



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, MAY 06, 2014
Regular Meeting – 10:00 a.m.

MERCED COUNTY
ADMINISTRATION BUILDING
2222 "M" STREET
BOARD ROOM, THIRD FLOOR
MERCED, CALIFORNIA 95340
(209) 385-7366

JOHN PEDROZO.....DISTRICT 1
HUBERT "HUB" WALSH, JR.....DISTRICT 2
LINN DAVIS.....DISTRICT 3
DEIDRE F. KELSEY.....DISTRICT 4
CHAIRMAN JERRY O'BANION.....DISTRICT 5

JAMES L. BROWN
COUNTY EXECUTIVE OFFICER

JAMES N. FINCHER
COUNTY COUNSEL

*All supporting documentation is available for public review in the Office of the Clerk of the Board of Supervisors located in the County Administration Building, Third Floor, 2222 "M" Street, Merced, California, 95340
During regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday.*

The Agenda is available online at www.co.merced.ca.us

Any material related to an item on this Agenda submitted to the Clerk after distribution of the Agenda packet is available for public inspection in the Office of the Clerk of the Board

Members of the public are advised that all pagers, cellular telephones and any other communication devices are to be turned off upon entering the Board Chambers

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The Agenda is divided into three sections:

CONSENT CALENDAR – These matters include routine financial and administrative action and usually are approved by a single vote.

SCHEDULED ITEMS – These items are noticed hearings, work sessions and public hearings.

REGULAR CALENDAR – These items include significant policy and administration actions. Immediately after approval of the CONSENT CALENDAR, if the time of the hearing of SCHEDULED ITEMS has not arrived, the REGULAR CALENDAR will be considered.

SCHEDULED ITEMS

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

10:00 A. M.

PLEDGE OF ALLEGIANCE

PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION INCLUDING ITEMS ON THE BOARD'S AGENDA, EXCEPT FOR THOSE ITEMS SPECIFICALLY SCHEDULED AS PUBLIC HEARINGS (Testimony limited to five minutes per person)

REVIEW BOARD ORDER – SEE PAGE 9

PRESENTATION

Dr. Martha Conklin, UC Merced, Sierra Nevada Research Institute Snow Pack and Water Storage

Dr. Martha Conklin provided the Board with a powerpoint presentation on snowpack and water storage, water security and natural capital, forest management and water, trees and snow, advances in water information, and making a water-secure California.

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 32)

REVIEW BOARD ORDER – SEE PAGES 9 AND 10

PUBLIC HEARING

COUNTY COUNSEL - PUBLIC HEARING - FIRST READING OF PROPOSED ORDINANCE

Introduce and conduct first reading of a proposed Ordinance to clarify control of pyrotechnics and authorize and control safe and sane fireworks. Amends Ordinances 294 and 1149 and portions of County Code Chapter 9.24 and establishes Chapter 9.26.

RECOMMENDATION: 1) Waive further reading of proposed ordinance; 2) Open Public Hearing and receive comments; 3) Close Public Hearing; 4) Set a Second Reading and possible adoption for May 20, 2014, at 10 a.m.

REVIEW BOARD ORDER – SEE PAGES 10 AND 11

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-32)

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

Human Services Agency

1. Approve and authorize the Chairman to sign Renewal Contract No. 2012131 with Court Appointed Special Advocates (CASA) of Merced County for Family Finding and Engagement services.
2. Approve and authorize the Chairman to sign Renewal Contract No. 2011071 with Merced County Office of Education for Stage One childcare services.
3. Approve and authorize the Chairman to sign Renewal Contract No. 2012130 with Aspiranet for home visitor services.
4. Approve and authorize the Chairman to sign Renewal Contract No. 2013064 with Merced County Office of Education for the services of a child development specialist.
5. Approve and authorize the Chairman to sign Renewal Contract No. 2007125 with Merced County Office of Education-Family Resource Council for community development and support.
6. Approve and authorize the Chairman to sign Renewal Contract No. 2009186 with Alliance for Community Transformations to provide domestic violence shelter services.
7. Approve and authorize the Chairman to sign Amendment Contract No. 2011094 with Valley Caregiver Resource Center for support networks for family caregivers.

Health

8. Approve and authorize the Chairman to sign Amendment Contract No. 2013165 with Blue Shield of California Foundation for enrollment assistance activities.
9. Approve and authorize the Chairman to sign Amendment Contract No. 2013168 with Diringer and Associates for consulting services related to activities of the Blue Shield County Enrollment Assistance Grant.
10. Approve budget transfer in the amount of \$40,607 for State-approved revision to scope of work for Disaster Planning Assistance from the California Department of Health Services for Public Health Emergency Preparedness (PHEP), Hospital Preparedness Program (HPP), and Pandemic Influenza.

Ag Commissioner

11. Approve and authorize the Chairman to sign Renewal Contract No. 2004057 with California Crop Improvement Association for services related to the Seed Certification Program.

District Attorney

12. Approve budget transfer in the amount of \$66,260 for appropriations/revenue increase to match Insurance Fraud Grant Award. (4/5 Vote Required)

Community and Economic Development

13. Set a public hearing for May 20, 2014, at 10 a.m. to consider Major Modification No. MM13-012 to Conditional Use Permit No. 07-030 for Casper Noz, increasing the number of events and capacity of each event at an existing private recreational facility located one quarter

mile south of Keyes Road and two miles east of Bledsoe Road in the Snelling area; receive public testimony, consider the Planning Commission's recommendation, consider Initial Study and Mitigated Negative Declaration and CEQA Mitigation Monitoring Reporting Program, consider Major Modification No. MM13-012 based on the Project Findings and subject to the Conditions of Approval and CEQA Mitigation Measures, and remove the parcel from the agricultural preserve.

14. Set a public hearing for May 20, 2014, at 10 a.m. to recommend inclusion of five parcels (resulting from four Property Line Adjustments) located at 1) NE corner of Highway 152 and Coyote Road, El Nido area; 2) East of Minturn Road adjacent to Chowchilla River, Chowchilla area; 3) West side of Kibby Road, 1,291 feet north of Highway 140, Merced area; and 4) East side of Bennett Road and South side of Eagle Field Road, Dos Palos area in the Agricultural Preserve as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.

Sheriff

15. Approve and authorize the Chairman to sign Renewal Interdepartmental Agreement No. 200198 with Department of Mental Health for the clients meal food services to the Marie Green Psychiatric Center.

Mental Health

16. Approve and authorize the Chairman to sign Amendment Contract No. 2013223 with John M. Yarbrough, M.D., M.B.A., for psychiatric services; and return to the Board for further action once the vacant Staff Psychiatrist position is filled.
17. Approve and authorize the Chairman to sign Renewal Contract No. 2012073 with Trilogy Integrated Resources for Network of Care website maintenance and e-learning services.
18. Approve and authorize the Chairman to sign Amendment Contract No. 2011114 with Healthy House within a Match Coalition for interpreter services.
19. Approve and authorize the Chairman to sign Renewal Interdepartmental Agreement No. 2004230 with Probation Department for the services of a Deputy Probation Officer related to the Children's System of Care.
20. Approve and authorize the Chairman to sign Renewal Interdepartmental Agreement No. 2012167 with Probation Department for the services of one Deputy Probation Officer related to the Adult Mental Health Court.
21. PULLED
22. Approve and authorize the Chairman to sign Amendment Contract No. 2013243 with Siskiyou County for inpatient services at Marie Green Psychiatric Health Facility.
23. Approve and authorize the Chairman to sign Amendment Contract No. 2012163 with Community Social Model Advocates, Inc. for the provision of perinatal residential substance abuse services.
24. Approve and authorize the Chairman to sign Renewal Contract No. 2010219 with Community Social Model Advocates for the services of a licensed physician to serve as the Medical Director for their Drug Medi-Cal Program.

25. Approve and authorize the Chairman to sign Amendment Contract No. 2010209 with Merced Lao Family for the implementation of the Southeast Asian Community Advocacy Program.

Fire

26. Approve budget transfer in the amount of \$2,000 for the purchase of medical bags and supplies. (4/5 Vote Required)
27. Approve budget transfer in the amount of \$69,750 for fixed assets under the State Homeland Security Grant as follows: Hazmat Level A PPE turnout gear, air cart rescue equipment, rescue kit, tripod, and rescue equipment.

Human Resources

28. Approve and authorize the Chairman to sign Renewal Contract No. 2004311 with Liebert Cassidy Whitmore for legal services.

Executive Office

29. Approve travel requests received from the Human Services Agency as recommended by Executive Office.

Board Recognition

30. Proclaim the week of May 4 through 10, 2014, as Wildfire Awareness Week in Merced County.
31. Proclaim May 2014 as National Bike Month and May 7, 2014 as National Bike to School day in Merced County.
32. Proclaim May 2014 as Older Americans Month in Merced County.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

33. Rescind Resolution No. 2014-23 and adopt a corrected Resolution prohibiting the stopping, parking, or standing of vehicles along Franklin Road in the vicinity of Franklin Elementary School; and authorize the Director of Public Works to install "No Stopping" signs and curb markings to reflect the prohibition.

ADOPTED RESOLUTION NO. 2014-42 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

HUMAN SERVICES AGENCY

34. Contract with Merced County Office of Education for foster youth camping trip.
AUTHORIZED CONTRACT NO. 2014059 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

MENTAL HEALTH

35. 1) Retroactively approve and authorize Mental Health to apply for Mental Health Services Oversight and Accountability Commission Triage Grant Funds to provide crisis support services; 2) accept the Mental Health Services Oversight and Accountability Commission Triage Grant funds; 3) authorize the Chairman to sign Grant Agreement 13MHSOAC-TG014 for submission to the State, and authorize the Director of Mental Health to sign all payment request claim forms; 4) effective May 6, 2014, add one FTE Mental Health Program Manager and seven FTE Licensed Mental Health Workers/Psychiatric Staff Nurses I/II to Budget Unit 41505; and adopt Resolution.

AUTHORIZED CONTRACT NO. 2014058 AND ADOPTED RESOLUTION NO. 2014-43 AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

HEALTH

36. 1) Accept the Medi-Cal Outreach and Enrollment Grant Allocation from the Department of Health Care Services; 2) Authorize the Chairman to sign the Agreement; 3) authorize Administrative Services-Support Services, in conjunction with Public Health, to prepare and release a Request for Proposal for one or more Community Based Organizations to assist with increasing Medi-Cal participation among at least one of the seven priority groups identified in the grant, per the terms of the agreement.

AUTHORIZED CONTRACT NO. 2014060 AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

AUDITOR

37. Certify that the appointment of Mary Rhodes is necessary before 180 days have passed to fill a critically needed position; and approve the appointment of Mary Rhodes to return to work for a period of time as determined by the Auditor/Controller beginning June 2, 2014.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

COMMUNITY AND ECONOMIC DEVELOPMENT

38. Contract with Federal Aviation Administration for the installation of the FAA, FTI two-digit ring line to the Castle Air Traffic Control Tower; and approve related Budget Transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2014061 AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

39. Adopt Resolution for the Revolving Loan Fund Plan Certification as required by the U.S. Department of Commerce, Economic Development Administration.

ADOPTED RESOLUTION NO. 2014-44 AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

40. Adopt Resolution 1) to determine by 4/5 vote that the affected property located within Castle Commerce Center may be sold subject to section 25536.9 of the California Government Code; and 2) Direct Community and Economic Development (CED) staff to post the required Notice of Sale of Real Property in compliance with section 6062a of the California Government Code with the Office of the County Clerk and in the newspaper for ten days; and 3) Direct the CED Director to prepare the necessary documents for the sale and transfer of property to APG Solar; and return to the Board to consider acceptance and execution of final sale to APG Solar.

**ADOPTED RESOLUTION NO. 2014-45 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1**

PROBATION

41. Approve and authorize the Chief Probation Officer to accept and sign the Strategic Prevention State Incentive (SPF SIG) Grant agreement by and between the Merced Community Violence Intervention and Prevention Task Force (ComVIP), United Way and participating law enforcement agencies.

**AUTHORIZED CONTRACT NO. 2014062 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1**

SHERIFF

42. Authorize Sheriff (or his designee) to electronically sign and submit the application and associated documentation for the 2014 State Criminal Alien Assistance Program (SCAAP) Grant through the Federal Grant Management System (GMS) automated internet based application system; and return to Board for acceptance if funding awarded.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

43. Authorize Sheriff (or his designee) to electronically sign and submit the application and associated documentation for the 2014 Bulletproof Vest Partnership Grant through the Federal Grant Management System (GMS) automated internet based application system; and return to the Board for acceptance if funding awarded.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

44. Approve the contract amendment for special services with Mr. Douglas M. Papagni for consulting services.

**AUTHORIZED CONTRACT NO. 2014063 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1**

RETIREMENT

45. Adopt recommended retirement employer contribution rates effective for the July 3, 2014, payroll; Employer rate 47.64%; adopt member contribution rates as reflected in the Valuation report and compute to an average of 8.23% for General Members and 8.81% for Safety members.

**APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1
REVIEW BOARD ORDER – SEE PAGE 11**

REGISTRAR OF VOTERS

46. Certify that the appointment of Stacey Cotter is necessary before 180 days have passed to fill a critically needed position; approve the appointment of Stacey Cotter to return to work for a period of time as determined by the Registrar of Voters beginning June 2, 2014.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

COUNTY EXECUTIVE OFFICE

47. Approve claims for refund of property taxes for the year 2009 related to the disabled veteran's property tax exemption; approve payment to property owners Jerry H. Constable and Timothy F. McGinty for the amount of refund payable under the exemption for the year 2009.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1
REVIEW BOARD ORDERS – SEE PAGE 11 AND 12

BOARD OF SUPERVISORS

48. Authorize \$500 of District One's Special Board Project Funds to be forwarded to the Boys & Girls Club of Merced County for their Swim Project; and approve related budget transfer.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

49. Determine interest in establishing a Sister County relationship to promote a more global image of Merced County; and direct CED staff to return to the Board with a subsequent item and the required documents to establish such a relationship.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

BOARD APPOINTMENTS

50. Reappoint the following individuals as members of the Mental Health Advisory Board: David Baker until June 30, 2015, and Mary Ellis until June 30, 2017, representing District Two; Sally Ragonut until June 30, 2017, representing District Three; and Richard Hawthorne until June 30, 2017, representing Member At-Large.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

51. Reappoint Michelle Allison to serve as a member of the Winton Municipal Advisory Council until March 31, 2017.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: 2, 3, 4, 5 NOT PRESENT: 1

52. Department of Administrative Services re: inform the Board of the net proceeds in the amount of \$75,334.94 resulting from the sale of miscellaneous surplus property and vehicles through the Internet during the period of July 1, 2013 through March 31, 2014.
53. Merced County Mosquito Abatement re: March 2014 Manager's Report.
54. Central Valley Regional Water Quality Control Board re: Public Meeting on Thursday, May 15, 2014, and Friday, May 16, 2014, at 8 a.m. at the Regional Board office located at 364 Knollcrest Drive, Redding, California.
55. California Wildlife Conservation Board re: Dry Creek Ranch Conservation Easement, Recovery Land Acquisition Grant (2010), Merced County Project ID 2010152, scheduled for the May 22, 2014 Conservation Board meeting.
56. California Wildlife Conservation Board re: North Grasslands Wildlife Area Enhancement and Security, Merced County Project ID 2014001, scheduled for the May 22, 2014, Conservation Board meeting.

THE BOARD ADOPTED RESOLUTION IN MEMORY OF PHILLIP FANELLI AND ADJOURNED THE MEETING UNTIL TUESDAY, MAY 20, 2014 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – MAY 6, 2014

10:00 A.M. SCHEDULED ITEM **2014-05-06 PUBLIC OPPORTUNITY**

The following speak in support of a raise for the In-Home Supportive Services workers: Tony Dossetti, Merced resident; Mike Losa, Regional Coordinator for UDW Union; Diana Mejia, Merced resident; Sherry Gordon, Merced resident; Catrina Buchol, Delhi resident; and Robbie Bills, Merced resident.

Allen Spencer, Merced resident, addresses the Board regarding his February 2014 complaint concerning the Sheriff's department vehicles parking in a no parking zone, and his trial without a jury where jurisdiction was not established and states this is a violation of due process. Mr. Spencer also speaks against unions who extort taxes from him to increase wages.

Barbara Bustos, Atwater resident, speaks regarding elected officials in this county and recent reports in the newspaper about government activities of deceit, hypocrisy, and corruption, and claims of mismanagement and poor leadership in our County to include the Sheriff, the Board of Supervisors, and the Treasury/Tax Collector.

Mark Faurot, Merced resident, addresses the Board regarding minutes of March 11, 2014, where he filed a 55-page Brief and speaks of his criminal kidnap complaint and Brown Act violations.

Karen Ann, Merced resident, speaks about Merced Community Action Agency, conflict of interest, "good ol' Boys", constitutional rights violated by Sheriff Jones at town hall meeting, complaint with regard to Sergeant Frank Swiggart and Mr. Colmanero, and a matter discussed by a judge on Veteran's day.

Concerned citizen speaks regarding unethical conduct, Public Records Act, financial aid, bribery, open forum of discussion, improper use of public funds, criminal and civil sanctions, and misuse of public funds.

Present: O'Banion, Walsh, Davis, Kelsey

Not Present: Pedrozo

CONSENT CALENDAR

2014-05-06

The Clerk announces approval of Consent Agenda Calendar Items 1 - 32 are before the Board for consideration

Concerned citizen requests discussion on all Consent Agenda Calendar Items stating that lack of public input and discussion is a violation of the Brown Act. Concerned citizen claims there is corruption taking place.

The Chairman requests County Counsel provide an explanation of the Consent Agenda and explain if there is corruption or if it is in accordance with Brown Act.

County Counsel James Fincher states there is no violation of the Brown Act and explains that the Consent Agenda consists of routine matters such as contract renewals and amendments of existing contracts, travel requests, and budget transfers. Mr. Fincher also informs that the Brown Act only requires that they be placed on the agenda 72 hours before the meeting. He further states that the items were made available to the public, posted on line, and available at the Clerk's office. Mr. Fincher states he cannot respond to the corruption allegation because there were no specifics stated.

Upon motion of Supervisor Davis, seconded by Supervisor Kelsey, duly carried, the Board approves Consent Agenda Calendar Items 1 - 32.

Ayes: O'Banion, Walsh, Davis, Kelsey

Not Present: Pedrozo

10:00 A.M. SCHEDULED ITEM

2014-05-06 COUNTY COUNSEL – PUBLIC HEARING – FIRST READING

The time and date previously set for a public hearing to consider the first reading of a proposed Ordinance to clarify control of pyrotechnics and authorize and control Safe and Sane fireworks as submitted by County Counsel.

Deputy County Counsel Tom Ebersole provides a staff report and states that the proposed Ordinance carries forward Ordinance 1906 which allowed for sale of Safe and Sane fireworks. Mr. Ebersole reports Ordinance 1906 is an "urgency" ordinance which gives the agency about a year to study the effects of the urgency ordinance. Mr. Ebersole further states that Fire Division Chief Lawson issued an executive summary on the Ordinance that is generally favorable, indicating in the report that the number of fireworks-related fires went down from 8 fires the preceding year, to 3 during the time the Ordinance was in place. Mr. Ebersole informs the Board that the proposed Ordinance is essentially the same with one slight modification. He explains there was a South Dos Palos property that was annexed from Fresno County, and during the annexation process, they were told that they would have the same set of rules with respect to their fireworks stand as they had in Fresno County, so those rules were brought forward to give them an exemption for the application process; however, all other rules apply.

Supervisor Kelsey asks about public outreach and asks if there are handouts that can be sent to the schools.

Division Chief Lawson states that last year, because of the urgency clause, there was not enough time for outreach; however, this year the Fire Department worked closely with the public by providing pamphlets, attending MAC meetings, obtained fire prevention signs which will be posted to further educate the citizens on safe use of fireworks. Chief Lawson states that handouts are provided to kids at schools and will also be available at the Merced Fair to educate members of the public.

The Chairman opens the public hearing and asks if there is anyone present wishing to speak. No one speaks. The Chairman closes the public hearing.

Upon motion of Supervisor Kelsey, seconded by Supervisor Walsh, duly carried, the Board waives further reading of the proposed Ordinance; upon motion of Supervisor Walsh, second by Supervisor Davis, duly carried, the Board sets a Second Reading and possible adoption of the proposed Ordinance for May 20, 2014 at 10 a.m.

Ayes: O'Banion, Walsh, Davis, Kelsey

Not Present: Pedrozo

ACTION ITEM NO. 45

2014-05-06 RETIREMENT

The Clerk announces retirement employer contribution rates are before the Board for consideration.

Concerned citizen speaks in opposition of this item and requests clarification of the change in the retirement employer contribution rate. She further states that the public is being deprived of funding, requests the Board table this matter for further discussion, and makes reference to Roberts Rules of Order.

Chairman O'Banion states the Board members received backup information on this item and the same information was made available to the public. He states that Roberts Rules of Order do not apply for these meetings. Chairman O'Banion states that once again a violation of the Brown Act is alleged, and he requests that County Counsel provide further explanation.

County Counsel Fincher states Roberts Rules of Order are not used, Rosenberg Rules of Procedure are used, and the allegation of violating the Brown Act is frivolous. He explains that the Board Agenda Item lists the statutory requirements of retirement compensation.

Supervisor Kelsey states she sits on the Retirement Board representing the Board of Supervisors, and the Retirement Board has had numerous meetings that were open to the public, the rates were adopted by the Retirement Board, all materials have been available to the public for quite some time, the material for this item are available to the public, and the Board of Supervisors does not have an obligation to do anything beyond what the Retirement Board requests, and this Board has an obligation to retired employees.

Upon motion of Supervisor Kelsey, seconded by Supervisor Walsh, duly carried, the Board adopts the recommended retirement employer contribution rates effective for the July 3, 2014 payroll; employer rate: 47.64%; and adopts member contribution rates as reflected in the Valuation report and compute to an average of 8.23% for General Members and 8.81% for Safety members..

Ayes: O'Banion, Walsh, Davis, Kelsey

Not Present: Pedrozo

ACTION ITEM NO. 47

2014-05-06 COUNTY EXECUTIVE OFFICE

The Clerk announces a Claim for Refund for Disabled Veteran's Property Tax Exemption is before the Board for consideration.

Concerned citizen asks if the County Executive Office is the Board of Supervisors. She asks how much of a refund is going to be paid and what property is being discussed. She accuses the Board of refusing to openly discuss items on the agenda and having self-serving interests.

Chairman O'Banion clarifies that the Board of Supervisors are not the County Executive Office. He further states that the Board is not doing anything in the dark and suggests that concerned citizen review the backup information of agenda items if she intends to look at them seriously and then come forward and ask questions. Chairman O'Banion states that the Board is not opposed to asking questions, and the answers to the questions concerned citizen is asking can be found in the backup material.

County Assessor Barbara Levey addresses the Board and explains that the exemption is allowed through current property tax legislation. She states that the Assessor has the authority and responsibility to administer the exemption for the current year and three prior years. She further states the current legislation allows for the Board of Supervisors to grant one additional year of the exemption, and this typically occurs because the Department of Veterans Affairs is behind in their determinations of the disabilities.

Upon motion of Supervisor Davis, seconded by Supervisor Walsh, duly carried, the Board approves claims for refund of property taxes for the year 2009 relating to the disabled veteran's property tax exemption; and approves payment to the following property owners Jerry H. Constable and Timothy F. McGintry for the amount of refund payable under the exemption for the year 2009.

Ayes: O'Banion, Walsh, Davis, Kelsey

Not Present: Pedrozo