County Regional Transportation Plan (RTP); and Authorize Local Transportation Commission (LTC) Chair to Sign

Consulting Services Agreement: (Subject to Approval as to Legal Form by County Counsel).

Shannon Hansen/Public Works and Transportation Director gave the staff report. Ms. Hansen advised that the Regional Transportation plan is a living document and currently 25 years old and needs to be updated every 5 years. No public comment. Discussion ensued.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Wayne Forsythe, District IV Supervisor

SECONDER: Tom Sweeney, District II Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

Adjourn LTC

9:24 AM Chair Smallcombe adjourned the meeting of the Local Transportation Commission.

Reconvene as Board of Supervisors

I. Regular Agenda Items

Chair Smallcombe pulled I.5 to I.1

1. County Counsel (ID # 12645)

Adopt a Resolution Placing a 1% Special Transactions and Use (Sales) Tax Measure on the June 7, 2022 County Primary Election Ballot for New, Remodeled and Repurposed Hospital and Healthcare Facilities of the John C. Fremont Healthcare District (Measure "P")

Candy O'Donnell Brown/John C. Fremont Health Care District, Board Chair stated the Hospital Board met and came to the consensus that Measure O will be kept and Measure P will be withdrawn. Ms. O'Donnell Brown thanked Dallin Kimble for his assistance.

Steve Dahlem/County Counsel noted for clarity that this item was formally withdrawn.

RESULT: WITHDRAWN

2. Treasurer-Tax Collector-County Clerk RES-2022-135

Approve Agreement with the California Secretary of State in the Amount of \$30,000 for the Outreach and Education Services as Part of the Voter's Choice Act Implementation Plan; and Authorize the County Clerk to Sign the Agreement

Keith Williams/County Clerk- Tax Collector-Treasurer gave the staff report, noting that this is a standard agreement for funds to cover two elections. Any leftover funds will go to the next election. These funds are to be used for advertising. No public comment.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Wayne Forsythe, District IV Supervisor

SECONDER: Miles Menetrey, District V Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

3. **HHS/Social Services RES-2022-136**

Approve an Agreement with Laboratory Corporation of American Holding (Laboratory) for Genetic Parentage Testing Services for Clients Within the Child Welfare Services Branch of Mariposa County Health and Human Services Agency (HHSA) Effective February 1, 2022; and Authorize the Board of Supervisors Chair to Sign the Agreement

Julianne Sims/Division Director of Human Services for Health and Human Services Agency gave the staff report. No public comment. Discussion ensued.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Wayne Forsythe, District IV Supervisor

SECONDER: Tom Sweeney, District II Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

4. **Probation RES-2022-137**

Approve a New Classification and Job Description of Supervising Probation Officer Effective Immediately; Set the Monthly Salary at \$9,211-\$10,664; and Assign the Supervising Probation Officer Classification to the Mariposa County Sheriffs' Management Association Bargaining Unit; and Allocate the Position to Probation Budget 432

Pete Judy/Chief Probation Officer gave the staff report, noting that the salary range in the Board item was incorrect. No public comment. Discussion ensued.

AMENDMENT: Salary range is \$6,494.41 - \$7,896.05.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Tom Sweeney, District II Supervisor

SECONDER: Wayne Forsythe, District IV Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

5. **Probation RES-2022-138**

Authorize the Chief Probation Officer to Submittal of Youth Programs and Facilities Grant (YPFG) Application; Authorize the Board of Supervisor Chair to Sign the Grant Agreement for \$106,968 and Any Supporting Documents Necessary to Secure This Grant Award (Subject to Approval as to Legal Form by County Counsel); and Approve Budget Action Recognizing Unanticipated Revenue in Probation Budget (\$106,968) 4/5ths Vote Required

Pete Judy gave the staff report. No public comment. Discussion ensued.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Wayne Forsythe, District IV Supervisor
SECONDER: Miles Menetrey, District V Supervisor
AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

Recess

9:53 AM Chair Smallcombe recessed the Board of Supervisors meeting for a five minute recess and reconvened at 9:59 AM.

6. Administration (ID # 12691)

Discussion and Direction Regarding County Response to COVID-19

Dallin Kimble gave the staff report stating this has been a team effort. In August of 2021 we were in the throes of the Delta Variant. Department Heads were asked to look at what that meant for their offices as well finding new ways to serve the public. This also included testing the non-vaccinated weekly. Mr. Kimble noted that opening lobbies would be low impact but under the direction of California and Cal-Osha, unvaccinated employees are to continue to wear masks and test weekly.

Joe Lynch/ Assistant County Administrative Office stated that when the County originally closed to the public, metrics were put into place because if the County closed because of fear, the thought was we would not be able to re-open until fear was mitigated. The metrics were to be all employees would wear a mask so no individual could be singled out due to vaccination status. Mr. Lynch noted that the County could be more restrictive than Cal-Osha but not less restrictive. Staff's recommendation is have all employees continue to wear masks.

Dr. Kristina Allen stated that Dr. Adrianna Nunes who does the Epidemiology weekly for the County showed that Mariposa peaked at the same time as other counties in January, but we had half the case rate. This could be attributed to the mask wearing and weekly testing put in place. Responding to a question from Supervisor Long, Dr. Allen confirmed that the current survival rate of COVID-19 is 99.97%. In response to a question from Supervisor Sweeney, Dr. Allen stated that continued testing is still recommended until we are at the moderate tier. Once in the moderate tier, the recommendation would be optional testing. Dr. Allen stated in response to Supervisor Forsythe that the State currently recommends testing weekly if unvaccinated and weekly testing is encouraged if vaccinated.

Mr. Kimble noted that there have been questions regarding the Emergency Proclamations, noting that if these are terminated, we would continue under the State of Emergency but terminating them would interfere with teleworking and any business or restaurant who has an outdoor dining space that was an exception because of COVID. He gave the example of if a restaurant set up an outdoor dining space in their parking lot, if we terminate, their exceptions are also terminated.

Mr. Lynch in response to a question from Supervisor Smallcombe stated that 58 county Human Resource Directors are going back to their associations to discuss what moving forward looks like, especially with teleworking and the possibility of instituting rules. The State is looking at how they are going to transition out of emergency standards as well. Supervisor Sweeney asked if the

Board lifts all restrictions they have imposed, what liability does that bring to the County, in which Mr. Kimble responded the County would still need to follow Cal-Osha guidelines which are to wear a mask if you are unvaccinated. No public comment. Discussion ensued.

DIRECTION GIVEN: All County restrictions lifted, and the County will follow State Guidance which is un-vaccinated employees are to wear a mask and test weekly. Masking and testing for vaccinated employees are recommended but not required. All County lobbies are to open to the public Monday, February 28th.

RESULT: DIRECTION GIVEN

J. Closed Session

1. **Board of Supervisors (ID # 12670)**

CLOSED SESSION: Public Employee Performance Evaluation; Position of Employee Under Review: County Fire Chief (Government Code Section 54954.5)

RESULT: CLOSED SESSION HELD

Report Out

12:08 PM Chair Smallcombe reported that during closed session information was received.

K. Board Information

None.

L. Adjournment

12:08 PM Chair Smallcombe adjourned the meeting in memory of Joyce Holt Alvernaz, Ann Abbott Matteson, and Clair Monroe Peterson.

Respectfully submitted,

Danielle Bondshu
Deputy Clerk of the Board II

Rosemarie Smallcombe
Chair, Board of Supervisors