



Mariposa County

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MILES MENETREY, CHAIR
WAYNE FORSYTHE, VICE-CHAIR
ROSEMARIE SMALLCOMBE
SHANNON POE
DANETTE TOSO

DISTRICT V
DISTRICT IV
DISTRICT I
DISTRICT II
DISTRICT III

BOARD OF SUPERVISORS ACTION SUMMARY MINUTES OCTOBER 31, 2023

A. Call to Order and Roll Call

Chair Menetrey called the meeting to order and noted for the record that Supervisor Forsythe and Dallin Kimble/County Administrative Officer, would be participating in the closed session via phone.

Attendee Name	Title	Status	Arrived
Rosemarie Smallcombe	District I Supervisor	Present	9:00 AM
Shannon Poe	District II Supervisor	Present	9:00 AM
Danette Toso	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 Menetrey led the pledge.

C. Closed Session

Chair Menetrey read the closed session. No public comment was received.

12:02 PM Chair Menetrey recessed the Board into a closed session.

1. 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

RESULT: CLOSED SESSION HELD

Report Out

2:44 PM Chair Menetrey reconvened and reported that information was received and Direction was given.

D. Adjournment

2:45 PM Chair Menetrey adjourned the meeting.

Respectfully submitted,

Danielle Bondshu
Clerk of the Board

Miles Menetrey
Chair, Board of Supervisors



MARIPOSA COUNTY

Board of Supervisors



Agenda Item – No Resolution Requested

MEETING: October 31, 2023
TO: The Board of Supervisors
FROM: Steve Dahlem, County Counsel
RE: 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

RECOMMENDATION AND JUSTIFICATION

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

☒ CONFERENCE WITH LEGAL COUNSEL:

☐ Existing Litigation:

☐ Disclosure will jeopardize existing settlement negotiations.

☒ Anticipated Litigation

☒ Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9.

Number of cases to be discussed: 1

☐ Initiating of litigation pursuant to subdivision (c) of Government Code section 54956.9.

Number of cases to be discussed:

☐ CONFERENCE WITH COUNTY LABOR NEGOTIATOR

Name of Employee Organization:

Name of County Designated Representative:

Title(s) of unrepresented individuals with whom negotiations are being conducted:

☐ PUBLIC EMPLOYEE EMPLOYMENT TITLE OR POSITION TO BE FILLED:

(Government Code Section 54957 (b) (1))

☐ PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position of employee under review:

(Government Code Section 54954.5)

☐ PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(Government Code Section 54954.5)

[] CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Description of real property:

Agency negotiator:

Closed session will concern: () price; () terms of lease/purchase.

[] THREAT TO PUBLIC SERVICE FACILITIES

Name of the law enforcement agency involved:

Title of officer of a law enforcement agency:

[] LICENSE/PERMIT DETERMINATION

License or Permit applied for:

Number of license or permit applicants:

Name of applicant(s):

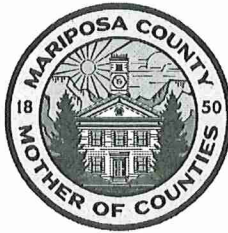
BACKGROUND AND HISTORY OF BOARD ACTIONS

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION

FINANCIAL IMPACT

ATTACHMENTS

1. **10-31-23 Closed Session Memo**



COUNTY COUNSEL/RISK MANAGEMENT

MEMORANDUM

DATE: October 31, 2023

TO: Board of Supervisors

FROM: Steven W. Dahlem, County Counsel/Risk Manager *SWD*

RE: Statement of Facts and Circumstances That There is a Significant Exposure to Litigation Pursuant to Government Code Section 54596.9(d)(2)

It is my opinion that a point has been reached where, based on existing facts and circumstances, there is a significant exposure to litigation against the County of Mariposa ("County"). My opinion is based on the fact that during an exit interview held on July 28, 2023 with a former County employee, the County Administrative Officer, and the Human Resources Director, the former employee alleged discrimination and retaliation resulting in economic harm. The former employee threatened litigation as well as other action that could be taken to address the alleged situation. A contemporaneous record was made of the former employee's statement.

This public notice in no way constitutes a waiver of the attorney-client privilege or any other legal privilege that may attach to the County's communications or work product regarding this threatened litigation.

cc: Danielle Bondshu, Clerk of the Board
Dallin Kimble, County Administrative Officer