



MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified at far right.

Regular Meeting

MEETING LOCATION
Mammoth Lakes BOS
Meeting Room, 3rd Fl. Sierra
Center Mall, 452 Old
Mammoth Rd., Mammoth
Lakes, CA 93546

May 21, 2013

9:00 AM

Meeting called to Order by Supervisor Hunt, Chair

- Supervisors present: Alpers, Fesko, Hunt, Johnston, and Stump
- Supervisors absent: None

Pledge of Allegiance led by Supervisor Stump

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- Dan Scidmore, Mammoth Resident: Introduced himself. He works with commercial real estate, and has been retained to assist with the sale of the Rodeo Grounds (June Lake).

Closed Session: 9:02 a.m.

Break: 10:28 a.m.

Reconvened: 10:35 a.m.

Closed Session/Lunch: 12:15 p.m.

Reconvened: 1:32 p.m.

Break: 2:55 p.m.

Reconvened: 3:01 p.m.

Closed Session: 4:30 p.m.

Adjourned: 4:59 p.m.

CLOSED SESSION

Report from Closed Session: Following an extensive recruitment process that began in January, the Board has unanimously agreed to appoint Jim Leddy as the Mono County Administrative Officer. Leddy is currently Deputy County Administrator for Sonoma County. The Board will make the appointment on June 4th with employment starting on June 10th. Leddy will bring energy, experience, and commitment to Mono County. The Board is facing short- and long-term challenges and needs an administrator to work with the Board, staff and community. A press release will go out today and will provide more information about Mr. Leddy's background. The Board extends its appreciation to Public Health Director, Lynda Salcido, and County Counsel, Marshall Rudolph, for being acting CAOs during this interim period.

BOARD OF SUPERVISORS

- 1a) Closed Session - Animal Control Director - PUBLIC EMPLOYMENT. Government Code Section 54957. Title: Animal Control Director.
- 1b) Closed Session - CAO Position - PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer.
- 1c) Closed Session - Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Verizon California Inc. v. California State Board of Equalization, et al.
- 1d) Closed Session - Conference with Real Property Negotiators - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: APN: 015-010-065 ("Rodeo Grounds"). Agency negotiators: Supervisors Johnston and Alpers. Negotiating parties: Mono County and Intrawest. Under negotiation: price and terms of payment.
- 1e) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph and Lynda Salcido. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2) APPROVAL OF MINUTES

M13-115 A. Approve minutes of the Regular Meeting held on May 7, 2013, as corrected.

Alpers moved; Fesko seconded

Vote: 5 Yes; 0 No

Corrections:

- Supervisor Johnston: 1) Item #8A, Request from Town of Mammoth Lakes for a Rule 20A Loan. Comments made by Marianna Marysheva-Martinez and Supervisor Johnston refer to Business Improvement District—typed as VID, should be BID. 2) Item #10a, Western Counties Alliance. Johnston's comments, bullet point #2, changed to read, "Was wondering why the Southern Utah Wilderness Alliance (SUWA) wasn't a member of the WCA." 3) Item #12a, Status of Antique Clock in Board of Supervisors Chambers. Board consensus, bullet point #3, add the following sentence at the end: "A majority of the Board agreed on this last point, but there was not unanimous agreement among Supervisors."

3) BOARD MEMBER REPORTS

Supervisor Alpers

1. Lee Vining road paving projects are proceeding with very few issues; the contractor is

excellent. Garrett Higerd has been communicating regularly with the businesses, and the project is well coordinated.

Supervisor Fesko

1. Attended RPAC meetings in Antelope Valley and Bridgeport.
2. Had meetings with staff members.
3. Attended Mono County Fisheries Commission meetings.
4. The ATV/UTV Jamboree is set for June 11-16. There are currently about 182 registered participants. This is a huge economic benefit, and is the biggest single event in the Antelope Valley. The event has minimal help from the County.

Supervisor Hunt

1. Attended the Great Basin Unified Air Pollution Control District meeting last Thursday. Supervisor Johnston has been a central person in dealing with DWP; it looks like they are making progress on the Owens dry lake.
2. Attended the ESTA meeting last Friday. Reds Meadow buses will be running this weekend (Memorial Day weekend), and then will stop for 3 weeks.
3. Went to Tecate, Mexico, with Rotary to build a house.
4. The final interviews for the biomass consultant were held yesterday. There are good candidates.

Supervisor Johnston

1. Attended the biomass consultant selection interviews. Four great firms applied and are within the budgeted amount. The committee will make a selection soon.
2. Met with DWP commissioners, along with other agency people. They are making progress toward an agreement on how to proceed with final dust controls on Owens dry lake. It was a very positive meeting; they are motivated to get something done.

Supervisor Stump

1. Attended the Benton BBQ; about 1/3 of the town showed up.
2. Attended a meeting in Paradise.
3. Attended the RPAC meeting last night in Chalfant.
4. Per Kathy Peterson, Social Services Director, the A87 costs for the senior program are projected to be \$79,000. The estimated revenue from Inyo County is \$76,000; with state cutbacks the amount is closer to \$60,000. The County can't assess more in administrative fees than is received in revenue. Stump believes federal programs are capped at 15% administrative fees. He would like to see the A87 process simplified so the Board can see where funds are going.
 - a. Leslie Chapman, Finance Director: A87 is a methodology to allocate administrative costs. There is no law requiring charging of fees, but federal programs can recover costs through the A87 process. Also, A87 shows how much programs are costing. Chapman can review the procedures to ensure they make sense. Regarding the senior program, she suggested the Board consider a general fund transfer to cover costs; this would be the same as waiving the A87 costs.
 - b. Supervisor Hunt: Suggested having a workshop about A87 prior to the budget process. A87 charges don't reflect whether or not services are being delivered efficiently.
 - c. Supervisor Fesko: Expressed concern about A87 and the need for a review.

COUNTY ADMINISTRATIVE OFFICE

4)

CAO Report regarding Board Assignments
Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

Marshall Rudolph, Acting CAO

1. No report.

DEPARTMENT REPORTS/EMERGING ISSUES

- Robin Roberts, Behavioral Health: Her department sponsored a community day in Benton last Saturday; 52 residents of varying ages attended. They will do a movie night during the summer and have a community event once a month. 2) Similar events are planned in Walker on June 15th and Mammoth on June 29th.
- Leslie Chapman, Finance Director: 1) Her staff was very well prepared for the IRS audit last week, and the auditor had only a few questions about fringe benefits, which is a common theme of government audits. Chapman reviewed the main issues (education incentives, take-home County cars, cell phones, and same-day travel). The auditor is still working on the audit but has no major issues. 2) Chapman reviewed the proposed budget calendar. She will hold group meetings with department heads in Bridgeport and Mammoth, and is planning to hold evening meetings in each community to review the prior year budget, the upcoming budget, capital programs, and ask for public input.
 - The Supervisors provided feedback about the proposed schedule and preferences about meetings in their communities.
- Lynda Roberts, Clerk-Recorder-Registrar: Gave an update about SB391, which would add a \$75 fee to certain recorded documents. Roberts emailed a copy of the Board's letter of opposition (approved on May 14th) to Paul Smith at RCRC last week. They are tracking the bill but not taking a position at this time. Smith informed Roberts that the bill was on the "suspense file" for the Senate Appropriations Committee, but it is expected to move forward later in the week. Roberts faxed a copy of the Board's letter to the Senate Appropriations Committee last Friday.

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

CLERK OF THE BOARD

- 5a) Appointment to the First 5 Commission - In accordance with Mono County Code, under the membership category for the First 5 Mono County Commission, Karin Humiston wishes to serve on the Commission. The commission is requesting that Karin Humiston be appointed to serve a subsequent three year term commencing on May 21, 2013 and expiring on May 20, 2016.

M13-116 **Action:** Appoint Karin Humiston to the First 5 Mono County Commission for a three year term commencing on May 21, 2013 and expiring on May 20, 2016.
Johnston moved; Stump seconded
Vote: 5 Yes; 0 No

COMMUNITY DEVELOPMENT - PLANNING DIVISION

- 6a) Appointment of Mono Basin Regional Planning Advisory Committee Member - Appointment of Mono Basin Regional Planning Advisory Committee (RPAC) Member, replacing resigned member Molly Desbaillets.

M13-117 **Action:** Appoint Tim Hansen to the Mono Basin Regional Advisory Planning Committee, as recommended by Supervisor Alpers.
Johnston moved; Stump seconded
Vote: 5 Yes; 0 No

PUBLIC WORKS - FACILITIES DIVISION

- 7a) CAPP Grant - Solar - Approximately 10 acres of re-vegetation was completed at the Lee Vining Airport last fall. The site is being monitored for water and wind erosion and re-vegetation establishment and will be re-evaluated this summer and fall to determine whether additional steps need to be taken and, if so, what the most cost effective options are. Re-vegetation treatments can cost up to \$20,000/acre, so \$10,000 would only allow for re-vegetation of a small area. While staff believes that this is a good project, it would be a more efficient use of these grant funds to consolidate them into the solar project. Staff is requesting approval to transfer the \$10,000 to the Solar Feasibility Study fund to assist in the potential design, supply, and installation of approximately two solar panel systems at the Crowley Lake and Lee Vining Community Centers. Staff determined these two smaller County buildings as optimal for the first solar panel projects due to their regular/daily electrical usage, building size, and newer building facilities.

M13-118 **Action:** Approve the reallocation of \$10,000 from the Lee Vining Airport Soils Stabilization Project to the Solar Feasibility Study fund, and approve the use of Solar Feasibility Study funds for use on the design, supply, and installation of solar panel projects.

Johnston moved; Stump seconded

Vote: 5 Yes; 0 No

ECONOMIC DEVELOPMENT

- 8a) Request for Funding from the Fish & Game Fine Fund - Request for Funding from the Fish & Game Fine Fund for stocking trout at the 26th Annual Kid's Fishing Festival on July 27, 2013. The request qualifies for funding from the Fine Fund under Fish and Game Code section 13103(d), for purchasing of fish to be released into waters open to the public.

M13-119 **Action:** Approve requested fund expenditure of \$1,000 from the Fish & Game Fine Fund for stocking trout at the 26th Annual Kid's Fishing Festival on July 27, 2013.

Johnston moved; Stump seconded

Vote: 5 Yes; 0 No

SHERIFF CORONER

- 9a) Sheriff's Department Renewal of Annual Operating and Financial Plan for Controlled Substances - This is an ongoing contract that gets renewed each year. This agreement supports the operation to suppress manufacturing and trafficking of controlled substances on or affecting the administration of National Forest System lands, with an emphasis on identification, apprehension, and prosecution of suspects engaged in these activities.

M13-120 **Action:** 1. Authorize the Sheriff's Department to participate and renew the contract with the U.S. Department of Agriculture, Forest Service regarding

Annual Operating and Financial Plan for Controlled Substances 2013. 2. Authorize Chairman of the Board of Supervisors to sign the above-mentioned contract. 3. Authorize Sheriff Ralph Obenberger to sign said contract.

Johnston moved; Stump seconded

Vote: 5 Yes; 0 No

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK OF THE BOARD

- 10a) Gaasch Letter Regarding Animal Control Director - Correspondence dated May 13, 2013 from Lee Gaasch of Mammoth Lakes regarding the Animal Control Department, the resignation of Nancy Boardman and the refilling of her position.
- 10b) Forest Service Plan Revision Information - Letter from Ed Armenta, Forest Supervisor, regarding a series of upcoming meeting to continue dialogue and receive input from the public for the Forest Plan Revision process.

The Board acknowledged receipt of correspondence.

BOARD OF SUPERVISORS

- 11a) Ombudsman Advocacy Services of Inyo-Mono (Board of Supervisors) - Resolution of Appreciation acknowledging services that have been provided by the Ombudsman Advocacy Services of Inyo-Mono.

M13-121 Action: Approve Resolution of Appreciation acknowledging services that have been provided by the Ombudsman Advocacy Services of Inyo-Mono.

Johnston moved; Fesko seconded

Vote: 5 Yes; 0 No

Supervisor Hunt: Read the resolution and presented it to Kathryn Williams.

Pat Gardner expressed her appreciation and said Mono County was easy to work with and had been supportive.

- 11b) Inyo National Forest Plan Revision Update (Jon Regelbrugge, District Ranger) - Presentation regarding Informational Update on the Forest Plan Revision (FPR) for the Inyo National Forest. This item is being sponsored by Chairman Hunt.

Action: None. Informational only.

Ed Armenta, Forest Supervisor: The forest is required to have a management plan; the existing plan is 25 years old. The new planning rule allows for a streamlined process and more public involvement, and requires communication and collaboration. Armenta is looking toward the future and the need to work together to address issues such as dwindling budgets and increased stressors on the land.

Susan Joyce, Forest Planner: Distributed a copy of the Inyo National Forest Assessment Topic Paper Summaries. Reviewed the process of developing a revised forest plan.

- Revision is a multi-year process: In 2013 they will conduct resource assessment, and in 2014 will begin the public process and will begin developing the revised plan. They will then generate an Environmental Impact Statement (EIS). The revised forest plan will be adopted in 2016, which will start the monitoring process.
- Assessment phase: They will review social, ecological, and economic conditions based on existing information and topic papers in order to create a summary about resources and prepare an assessment report. They will take public input through June 30th. The draft assessment report will be shared with the public during October of 2013.
- Joyce reviewed the key points from the summary of topic papers.
- On Wednesday, May 29th, there will be a public meeting in Mammoth from 6:00-8:00 p.m.; a Webinar is scheduled for June 5th.

Armenta: Discussed ecological restoration, which is a regional and forest priority.

- Ecological restoration means taking care of the forest to ensure appropriate management.
- It includes looking at existing and future issues shaping the forest, such as climate change, dying trees, and bigger fires.
- Armenta distributed and reviewed two documents pertaining to ecological restoration and leadership. Reviewed overall goals of the action plan.

Board Comments

- **Supervisor Hunt:** Asked about the motocross track.
 - Armenta: Met with Supervisor Fesko to review options. The Forest Services is reviewing the current site in Mammoth and the amount of public land that is locked-up for a two-week event each year. They are considering who could be a good sponsor to take over the track, but Mammoth Mountain has significant investment and there are liability concerns.
- **Supervisor Johnston:** Asked about sage grouse. He would like the Forest Service to be proactive rather than reactive; he is hoping the Forest Service can work with other agencies to address the bi-state sage grouse issue.
 - Armenta: They are currently working in a proactive way with other agencies and land owners.
- **Supervisor Alpers:** Asked about the beetle infestation on June Mountain.
 - Jon Regelbrugge: There are other areas with patches of beetle outbreak and tree mortality, but June Lake is probably the most concentrated.
- **Supervisor Stump:** Asked about 1) stream activity and response from DWP, and 2) historical analysis of pinion-juniper coverage.
 - Armenta: 1) DWP is getting involved with the plan revision process. 2) There is a committee reviewing the historical range of pinion-juniper during pre-settlement times. Juniper tends to encroach on habitats that are drying out.

AGRICULTURAL COMMISSIONER

12a) Unanticipated Gas Tax Revenue Funding Request (George Milovich, Agricultural Commissioner) - The Agricultural Commissioner's department received unanticipated gas tax revenue in the amount of approximately \$58,685.50. The Agricultural Commissioner is requesting that these funds be set aside for future use to construct a building to house this department.

M13-122 **Action:** Authorize unanticipated gas tax revenue, in the approximate amount of \$58,685.50, to be set aside for the Agricultural Commissioner's Department for future use to construct a building for this department.

Johnston moved; Stump seconded

Vote: 5 Yes; 0 No

George Milovich, Agricultural Commissioner: He has been working for several years to get a proper facility.

- Un-refunded gas tax is their primary source of funding, based on how much work the agricultural commission does.
- The funds are divided amongst counties at the end of each year; extra funding has to be encumbered or returned. He can encumber the funding for a fixed asset.
- The money has been accumulating, and he would like the current unanticipated revenue to be encumbered for the facility.
- The funds can only be used by the agricultural department.
- They will have a long-term lease with DWP for the facility, which will cost half a million dollars. The facility will be in Bishop on Y road.
- The facility will provide storage and a place to work on equipment.

Leslie Chapman, Finance Director: The accumulated money is in a capital assets fund (not the general fund), but no prior Board actions restricted the use of the funds, although a facility has been the intended use.

Supervisor Fesko: The Inyo board will consider an agenda item next week for the project to go out to bid. There is currently about \$120,000 in the Mono County budget for this building, plus today's request. Fesko asked about property tax revenue.

- Chapman: DWP owns the land, so it is not part of the normal tax process.
- Milovich: The total available between Inyo and Mono Counties is about \$475,000.

12b)

2012 Crop Report (George Milovich, Agricultural Commissioner) - Presentation of the 2012 Crop Report for Inyo and Mono Counties by Agricultural Commissioner, George Milovich.

Action: None. Informational Only.

George Milovich, Agricultural Commissioner: Distributed copies of the 2012 crop report; he reviewed the report.

- Agriculture is down almost 3%; herd sizes are declining and water allocations are down.
- The 2012 report shows that Mono County weathered the drought better than anticipated, and almost doubled Inyo County's agricultural production.
- Mono County has more private land which allows for more diversity. Mono County has some of the best alfalfa in the state.
- Prices have been stable for both beans and hay; the price for lamb is down.
- California is the biggest agricultural entity in the world; water is a critical issue.
- Agriculture is as healthy as it can be in one of the worst droughts.

Supervisor Stump: Asked about CARB requirement—an economic and job killer.

- Milovich: Has not seen any changes in the requirement.

Supervisor Hunt: Asked about a trend in the timber industry.

- Milovich: The Forest Service oversees timber.

Milovich introduced his deputy commissioner, Nate Reed, who is working to become the next agricultural commissioner. Milovich will keep the Board updated.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

FINANCE

Additional Departments: County Counsel

13a)

Enhanced Court Revenue Collection Presentation (Hector Gonzales, Court Executive Officer) - Presentation by Hector Gonzales regarding enhanced court revenue collections of delinquent accounts and consideration of a possible MOU enabling the court to make collections.

Action: None. Informational only.

Hector Gonzales, Court Executive Officer: The Court is facing a financial crisis. Good management in the past created a surplus that the state has taken away, so they are now facing a deficit. Gonzales is making an effort to find ways to enhance revenues and control costs; he reviewed potential ways to enhance revenue.

- Collection of fines and fees is a county responsibility, but the court has done it in-house.
- An enhanced program would require an agreement with Mono County; Gonzales outlined components of the enhanced program.
- Mono County is the only county that does not have the agreement.
- Currently there is uncollected revenue that would benefit both the court and Mono County.
- Gonzales outlined the current practice pertaining to bench warrants. There are fines that can be collected going back 25 years. Many of the outstanding accounts are within 5 years and would be easier to collect.
- Gonzales recommended that the County allow the court to do this work; the cost of additional staff would be paid from the collections.
- There are standardized agreements for participatory and non-participatory counties, depending on whether or not the county wants to actively participate in the collections.

Gonzales answered questions:

- The court gets the benefit of the civil assessment; a majority of fines/fees goes to the county and state.
- The procedure won't apply to misdemeanors or felonies; it will apply prospectively for failure to pay or appear.
- The court works with people on installment plans and extensions before going to collections. They need to go after the deadbeats.
- The court will be able to open again on Thursdays in Bridgeport if they can collect this money.
- Current budget restrictions allow for only 1% in reserves. The court will stagger collections activities in order to spread revenue over years so the state doesn't confiscate the money.
- The court is not getting its full budget allocation because the state is cutting their budget in order to take away reserves.
- The employee hired to collect the revenue would be the court's employee. The position will need to generate more revenue through fines and fees than it costs because the cost for the position comes from the County's share of revenue. The position would not impact the general fund.
- Gonzales wants to see what is generated through a second quarter; if they are getting a good return, they will invest more staff time.
- There is potentially \$1.4 million in outstanding revenue, but the strategy would be to collect it over time. For a small investment of \$30,000 to \$40,000, the County could receive hundreds of thousands of dollars.
- The court is counting on the projections to help with its budget.
- The court's proposal is to split the employee cost between the court and the County. Gonzales can provide more specific information about the cost at another meeting.
- The court has files and resources to be the collection agency. Gonzales would like to

start the process close to the beginning of the fiscal year so he can have a complete study.

Board Comments

- **Supervisor Johnston:** He is comfortable with moving forward.
- **Supervisor Fesko:** An MOU would have to have benchmarks so it could be cancelled if they aren't met. He would also want an MOU to have a specific term.
- **Supervisor Hunt:** Gonzales should proceed with another presentation in June.

COUNTY COUNSEL

Additional Departments: IT

- 14a) Status update regarding IT services for Town (Marshall Rudolph, Clay Neely) - Oral report regarding status of contract negotiations for the County to provide Information Technology services to the Town of Mammoth Lakes.

Action: None.

Marshall Rudolph, County Counsel/Acting CAO: Prior Board direction authorized staff to negotiate and enter into a contract with the Town of Mammoth Lakes for emergency IT services, and start negotiating a long-term contract.

- The working team created a mutually acceptable contract for the short-term services; it has a 6-month time frame with work to be completed within 3-6 months using the existing work force.
- They are currently discussing a long-term contract.
- Hoping to bring the new CAO into this process.
- Will update the Board as things progress.

Marianna Marysheva-Martinez, Town Manager: Thanked the Board for authorizing the emergency services contract and thanked staff for their work to create the contract. Acknowledged the issue pertaining to solid waste; she will do what she can to make progress on this issue. She will be meeting with Town and County staff to start discussing the issue.

Supervisor Alpers: Two Town employees have thanked the Board for entering into this agreement.

PROBATION

- 15a) Community Corrections Partnerships Allocations (Karin Humiston, Chief of Probation) - The Community Corrections Partnership Executive Committee (CCP) has recommended appropriations for proposals regarding the usage of a one-time funding source as well as a continual funding source under AB109 with the fiscal structure in 2012 by SB2010. Government Code Section 30029.05 specifies the share of the funds that each county receives. (See staff report for additional details.)

Action: This item was pulled.

PUBLIC WORKS - SOLID WASTE DIVISION

- 16a) Renewal and Extension of Solid Waste Parcel Fee for FY 13/14 (Tony Dublino) - Proposed Resolutions:R13- , "A Resolution of the Mono County

Board of Supervisors Extending and Re-Establishing the Mono County Solid Waste Fee Program for Fiscal Year 2013-2014” and R13- , “A Resolution of the Mono County Board of Supervisors Authorizing the Implementation of a Solid Waste Fee Agreement with the Town of Mammoth Lakes for Fiscal Year 2013-2014.”

R13-27

Action: Approve and authorize the Chair’s signature on Resolution No. R13-27, “A Resolution of the Mono County Board of Supervisors Extending and Re-Establishing the Mono County Solid Waste Fee Program for Fiscal Year 2013-2014.” Amend as follows: Section H(1) changing the deadline to request a change in the fee from 20 days to 60 days following the date of billing. Section H(3) changing the deadline to request an appeal hearing from 10 days to 30 days from the date of the denial notice; check County code to ensure there is no conflict.

Fesko moved; Stump seconded

Vote: 5 Yes; 0 No

R13-28

Action: Approve and authorize the Chair’s signature on Resolution No. R13-28, “A Resolution of the Mono County Board of Supervisors Authorizing the Implementation of a Solid Waste Fee Agreement with the Town of Mammoth Lakes for Fiscal Year 2013-2014.”

Johnston moved; Stump seconded

Vote: 5 Yes; 0 No

Tony Dublino, Solid Waste Manager: This item is the annual renewal of parcel fees, and has been ongoing since 1991.

- This is coming to the Board earlier than usual in order to provide more time to work with the Town.
- The agreement with the Town as proposed is the same as last year.
- The Board needs to approve the two resolutions so the process can move forward.
- Time is of the essence; Dublino has been working on answering the Board’s questions.
 - The first priority is to complete the audit to ensure that fees are being applied appropriately throughout the County.
 - Then conduct an analysis of how to change the fee structure to determine what they can do under the current process, and compare with what can be done with a new Prop 218 process.
 - The Town needs to be part of the process.
 - By this time next year, staff should have been able to tweak or change the process.
 - Another discussion should come to the Board over the summer about what they can do under the existing process. Future discussions will include Town involvement and the possibility of a multi-year agreement.

Board Comments

- **Supervisor Fesko:** Asked why the resolutions reference the Public Works Director rather than the Solid Waste Director.
 - Dublino: This is a continuation of past practice.
 - Stacey Simon, Assistant County Counsel: The language is based on the ordinance that references the Public Works Director.

Fesko talked about the following: 1) The reduced rate allowed for parcels based on the amount of time they are used; there is no way to verify this. He believes all parcels should pay the same amount of \$60 per year. 2) Regarding the residential equivalent factor, he thinks there should be a waiver since many businesses are seasonal. There

needs to be a standard for making a reduction. 3) He would like to change the deadline for appealing the fee to 60-90 days; the time to set a hearing should be 20-30 days. 4) There should be a better sliding scale for the residential equivalent factor (Schedule A). 5) If property taxes are not being paid, the County is not getting the fee; perhaps bill them separately.

- Simon: 1) Any change to increase the amount paid is subject to Prop 218 and would require a vote since it is a property related fee; however, the Board can change time frames today. This fee is different than a fee for service. 2) There are benefits to having the fee part of the property tax bill; perhaps a separate bill for the parcel fee can be sent to those who fail to pay their property taxes. 3) Any modification to fees would require a modification to the agreement with the Town.
- **Supervisor Johnston:** Agrees with the need to discuss the issues, but they have the opportunity to secure the parcel fee today and should discuss other issues at a future meeting. It is important to proceed today for the benefit of the solid waste program.
- **Supervisor Stump:** Agrees that the fee needs to be reviewed for potential increase.

16b) Pumice Valley Landfill Permitting (Tony Dublino) - Presentation by Tony Dublino regarding current permitting efforts and issues at Pumice Valley Landfill.

M13-123 Action: Authorize Board Chair to sign letter to CalRecycle, the Local Enforcement Agency (LEA), and the Los Angeles Department of Water and Power (LADWP), regarding the re-permitting of the Pumice Valley Landfill (PVLF).

Fesko moved; Alpers seconded

Vote: 5 Yes; 0 No

Tony Dublino, Solid Waste Manager: Reviewed the staff report and the permitting document; accurate numbers are included in the proposed letter, which represents the most significant concession the County could make. It is in the County's best interest to preserve flexibility. If they remove municipal solid waste from the permit, it would be challenging to get it back; it is best to preserve some entitlement.

Supervisor Fesko: DWP doesn't want to sign the agreement and CalRecycle can impose fines on the County.

- Dublino: CalRecycle was dealing directly with Mono County up until 2009. Since then, all three entities have been involved in discussions, and CalRecycle has made it clear that DWP can't delay the process.
- Stacey Simon, Assistant County Counsel: The question is whether or not CalRecycle believes Mono County is in compliance. In prior leases, DWP has required the County to hold them harmless from claims, so CalRecycle could fine DWP and they could pass it along to the County.

ECONOMIC DEVELOPMENT

17a) Request for Funding from the Fish & Game Fine Fund (Dan Lyster) - Request for funding from the Fish & Game Fine Fund to purchase fish food for Conway Ranch. Specifically, the fish food is for use by Inland Aquaculture Group in raising fish for release into waters open to the public and therefore meets the purposes of the Fine Fund as set forth in Fish and Game Code section 13103(d).

M13-124

Action: Approve request of \$6,869.50 for the purchase of fish food for Conway Ranch from Fish and Game fine fund.

Fesko moved; Alpers seconded

Vote: 4 Yes; 1 No (Johnston)

Dan Lyster, Economic Development: This request was made at a Fisheries Commission meeting, and they approved it unanimously. Funding will be used for feeding fish that go into public waters. A portion of the fish is used to pay for rent on Conway Ranch; fish are also sold to the County and outside buyers. Revenue in the Fish & Game Fine Fund is collected through fines or hazardous spills; there are specific spending criteria and revenue cannot be used by the general fund.

Board Comments

- **Supervisor Stump:** Asked if this was a reimbursement to IAG. He is concerned about spending public funds on a private entity.
 - Lyster: Normally Conway Ranch Foundation buys the first load of food, but it doesn't have funds this year because of the pipeline construction. And IAG doesn't have funds due to problems with a raceway.
 - Marshall Rudolph: The Fish & Game Fine Fund authorizes use of money for this purpose so implies statutory approval since fish go into public waters. The Fisheries Commission is an advisory board only; the Board of Supervisors has discretion about use of the funds
- **Supervisor Johnston:** It seems odd to pay for the food for fish used to pay rent to the County; it seems that the County is paying twice for the same fish.
 - Lyster: The purchase price is per pound, which includes expenses of raising the fish. This has not been done before; Lyster had suggested to the Fisheries Commission that they use their own discretionary funds.
- **Supervisor Fesko:** The Fisheries Commission assumes that discretionary funds rollover every year for a cumulative effect.

Raven Angeles, IAG/CRF: It has been the practice of Conway Ranch Foundation to buy the first load of food to get them started; that is part of the CRF mission. However, they don't have enough funds this year because they closed early last season. Angeles anticipates this will be a one-time request.

17b)

Appointment of Board member to Economic Development Strategic Plan Sub-Committee (Alicia Vennos/Dan Lyster) - The Economic Development Strategic Plan Sub-Committee requires an additional Supervisor to participate in this working group, (to replace former Supervisor Hansen). Currently Supervisor Hunt sits on the Sub-committee. The county-wide Economic Development Strategic plan is being developed by an independent consultant, Strategic Marketing Group, and the Sub-committee's role is to provide feedback, comments, suggestions and direction throughout the process.

M13-125

Action: Appoint Supervisor Fesko to the Economic Development Strategic Plan Sub-committee.

Johnston moved; Alpers seconded

Vote: 5 Yes; 0 No

Dan Lyster, Economic Development: The Economic Development Strategic Plan Sub-committee needs one more member to be appointed from the Board of Supervisors. It is especially important because the sub-committee is reviewing draft marketing and strategic plans, and will become active within the next four weeks. This is an on-going effort, and it is most productive to continue. Work from the sub-committee will lay the groundwork for Board discussions.

Supervisor Fesko: Asked if this is premature since the sub-committee is doing work before Board of Supervisors' discussions. Or is this a tool for Board discussions?

- Supervisor Hunt: The sub-committee has authority to advise the Board and provide suggestions to incorporate into policies; this is part of an overall strategy.

PUBLIC WORKS - ROAD DIVISION

- 18a) Heavy Equipment Replacement - Priority Vehicles (Jeff Walters) - At the April 9, 2013 Board of Supervisors meeting the Board gave direction to the Department of Public Works to provide a priority-based Heavy Equipment replacement schedule. Exhibit 1 details the costs associated with replacing the highest priority equipment over the next 6 years.

Action: None.

Jeff Walters, Acting Public Works Director: This discussion is based on priority needs of the Road Department. Walters reviewed the table of Heavy Equipment Replacement Schedule/ Costs included as part of the agenda packet. He outlined the various suggestions for sales, replacements, and costs. CARB was discussed as part of this list but is not the main focus.

Board Discussion

- **Supervisor Fesko:** Asked if this list considered all vehicles to be replaced under CARB; the Board needs to consider the bigger picture with all CARB requirements.
 - Walters: Some are included. CARB requirements take effect in 2019; replacements will have to start by 2018.
- **Supervisor Stump:** Asked if new vehicles will be CARB compliant. Supported the switch to water tanks rather than water trucks. Asked if equipment would be purchased from the current fiscal year, or the 2013-14 fiscal year. Stump would like information about purchasing the equipment from this year's budget.
 - Walters: 1) Yes, new vehicles will meet CARB requirements. 2) Regarding water tanks, they will be required to draft.
 - Leslie Chapman, Finance Director: Any purchase from this year's budget will require funding from contingency. Chapman asked Walters to include the purchase (the full \$245,349) in the rollover budget.
- **Supervisor Alpers:** Asked about the durability and longevity of the water tanks; and asked if inflation was factored into future purchases.
 - Walters: 1) The road crew discussed building racks to make it easier to slip tanks in and out of the trucks. Reliability of a tank depends on how it is treated; rust can be an issue and seams start to fail. Walters hopes to get 15-20 years use out of the tanks. 2) Pricing of trucks is based on an inflation average of 3% per year.
- **Supervisor Hunt:** Asked if general funds would be used, or if there are grants available.
 - Walters: He is considering all options, and has a meeting next week regarding potential federal funds from EPA. He is looking for all ways to reduce the burden on the general fund.

- 18b) MOU's with Inyo County for Snow Removal (Jeff Walters) - In 2009 former Mono County Supervisor Hazard requested Mono County develop an MOU with Inyo County regarding snow removal on portions of Lower Rock Creek Road, Gorge Road and Rock Creek Road all of which have sections in Inyo County as well as Mono County. On January 4, 2011 the Mono County Board of Supervisors authorized Mono County's Public Works Director to negotiate terms of, enter into, and administer two MOU's with Inyo County allowing Mono

County to perform snow removal on these roads in Inyo County. Until recently the MOU's have not been signed by Inyo County.

M13-126 **Action:** Authorize the Mono County Public Works Director to sign the two MOUs with Inyo County for Snow Removal.

Stump moved; Alpers seconded

Vote: 5 Yes; 0 No

Jeff Walters, Acting Public Works Director: One contract is for Mono County to plow Lower Rock Creek Road below Paradise to the gorge at the junction with 395; this is a low priority for Inyo County. The other contract would allow plowing by Mono County beyond the Mono County line at Upper Rock Creek from Tom's Place to the Inyo County line. Inyo County did not sign the MOUs until recently, so Walters brought these to the Board because of the time delay and to ensure that the Board wanted to move forward.

BEHAVIORAL HEALTH

19a) Renew MarRic Contract (Robin Roberts) - Contract for continued services with MarRic LLC, Transitional and Recovery Residential Treatment Program for ongoing residential care and treatment.

M13-127 **Action:** Approve County entry into proposed contract for continued services with MarRic LLC, Transitional and Recovery Residential Treatment Program for ongoing residential care and treatment, and authorize Robin K. Roberts, MFT, to execute said contract on behalf of the County.

Alpers moved; Johnston seconded

Vote: 5 Yes; 0 No

Robin Roberts, Behavioral Health: This is a 27-month contract for boarding and care of a disabled person; there is no impact to the general fund. The person has been in care since 2008, and Roberts does not anticipate a change. Should anyone else need boarding care, she will come back to the Board of Supervisors.

BOARD OF SUPERVISORS

20a) Board of Supervisors Planning Workshop (Board of Supervisors) - The Board of Supervisors will hold a workshop to continue their strategic planning process by prioritizing their projects list. This item was continued from the May 14, 2013, agenda by Supervisor Hunt, Board Chair.

Action: None

Supervisor Hunt: Would like copy of the list distributed to department heads in advance of the budget process. He would also like the new CAO to help with the prioritization process, along with Karin Humiston. The list needs to be refined into action items through a series of workshops. This is an on-going process.

Board Comments

- **Supervisor Alpers:** He is pleased with the progress on many of his items.
- **Supervisor Johnston:** Asked staff to add sheep fencing around Conway and Mattley ranches in order to minimize the contact between commercial sheep and big horn sheep; there may be external funding for this project. Johnston reported that the LTC is also working on a similar list and included a deer crossing project along 395, and a deer fence/snow fence to minimize vehicle-deer collisions.
- **Supervisor Stump:** Many of the projects are being addressed and work is progressing. The Board needs to think about how it will incorporate public comments.

ADJOURN: 4:59 p.m.

ATTEST:

BYNG HUNT
CHAIR

LYNDA ROBERTS
CLERK OF THE BOARD

§§§§§