



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  
Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

September 10, 2013

9:00 AM Meeting Called to Order by Chairman Hunt.

*Supervisors present: Fesko, Hunt, Johnston and Stump.  
Supervisors absent: Alpers.*

*Break: 11:28 a.m.  
Reconvene: 11:33 a.m.  
Closed Session: 12:51 p.m.  
Adjourn: 2:15 p.m.*

Pledge of Allegiance led by Jim Leddy

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

**Tim Hansen:**

- Came to hear about Sage Hen and Frog issue.
- Also wanted to give his opinion about Law Enforcement/Burning Man issues.
- He noticed a large amount of law enforcement vehicles that weekend, didn't really know what was going on.
- He thinks that a majority of the people stopped were coerced into having their vehicles searched; however, these people have rights.
- He doesn't think it was good for the economy.
- Over the top law enforcement activities are not necessary.
- Supervisor Stump: asked what Tim would do about this if he had this complaint as a Supervisor?

CLOSED SESSION

BOARD OF SUPERVISORS

**CLOSED SESSION WILL FOLLOW REGULAR MORNING SESSION.**

*There was nothing to report out of closed session.*

1a) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie

Chapman, Bill Van Lente, and Jim Leddy. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--exclusive 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.

**Additional Departments:** County Administrator

1b) Closed Session - Public Employment (Bill Van Lente) - PUBLIC EMPLOYMENT. Government Code section 54957. Title: Public Works Director.

2) APPROVAL OF MINUTES

**M13-199** **Action:** Approve minutes of the Regular Meeting held on August 13, 14, 15, 2013, as corrected.

**Stump moved; Fesko seconded**

**Vote 3 yes; 1 no: Johnston; 1 absent: Alpers**

**Supervisor Johnston:**

- He was not able to listen to minutes; still disagrees with tape. He still believes that \$60,000 was voted three to two. He believes Supervisor Alpers said he'd go with \$60,000.

**Jim Leddy:**

- Feels the matter has been settled by listening to and transcribing that portion of the tape.
- Supervisor Johnston's concerns will be a matter of record in both last week's meeting minutes and this week's meeting minutes.

**Supervisor Fesko:**

- Asked that typed transcript be attached to the minutes (also to the web portion).

**Supervisor Stump:**

- Page 13 of 15 of draft minutes. Under Policy Item Discussion, Supervisor "Hunt" should be Supervisor "Stump" under comments.
- Same page, under Board of Supervisors, Supervisor Stump does not recall voting no on the Trail Maintenance Program and asks that the vote be removed from minutes.

3) **BOARD MEMBER REPORTS**

**Supervisor Alpers:**

- ABSENT.

**Supervisor Fesko:**

- SRA fees – needs to get out there that people MUST pay this fee. Penalties are significant if you are late. If someone filed an appeal last year they still need to file this year.
- Met with local CSA last week; Nate Greenberg approached the group about doing a free wi-fi down Main Street. They might have start up fees.
- Antelope Valley RPAC last Thursday; moving forward with area plan.
- LTC – attended yesterday. Disappointed by lack of Town participation.
- Smoke is really affecting businesses, his included.
- Asked Caltrans to change Highway 120 sign because signage is misleading.
- He's more than happy to chauffeur Supervisor Alpers as needed in light of

recent eye surgery.

**Supervisor Hunt:**

- Attended ESCOG meeting; there was no Town representation which was disappointing.
- Update on Digital 395.
- Couldn't camp in Green Creek due to horrible smoke; he thinks it is affecting tourism.
- Can we contact MMSA and request update about June Mountain improvements? Also, we need to get a liaison going again. It will help open the doors of communication.
- Jim Leddy: Letter can be written to MMSA at their request; as part of that he will request some type of liaison to reassemble.
- Sierra Nevada Conservancy Board meeting tomorrow; SRA will be discussed.

**Supervisor Johnston:**

- Showed CSAC video of a legislative update.
- Attended LTC meeting.
- ESCOG meeting last week.
- Did go on 120 from Groveland to Crane Flat. Fire was all along there – it's burned as far as you can see. Landscape will be dramatically altered.

**Supervisor Stump:**

- Appreciations to road shops in Crowley and Benton for creating a detour around Highway 120 for the Century Bike Ride.
- Recognized Jeff Walters and Jim Leddy regarding road block.
- PUC Resolution – recognized Nate Greenberg and his work on this.
- Met with Congressman Cook last week; discussions about various things. Though it was a good but brief meeting.
- Coalescing priority list coming together.
- SRA fees coming out again. Discussed lawsuit issues with this.
- 9/17 at 6:00 p.m. tele-town hall with legislators
- Would like to discuss writing a letter to Mono County Residents regarding SRA fees at a future meeting. Need to write a letter asking for services.
- Supervisor Alpers is not here; did have to have major surgery to his eye. He is going to require support in the future; he will not be able to drive. He will have recovery for 4-6 months.
- Supervisor Alpers asked Stump to bring up MMSA's actions about June Mountain; it's time to direct Jim to send a letter requesting monthly updates. He understands MMSA's budget will not be out until October. Agendize?
- Symons Ambulance in Bishop, their financial problems continue. Reminds him to appreciate the program we do have.
- Asked that flags be flown at half staff for rest of the week in memory of Keith Park.

**COUNTY ADMINISTRATIVE OFFICE**

4)

**CAO Report regarding Board Assignments**

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

**Jim Leddy:**

- Met with representative from Senator Boxer's office.
- Attended June Lake CAC; went back through the budget. Supervisor Alpers needs a full copy of the budget to go to June Lake Library.
- Wednesday, sat in with Congressman Cook and all meetings; thanked staff for help in organizing this.

- Met with Tim Intyre – doing a number of follow-up items from that meeting.
- Supervisor Alpers: went through a range of issues; congressman asked for office space; following up on zip code issue.
- Attended Public Work's Foreman Meeting; spoke about many issues. Board will hear about preparation of winter activities.
- Attended Solid Waste Task Force Meeting; no quorum. Good discussion.
- Attended Benton Crossing Landfill with the staff; has begun a lunch at the landfill program.
- Met with Kevin Carunchio, Inyo CAO; spoke about September 23<sup>rd</sup> meeting; if any members of our Board want to go, they will accommodate them at the top of the meeting. Feels our Board needs its own special meeting as well.
- Attended ESCOG meeting.
- We got an award from CSAC for Robin Roberts and her team; CSAC will come to present this on October 1<sup>st</sup> to Board and staff.
- Will meet tomorrow with staff regarding follow up issues on budget.
- Spoke about Keith Park – his death was tragic and unexpected. He and Bill VanLente sat down with IT staff to make sure support is offered. Condolences sent out to Keith's family. Service in Bridgeport in the next few weeks.

## **DEPARTMENT REPORTS/EMERGING ISSUES**

(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

***No one spoke.***

## **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.)

### **PUBLIC WORKS - ROAD DIVISION**

- 5a) Speed Limit Ordinance - Second Reading - Second reading of the proposed Speed Limit Ordinance.

**ORD13-04** **Action:** Adopt proposed Ordinance No.13-04, "An Ordinance of the Mono County Board of Supervisors Amending Sections 11.12.030 and 11.12.040, and Adding Section 11.12.070 to, the Mono County Code Pertaining to Speed Limits."

**Johnston moved; Fesko seconded**

**Vote: 4 yes; 0 no; 1 absent: Alpers**

### **SOCIAL SERVICES**

- 6a) Amendment to Contract with County of Inyo Pertaining to Eastern Sierra Area Agency on Aging for a Reduction in Funds - Proposed contract amendment with the County of Inyo Eastern Sierra Area Agency on Aging pertaining to a reduction in funding for FY 2012-13 and FY 2013-14.

**M13-200** **Action:** Approve County entry into proposed contract amendment and authorize the Mono County CAO to execute said amendment on behalf of the County.

**Stump moved; Fesko seconded**

**Vote: 4 yes; 0 no; 1 absent: Alpers**

**Supervisor Stump pulled for discussion:**

- Wanted to bring to light the attack that this program is under.

- There is an extra handout in front of the Board (to be posted to the web); pointed out additional support line item.
- The money is declining and will continue to do so.
- Mentioned line item changes to budget sheet.

**Kathy Peterson:**

- Talked to Director Turner and she said that this went in front of Inyo Board; estimate three times a week for the purchase of hot meals out of Bishop kitchen. Attempt October 1<sup>st</sup> start date for that.
- Will check to see if this requires Board Action.

**Jim Leddy:**

- Will agendaize for further discussion.

**CLERK OF THE BOARD**

7a) Reappointment to the First 5 Children and Families Commission - Reappointment of Stacey Adler, PhD to the First 5 Mono County Children and Families Commission.

**M13-201** **Action:** Reappoint Stacey Adler, PhD, Mono County Superintendent of Schools, to serve a subsequent three year term on the First 5 Commission expiring July 31, 2016.

**Johnston moved; Fesko seconded**

**Vote: 4 yes; 0 no; 1 absent: Alpers**

**FINANCE**

**Additional Departments:** Bridgeport Fire Dept.

8a) Bridgeport Fire Department Financial Audit (Leslie Chapman) - Bridgeport Fire Department requests a waiver of the annual audit requirement to be replaced by a biennial audit in accordance with Government Code Section 26909.

**PULLED  
MOVE TO  
NEXT  
WEEK!**

**Action:** None.

**Supervisor Stump pulled for discussion:**

- Asked Leslie whether other Fire Districts could take advantage of this?
- Will Leslie bring this back at some other time?
- He thinks two year audits would be beneficial.

**Leslie Chapman:**

- BP Fire is unique; they originally didn't care for the Auditor the County hired and opted out. This is why it's in front of the board.
- She has looked at code sections. Her read is that the five year audit requirement is where the \$300,000 floor comes in.
- She's trying to determine where that number came from? She doesn't see a reason to have annual audits for every special district.
- It can be brought back but it's not super high priority. Will bring back again sometime before next audit.

**Supervisor Fesko:**

- Asked whether or not trying to get BP Fire back on board?
- Can you come back with that information?

**Marshall Rudolph:**

- Code says this requires unanimous voting.
- He suggests pulling from this agenda and moving to next agenda to get all five supervisor's vote.

## REGULAR AGENDA

### CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

No Correspondence.

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### COMMUNITY DEVELOPMENT - PLANNING DIVISION

- 9a) Workshop on the Cumulative Impacts of Proposed Endangered Species (Wendy Sugimura, Dr. James Paulus, Consulting Biologist) - Workshop regarding proposals to list and designate critical habitat for the Sierra Nevada yellow-legged frog and Yosemite toad, and upcoming decision regarding listing of the Bi-State sage grouse

**Action:** None.

**Scott Burns:**

- Workshop and strategy session to deal with endangered species.
- Dr. Paulus is here and available for any questions.
- Courtney Weiche is up in Mammoth, she's been participating in Sage Grouse issues.
- All this is a bigger deal to Mono County due to the Sage Grouse issue at the same time. We expect a proposal later this month; would follow similar process as the toad/frog issue.
- We intend to have mitigation policies in general plan to address these issues.
- Regarding Subdivisions: only a tentative map had been approved; don't be surprised when something else comes forward.
- Letter to be submitted from the Board?

**Wendy Sugimura:**

**US FISH & WILDLIFE PROPOSAL (SIERRA NEVADA YELLOW-LEGGED FROG AND YOSEMITE TOAD POWER POINT):**

- There are two proposals now available.
- Endangered Species Act (decisions must be based on best available science).
- Critical Habitat.
- What is Critical Habitat?
- Threats to SNYL Frog.
- Threats to Yosemite Toad.
- Yosemite Toad: Strategies.
- Sierra Nevada yellow-legged frog: Strategies.
- Handout of large maps; discussion of maps. Went over Proposed Critical Habitat Designations on maps. To be posted to website.
- Mentioned 9/23/13 meeting in Bishop; asked whether or not someone from the Board would attend?
- Comments on these two proposals are due November 18<sup>th</sup>.
- There will also be two presentations on the west side.

**OTHER COMMENTS:**

- All threats need to be addressed, not just the fungus.
- We can use Fish and Wildlife previously published information; they probably wouldn't directly support us.
- They will overlay ownership on maps to take into account private property.

**Supervisor Fesko:**

- Livestock is a major concern.

- Grazing issues need to be addressed.
- He agrees that adding another layer onto this could be harmful.
- Feels taking away the right to subdivide property isn't right. He agrees with not hunting Sage Grouse.
- Pointed out that this was presented as a 40 minute discussion, but has gone 90. minutes.

**Supervisor Stump:**

- Asked about wilderness line.
- California Fish and Wildlife is already working on this. Are all entities talking to each other?
- How did the fungus get here?
- Is CA Fish and Wildlife amenable to Mono County quoting their programs?
- He may try to attend the meeting.
- How do we convey there are things collaboratively being done?
- Asked for clarification on "subdivision".

**Supervisor Johnston:**

- What kind of habitat do they like?
- How will grazing be prevented? Discussed climate changes.
- Asked about fungus (chytrid) and its effect.
- Is it the fungus or is it the trout?
- Why aren't there frogs in all suitable habitats? Or can they be transported?
- He would like to attend the 9/23/13 meeting in Bishop (Jim Leddy to attend as well, said that comments can be incorporated).
- Why is there a recovery plan for a bird that doesn't need to be recovered?
- Commended letter written by Scott Burns (with assistance with Dr. Paulus) but it didn't include hunting of Sage Grouse.
- There are now lakes and habitats for Sage Grouse; he'd like to see a policy and eliminate the potential of subdivisions.
- Agrees with writing a simplified letter.

**Supervisor Hunt:**

- This is a big deal; question is where is this going to go?
- There will be an effort by the government.
- Who is interested in going to the meeting?
- He will work with Scott Burns to draft a letter; will need to get brought back.

**Dr. James Paulus:**

- Spoke about habitat and wilderness boundaries drawn. They are tied to hydrologic units.
- Climate change is a threat to both species.
- Maybe don't want the Feds stepping in; could be detrimental.
- Chytrid fungus is very devastating. It's believed that birds and fisherman could carry it.
- Agrees with Supervisor Stump that ALL efforts need to be highlighted. Mono County Sage Grouse issues need to be treated different than other area Sage Grouse issues.

**Tim Hansen:**

- Right now there are critical areas of habitat that have frogs in them?
- Additionally there are suitable habitats that don't have frogs?
- Who is going to do the economic impact report?
- Sounds like it won't be a huge impact at this point, but who knows?

**FINANCE**

Chapman regarding the County Cost Plan (A-87 charges) and possible alternatives for cost allocations.

**Action: None.**

**Leslie Chapman:**

- Today's discussion may or may not result in board action.

OMB A-87 County Cost Plan Power Point (to be posted to the web):

- What is it?
- Why do we need it?
- Why do we hate it?
- A-87 Allocation Basics.
- Administrative Cost Centers.
- Allocation Methods:
  - Building Use Allowance
  - County Administrative Office
  - Finance Department
  - County Counsel
  - Facilities
  - Insurance
  - Information Technology
- Allocation Method Summary
- What should we do?
- Recommendations – Immediate
  - Review and update time sheets for all administrative departments. (BOARD CONSENSUS: YES)
  - Remove items that can/should be direct charged by utilizing internal service funds (insurance and telephones) (BOARD CONSENSUS: YES TO PULL INSURANCE ONLY OUT SEPARATELY)
  - Don't charge general fund departments unless they have grants that allow administrative charges, or unless there is a business reason to tract administrative costs (paramedics?) (BOARD CONSENSUS: YES)
  - Report all A87 revenue in the General Revenues budget to remove any incentive to over-charge (BOARD CONSENSUS: YES)
- Recommendations – Ongoing
  - Provide training to administrative departments to increase awareness of what and when a service should be direct billed.
  - Provide overall training so departments will be more aware of how business decisions will affect their cost plan charges.
- Today's action.

**ADDITIONAL COMMENTS:**

- We're not required to charge it, but it's the approved methodology to recoup from some grants.
- Thinks a Central Services area should be resurrected.
- We need to follow guidelines for administrative allocations.
- A flat rate doesn't follow the approved methodology for some grants.
- There is nothing that can be done about two year lag.

**Supervisor Johnston:**

- A87 makes budget not understandable to the general public. For them, it needs to be eliminated.
- Perception: government spends a lot of time justifying their time; shell game.
- He'd rather see us do some of flat fee every year rather than all this; wouldn't this work over a five year period?

**Supervisor Stump:**

- If the general public can't understand it, it makes it hard for him to explain it to



them.

- How do Department Heads plan a budget two years down the road when there is no idea what A87 charges are going to be?
- Not fair to Department Heads to have to deal with costs in this year's budget that occurred two years ago?
- Gave example of Public Works getting gravel to jail and how billing was done?
- Just because you track does that mean you have to charge?

**Supervisor Hunt:**

- How rigid is the state in this?
- Simplification is important; but is there any way to tighten up the two year lag time?
- Training is going to be critically important; need it to be as simple as possible.

**Supervisor Fesko:**

- Time studies: has anybody done time studies on how long it takes to do time studies?
- Are A87 costs broken out for Department Heads?
- He thinks finding out the true costs is what's most important; we need simplification.

**Tim Kendall, D.A.:**

- As a Department Head, if we're really seeking to find a true cost of a department, the difficulty is that he gets charged a percentage for IT or Facilities, etc. He may go a year without needing one of these services.
- He doesn't get a clear picture of what his costs are.

**Marshall Rudolph:**

- No board action can be taken today with the way the agenda item was written. Can discuss today and bring back to Board for action.

**Rick Mitchell:**

- They are asked to justify their existence but don't get any credit where they've saving the county money on an ongoing basis.
- They use computers in the field now so IT is helping out with this; this is increasing their revenues. They shouldn't go into one pot (Leslie clarified this, cleared up misconception).
- Their A87 costs are confusing.

**PUBLIC WORKS**

**Additional Departments:** Information Technology; County Counsel

**ADDENDUM**

11a)

Ratification of Road Closure for Digital 395 Construction (Jeff Walters, Nate Greenberg, Marshall Rudolph) — Proposed ratification of a temporary road closure by Public Works. Specifically, the closure involves of a section of Round Mountain Road between Casa Diablo Road and Owens Gorge Road (approximately 10 miles) to allow fiber optic line installation in the center of the road, associated with construction of the Digital 395 project. Said installation in the center of the road will meet requirements imposed by USFS. The closure commenced on September 5<sup>th</sup> and will terminate on October 5<sup>th</sup> (reopening on October 6<sup>th</sup>). Staff will provide an oral report and answer

any questions the Board may have.

**M13-202**

**Action:** Pursuant to Streets and Highways Code section 942.5(c), approve and ratify the closure of Round Mountain Road between Casa Diablo Road and Owens Gorge Road (approximately 10 miles) to allow fiber optic line installation in said road associated with construction of the Digital 395 project. Said closure to commence on September 5<sup>th</sup> and continue through October 5<sup>th</sup> (reopening on October 6<sup>th</sup>).

**Fesko moved; Johnston seconded**

**Vote: 4 yes; 0 no; 1 absent: Alpers**

**Jeff Walters:**

- Handout of photos.
- Praxis selected Round Mountain Road as route; it needs to be closed while they do the work.
- They were told to revert it back to the way it is.
- Some hunters use this area but there are other ways around.

**Supervisor Johnston:**

- Will it be reverted back to normal travel?

**Supervisor Hunt:**

- There is a way around this route.

**Supervisor Fesko:**

- Asked about grading of a different road; offered caution.

**Nate Greenberg:**

- They're trying to resolve whether this will be one long bore or 2 or 3 shorter ones.

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

*No one spoke.*

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**12:00 P.M. TO 2:00 P.M.**

**CLOSED SESSION**

**THERE WILL BE NO AFTERNOON SESSION**

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ADJOURNMENT 2:15 P.M.

THE MEETING WAS ADJOURNED IN MEMORY OF KEITH PARK TODAY.

ATTEST:

\_\_\_\_\_  
BYNG HUNT  
CHAIR

\_\_\_\_\_  
SHANNON KENDALL  
SR. DEPUTY CLERK OF THE BOARD

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