



Legislation Details (With Text)

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Title: HEARING - Health and Human Services Agency recommending the Board conduct a public hearing to consider an appeal submitted regarding the El Dorado County Veterans Alliance decision to honor Captain Paul Jacobs, pursuant to the "El Dorado Veterans Monument Criteria for Military Honoraria and Civilian Recognition"; the appeal challenges whether the determination to place the bronze plaque on the honor wall of the El Dorado Veterans Monument meets process requirements and eligibility criteria.

FUNDING: N/A

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Veterans Monument Criteria, 2. B - Ordinance 9.54.010., 3. C - Appeal Letter #1 May 2021, 4. D - Chartered Vet Organizations Hearing Video 6.21.21, 5. E - Appeal Letter #2 July 2021, 6. G - Appeal Discovery 718.docx, 7. H - Appeal Discovery 716B, 8. Public Comment Rcvd 7-23-2021 BOS 7-27-2021, 9. Letter of Mansfield, 10. Appeal and Exhibits, 11. Public Comment BOS Rcvd 7-27-21, 12. Public Comment BOS Rcvd 7-20-21, 13. Appellants Handouts BOS Rcvd 7-27-2021 BOS 7-27-2021.pdf

Date	Ver.	Action By	Action	Result
7/27/2021	1	Board of Supervisors	Approved	Pass

HEARING - Health and Human Services Agency recommending the Board conduct a public hearing to consider an appeal submitted regarding the El Dorado County Veterans Alliance decision to honor Captain Paul Jacobs, pursuant to the "El Dorado Veterans Monument Criteria for Military Honoraria and Civilian Recognition"; the appeal challenges whether the determination to place the bronze plaque on the honor wall of the El Dorado Veterans Monument meets process requirements and eligibility criteria.

FUNDING: N/A

DISCUSSION / BACKGROUND

On April 3, 2007, representatives of the Friends of the Veterans Monument, commanders of the County's veteran services organizations, and Veterans Commission met with County staff from the Chief Administrative Office, County Counsel, and Veterans Affairs to discuss the management of the Veterans Memorial Monument. The meeting resulted in two action items for the group to complete: a document outlining the regulations concerning the use of the monument and a document that outlines the criteria for governing the levels of distinction of honorable and distinguished service for the determination of the location of recognition on the monument. From these discussions, the "Veterans Monument Criteria for Military Honoraria and Civilian Recognition" was developed to provide information regarding eligibility criteria for and types of recognition through military honoraria at the monument plaza, the application process for applying to be honored, as well as the process for any issues or concerns regarding inclusion or location of honoraria. On September 11, 2007, (Item#

07-394) the Board of Supervisors adopted Ordinance Number 4743 establishing regulations for the use of the Veterans Memorial Monument and providing amendments to the Criteria for Military Honoraria and Civilian Recognition (See Attachments A and B).

Recently, in May 2021, representatives of the El Dorado County Veterans Alliance (formerly the "Friends of the Veterans Monument") submitted email correspondence to the County Veteran Services Officer regarding their determination of the deeds of Capt. Paul Jacobs as fulfilling the intent of the guidance provided for placement of a bronze plaque on the honor wall. The Veterans Alliance chose to honor Captain Jacobs due to his actions taken during the Vietnam War. Following this decision, an objection letter was submitted to the County Veteran Services Officer on May 12, 2021 by Mr. Rich Buchanan. Mr. Buchanan objected to the bronze plaque being placed on the honor wall as he believed that the eligibility criteria and process outlined in the Veterans Monument Criteria for Military Honoraria and Civilian Recognition were not followed and met (see Attachment C). As an appeal was submitted, and in accordance with the El Dorado County Veterans Monument Criteria:

"Any issues that arise regarding inclusion, inscription, or location of honoraria in the monument are to be directed to the Veterans Service Officer, who will convene a committee including one representative commander from each of the federally chartered veterans organization in El Dorado County to hear and settle the issue (hereinafter referred as "committee"). The decision rendered by the committee may be appealed to the Board of Supervisors by submitting a request to the Veterans Services Officer, who will place the appeal on the Board's agenda. All decisions regarding inclusion, inscription, or location of honoraria in the monument will be made in a manner consistent with this policy."

As a result of the initial appeal, and per the described Veterans Monument Criteria, a Committee hearing of Congressionally Chartered Veteran Organizations in El Dorado County was held on June 21, 2021 to determine if their committee would deny the appeal and uphold the recommendation of the Veterans Alliance to place a bronze plaque on the Veterans Monument; or if they would uphold the appeal and deny the decision of the Veterans Alliance as they deem placement of the bronze plaque as not meeting the established criteria. After hearing from representatives of the Appellant party, representatives of the Applicant party, and from members of the public, the Committee deliberated and unanimously voted to deny the appeal and to uphold the decision of the Veterans Alliance (see Attachment D - Video of June 21st Committee Hearing). Following this decision, on the morning of July 6, 2021, an appeal was submitted to the County Veteran Services Officer regarding the June 21, 2021 decision of the Committee of Congressionally Chartered Veteran Organizations in El Dorado County (see Attachment E). Per County Ordinance Code Section 2.09.050, after receiving a complete written appeal, "the hearing shall commence within 30 days of receipt of the completed application or appeal." As the appeal was received on July 6, 2021, the July 27 Board of Supervisors meeting was the most reasonable date available while still complying with County Ordinance Code Section 2.090.050 and the 30 day time frame. Mr. Buchanan is unavailable this date, however similar to the Committee hearing on June 21, 2021, he has appointed representatives to be present for this Board Item, on his behalf. In accordance with County Ordinance Number 4743 and the El Dorado County Veterans Monument Criteria for Military Honoraria and Civilian Recognition, this final appeal is being brought before your Board for your consideration.

ALTERNATIVES

The Board has two options for this item:

1) The Board may choose to deny the appeal and to uphold the decision of the Veterans Alliance to place a bronze plaque on the El Dorado Veterans Monument in honor of Captain Paul Jacobs; or

2) The Board may choose to uphold the appeal and overturn the decision of the Veterans Alliance to place a bronze plaque on the El Dorado Veterans Monument in honor of Captain Paul Jacobs.

PRIOR BOARD ACTION

Board of Supervisors Item# 07-394

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

FINANCIAL IMPACT

There is no financial impact from this item.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

N/A

CONTACT

Don Semon, Health and Human Services Agency Director