



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, Suite 307, 452  
Old Mammoth Rd.,  
Mammoth Lakes, CA 93546

August 20, 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 Fesko

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- **Lynda Salcido:** Thanked the Board for their support during her absence, and for the support given to the Public Health Department. Also thanked the Board for their calls, visits and cards. She is back to work on a reduced schedule for a few weeks.

Closed Session: 9:03 a.m.

Break: 10:36 a.m.

Reconvened: 10:45 a.m.

Adjourned: 12:24 p.m.

CLOSED SESSION

**The Board had nothing to report from Closed Session.**

BOARD OF SUPERVISORS

1a)

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: Mono County v. Standard Industrial Minerals, et. al.

1b)

Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman and Jim Leddy. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--exclusively recognized 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.

- 1c) Closed Session--Public Employment - PUBLIC EMPLOYMENT. Government Code Section 54957, title of position: EMS Manager.

#### OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

**No one spoke.**

- 2) APPROVAL OF MINUTES

**M13-183**

A. Approve minutes of the Regular Meeting held on August 6, 2013.

**Stump moved; Fesko seconded**

**Vote: 4 Yes; 0 No; 1 Abstain (Hunt)**

- 3) BOARD MEMBER REPORTS

**Supervisor Alpers:**

1. Attended the June Lake fireman's BBQ; overall attendance exceeded expectations. With the recent sale of the Rodeo Grounds and opening of June Mountain, there is a new sense of contentment amongst residents in June Lake.

**Supervisor Fesko:**

1. Thanked staff for last week's budget process. The public interview process for Assessor was also very positive.
2. Attended the Bridgeport RPAC meeting last Thursday; nothing to report.
3. Last Saturday attended the beef and wine tasting at Benny Romero's venue in Bridgeport. The country band provided good entertainment.
4. After today's meeting, will be travelling to Sacramento for the RCRC meeting.
5. Regarding the diagonal parking in Bridgeport, having "back in" stenciled on the curbs seems to be working. Business owners have reported only two vehicles parked front first since the curbs were painted.

**Supervisor Hunt:**

1. Thanked staff for an effective budget process.
2. Events in Mammoth Lakes continue to be successful.
3. Received a letter from John Urdi expressing his dismay that funding for an airport subsidy was not recommended.
4. Attended the ESTA meeting on Friday; they are financially healthy. They are paring down operating costs and focusing on routes.
5. Attended the Great Basin Air Pollution Control District meeting. They approved an above-ground debris burner for Alpine County; the burner is a small portable unit.
6. Suggested that the Board send a letter of congratulations to the new Mayor of Los Angeles.
7. Attended a biomass utilization update meeting yesterday. Electrical generation is probably not an option due to lack of sufficient amount of wood-waste. They will consider thermal projects, such as a biomass boiler to be used in a school.

**Supervisor Johnston:**

1. Attended the Choose Civility event last week; it was well attended. Referred to an article in The Sheet that seemed to misunderstand the program. Leaders should help pave the way for civil behavior.
2. Attended the Great Basin Air Pollution Control District meeting yesterday. They are on the second step of three in resolving dust issues in the vicinity of Owens Lake; \$10 million will be given to GBAPCD for remediation. The program will help resolve dust issues with Keeler Dunes without filing lawsuits.

**Supervisor Stump:**

1. This upcoming Saturday night Chalfant Fire District is holding a fund raiser, which he plans to attend.
2. Met with the district representative for Senator Feinstein. Discussed: 1) June Mountain and Mammoth Mountain Ski Area issues; 2) Digital 395 and the need to expedite the permitting process for the remaining 9 miles; 3) Letter of support to the Senator's office for PUC funding to pay for Digital 395 service into June Lake and to the Marine base; 4) Yellow-legged frogs and toads (Wendy Sugimura will gather information from the Eastside about impacts of a listing); 5) CARB (there might be grant funding available through the Department of Agriculture).

**COUNTY ADMINISTRATIVE OFFICE**

4)

**CAO Report regarding Board Assignments**

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

**Jim Leddy, CAO**

1. Requested an emergency agenda item to discuss a letter of opposition to SB 594, which, if passed, would limit CSAC's ability to express concerns and advocate for counties.
2. Toured Whitmore Animal Shelter.
3. Met with Steven Nelson, Bureau of Land Management, to discuss issues that will impact Mono County. Leddy will bring information to the Board about listings of endangered species.
4. Attended the Choose Civility event last Friday.
5. On September 3, the field representative for Senator Boxer will stop by the Board meeting.
6. Brief update about the Bodie fire; Sheriff Obenberger has been involved in daily briefings.

**DEPARTMENT REPORTS/EMERGING ISSUES**

- **Sheriff Obenberger:** Gave an update about the Spring Peak/Bodie fire (number of personnel working, number of acres burned, location of fire, direction of burning, and location of central command post). A member of his staff will attend the daily briefings.
  - Supervisor Stump: Requested a copy of the incident action plan be emailed to the Board.
- **Lynda Salcido, Public Health:** Inyo County has been notified about a hanta virus case from that county; Mono Public Health Department was notified about this case yesterday.
- **Dan Lyster, Economic Development:** Gave an update about the Conway Ranch water master (his contract, the higher cost for a new water master, reporting relationships, and necessary work on the diversion ditch).
  - Supervisor Fesko: The current water master needs to be paid, but Fesko would like an agenda item to discuss hiring a new water master.
  - Steve Marti, Fisheries Commission: Concurred with Supervisor Fesko.

**URGENCY ITEM**

Letter of opposition to SB 594.

**M13-184**

**Action:** Determine that there is a need to take immediate action with respect to the proposed agenda item, that the need for action came to the County's attention subsequent to the agenda being posted and, therefore, that the Board add the item to the agenda.

**Johnston moved; Fesko seconded**

**Vote: 5 Yes; 0 No**

**M13-185**      **Action:** Approve the letter of opposition to SB 594 as presented.  
**Johnston moved; Alpers seconded**  
**Vote: 5 Yes; 0 No**

Jim Leddy, CAO: Distributed copies of the legislation and the proposed opposition letter. If passed, the legislation will limit how CSAC and RCRC can use non-public funds to advocate on behalf of counties. CSAC asked all county boards to weigh in. Counties currently have a strong relationship with the Governor's office that has led to better policy discussions, occasionally to the detriment of the legislature. The proposed legislation appears to be an attempt to stifle the voice of counties.

#### 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.)

Supervisor Johnston pulled Item #5b.

#### FINANCE

5a)      2013-14 Appropriations Limit (Leslie Chapman, CPS) - Proposed resolution establishing the 2013-14 Appropriations Limit and making other necessary determinations for the County and for those Special Districts that are required to establish Appropriations Limits.

**R13-66**      **Action:** Adopt Resolution R13-66 establishing the Appropriation Limit for fiscal year 2013-14.  
**Johnston moved; Stump seconded**  
**Vote: 5 Yes; 0 No**

Additional Departments: County Counsel

5b)      Lease of County Premises (Leslie Chapman) - Lease of County facilities for use of medical clinic.

**M13-186**      **Action:** Approve entry into proposed lease of County facilities for use as a medical clinic, and authorize Chairman to execute said lease on behalf of the County.  
**Fesko moved; Johnston seconded**  
**Vote: 5 Yes; 0 No**

Supervisor Johnston: Approving this request will provide a \$100,000 subsidy to the Bridgeport Clinic; three quarters of the funding comes from taxes generated in the Town of Mammoth Lakes. At last week's budget workshop, the Board slashed the subsidy to air service without considering how that benefits Mammoth Lakes and generates income for the County.

Supervisor Fesko: His district appreciates the clinic. However, this barely-used building is costing about \$60,000 to heat and cool. The Board needs to consider other options.

- Supervisor Johnston concurred with Fesko's concerns.

#### CLERK OF THE BOARD

6a)      Appointment to Area Board #12 - Appointment of Tania Ramos to the State Council on Developmental Disabilities Area Board #12, located in San

Bernardino, CA. This will be a three year term, beginning August 20, 2013 and expiring August 20, 2016. Supervisor Johnston has agreed to sponsor this item.

- M13-187**      **Action:** Appoint Tania Ramos to the State Council on Developmental Disabilities Area Board #12 beginning August 20, 2013, and expiring August 20, 2016.  
**Johnston moved; Stump seconded**  
**Vote: 5 Yes; 0 No**

## HUMAN RESOURCES

Additional Departments: CAO

- 7a)      Greenberg Employment Agreement (IT Director) - Proposed resolution approving an employment agreement with Nate Greenberg and prescribing the compensation, appointment, and conditions of said employment. Mr. Greenberg is currently the County's Geographic Information System (GIS) Coordinator and Digital 395 Project Manager. Under this agreement, Mr. Greenberg would become the County's new Information Technology (IT) Director and would also continue to serve as the County's Digital 395 Project Manager.

- R13-67**      **Action:** Adopt Resolution R13-67, approving an employment agreement with Nate Greenberg and prescribing the compensation, appointment, and conditions of said employment.  
**Johnston moved; Stump seconded**  
**Vote: 5 Yes; 0 No**

## COUNTY COUNSEL

- 8a)      Adoption of 2013 MCPE MOU - Proposed resolution adopting and approving a memorandum of understanding between the County and Local 39, Exclusively Recognized Employee Organization Representing the Mono County Public Employees (MCPE) Bargaining Unit.

- R13-68**      **Action:** Adopt Resolution R13-68, adopting and approving a memorandum of understanding between the County and Local 39, Exclusively Recognized Employee Organization Representing the Mono County Public Employees (MCPE) Bargaining Unit.  
**Johnston moved; Stump seconded**  
**Vote: 5 Yes; 0 No**

- 8b)      Scheidlinger employment agreement - Resolution approving an employment agreement with David Scheidlinger and prescribing the compensation, appointment, and conditions of said employment. The resolution would approve a renewal of Dr. Scheidlinger's current contract for one more year.

- R13-69**      **Action:** Adopt Resolution R13-69, approving an employment agreement with David Scheidlinger and prescribing the compensation, appointment, and conditions of said employment.  
**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

- 9a) Caltrans Encroachment Permits Letter - Response letter from the Department of Transportation dated July 31, 2013, regarding Encroachment Permits.  
Supervisor Johnston: Eastern Sierra Council of Governments raised awareness about this issue.
- 9b) Chamber Music Unbound - Final report dated August 7, 2013 from Chamber Music Unbound detailing the expenditures from the \$8,000 grant awarded from Mono County for the 2012/2013 season. Additional printed materials and brochures are available for viewing in the Clerk's office.

**The Board acknowledged receipt of correspondence.**

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### BOARD OF SUPERVISORS

- 10a) Certificates of Appreciation (Supervisors) - Present Certificates of Appreciation recognizing service provided by two Mono County employees.

**No Motion Action:** Present certificates recognizing service provided by Lynda Salcido, Director of Public Health, and Marshall Rudolph, County Counsel.  
Supervisor Hunt read the certificate acknowledging Lynda Salcido, and the Board presented it to her. Salcido thanked the Board for this recognition; it was a pleasure to have served as interim CAO. Supervisor Hunt read the certificate acknowledging Marshall Rudolph, and the Board presented it to him. Rudolph thanked the Board and said it was a pleasure and an honor to serve. He acknowledged his staff and said he couldn't have done this additional work without their support; it was a team effort to cover all the various interim functions.

### PUBLIC WORKS - ENGINEERING DIVISION

- 11a) Contract Award for the Aspen Road Paving Project (Garrett Higerd) - This project will construct a three inch thick hot mix asphalt overlay on approximately 0.24 miles of Aspen Road in June Lake from Highway 158 to the end. In addition, this item includes a resolution to adopt the comprehensive survey map of Aspen Road prepared for the project (depicting the actual location of Aspen Road) and confirming adoption of same into the County road system.

**R13-70  
M13-188 Action:** 1) Adopt Resolution R13-70 "A Resolution of the Mono County Board of Supervisors Re-confirming its Acceptance of Aspen Road." 2. Based on the staff report concerning bids received in response to a solicitation for bids and responsibility of the apparent lowest responsive bidder: 1) identify Herback General Engineering as responsible bidder submitting the lowest responsive bid; 2) award contract to Herback General Engineering for the Aspen Road Paving Project in an amount not to exceed \$125,596.00; 3) authorize the Public Works Director, in consultation with County Counsel, to administer that contract, including making minor amendments to said contract from time to time as the

Public Works Director may deem necessary, and authority to approve and issue change orders to the contract in accordance with Public Contract Code §20142, in an amount not to exceed \$12,559.60 per change order, provided such amendments do not substantially alter the scope of work, do not cause spending on the project to exceed the budgeted authority of \$330,675, and are approved as to form and legality by County Counsel.

**Alpers moved; Fesko seconded**

**Vote: 5 Yes; 0 No**

Garrett Higerd, Public Works: This project has been in the process of completion for a while due to issues with permitting and weather. Part of the project included replacement of a culvert, which was done last year, and now they are ready to pave the road. The proposed resolution re-states the Board's acceptance of the road where it is constructed and has been actively maintained for decades. Aspen Road has been surveyed to determine which properties are private and which properties are public. Higerd mailed notices to every property owner about two weeks ago, but only heard from one owner about a drainage concern. After reviewing bids it was determined that Herback was the lowest responsive bidder; this is the same contractor that is working on the Lee Vining paving project. Funding for the project is budgeted.

The Board complimented Higerd on a job well done.

There was no public comment.

## **COUNTY ADMINISTRATIVE OFFICE**

12a)

Presentation on the California State Council on Developmental Disabilities, Area Board #12 (Vicki Smith, Executive Director State Council on Developmental Disabilities, Area #12) - Presentation by Vicki Smith of the State Council on Developmental Disabilities regarding Area Board #12 and the service provided to the residents of Mono County and the region.

### **Action: None**

Vicki Smith, California State Council on Developmental Disabilities, Area Board #12: Reviewed the information contained in the agenda packet.

- History of the formation of the State Council on Developmental Disabilities (SCDD).
- Conditions that are considered developmental disabilities.
- Counties served by the Area Board #12 Office.
- Composition of the board, its functions, and responsibilities of board members. This is an advisory board; three members are appointed by the Board of Supervisors. Area #12 is currently looking for a third candidate from Mono County.
- Talked about federal partners and advocacy partners.
- Outlined the work done in Mono County.
- SCDD's role is to build bridges between agencies; they don't handle individual case issues, they handle systems-related issues.
- SCDD reviews policies and procedures of publicly-funded agencies.
- SCDD has provided training to first responders, self and family advocates, the community, and Mammoth Unified School District. They are currently working to build a sustainable dental community.

Smith answered questions:

- In the next month or two, she is hoping to recommend someone from Mono County for appointment to the advisory board.
- They experienced a 9% cut in funding due to sequestration. There is a long-term push to move the regional system into managed care, which is more community based rather

than medical based.

- Mono County and Inyo County are in the self-determination pilot project, which allows for flexibility.
- SCDD needs to argue for keeping money that comes to California in California.
- They attend IEP meetings (Individual Education Plan) to ensure there are no systems issues.
- They are helping with training on bullying issues.

ADJOURN: 12:24 p.m.

ATTEST:

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BYNG HUNT  
CHAIR

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LYNDA ROBERTS  
CLERK OF THE BOARD

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