



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 just below.
MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

Regular Meeting
February 9, 2016

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

Supervisors Present: Alpers, Corless, Fesko, Johnston and Stump.
Supervisors Absent: None.

Break: 10:30 a.m.
Reconvene: 10:45 a.m.
Closed Session: 11:35 a.m.
Adjourn: 1:24 p.m.

Pledge of Allegiance led by Sr. Deputy Clerk Helen Nunn.

The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>

1. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**
No one spoke.
2. **APPROVAL OF MINUTES - NONE**
3. **RECOGNITIONS**
 - A. **Resolution of Appreciation - Vianey White**
Departments: Public Works
(Jeff Walters; Board of Supervisors) - Proposed resolution of appreciation for Vianey White.
Action: Approve proposed resolution of appreciation for Vianey White.
Fesko moved, Corless seconded.
Vote: 5 yes, 0 no

M16-39

Jeff Walters:

- Read the resolution into record.

Supervisor Fesko:

- It seemed like many of her projects were in his district; he gives kudos to her and the rest of the staff.

Supervisor Stump:

- He especially appreciated her work on the cemeteries.

4.

BOARD MEMBER REPORTS

Supervisor Alpers:

- 2/2 - Attended the JLCAC meeting held at the JL Community Center. New officers for 2016 are:
 - President - Jeff Ronci
 - Vice-President - Patti Heinrich
 - Secretary - Ann Tozier
- Janelle Walker and Margie DeRose of the USFS discussed policies for when burn piles in the JL Loop are torched. Snow ground cover, lack of wind and humidity levels are of highest consideration. Piles are torched with a drip system of diesel/hot fuel. No wind conditions cause smoke inversions in Down Canyon area which cause concern.
- Jeff Ronci reported via power point presentation on the potential/possibility of a small skate park in June Lake. High priority items to be considered include community "buy-in", finding a suitable location, proper planning and location, long term O&M, and funding. As of this presentation, no location or funding have been identified.
- 2/5 - Attended Senior Night for the MHS Basketball teams held at the MHS Gymnasium. Varsity Senior girls and boys were recognized prior to their games with rival Desert High School. The gym interior including the new wood floor is beautiful and functional for all activities held indoors. This facility is now, basically, complete and represents a high quality facility for the community of Mammoth Lakes and southern Mono County.

Supervisor Corless:

- Thurs. 2/4 Community Corrections Partnership:
- Statistics re: narcotics trafficking in Mammoth; Davison House project under Behavioral Health,
- CSAC Agriculture/Natural Resources Committee: discussion of potential legislation to change organic farming regulation, tree mortality task force
- Working to organize the ESCOG intergovernmental relations workshop, now set for Friday, March 4 in Bishop.
- Over the weekend, received some calls regarding an item on Inyo County's board agenda for today. (Inyo is working with Sen. Berryhill on legislation that would extend the Adventure Trails pilot program which is currently slated to sunset after 2016). The Inyo board is considering a letter of support for the legislation; the letter included in the board packet, along with the staff report, mentions Mono County's interest in being included in the pilot project. I was certainly surprised to hear this, as the last time our board considered combined use road designation, the general consensus was to take road designation possibilities through our planning processes—not to seek a legislative solution. I heard concern from constituents over the weekend that Mono was somehow trying to circumvent our community-based planning. We can and certainly should talk about this as part of our upcoming strategic planning and priority setting workshop in March. We should not consider supporting proposed legislation that board and staff

have not had a hand in crafting. Let's do this right. Follow the processes in place—otherwise, why have RPACS, Collaborative Planning Team, building a legislative platform.

- On the subject of process—I've also heard from employees upset by last week's board decision to support the reclassification of probation. Not that the department didn't warrant attention and action—but that by authorizing one department's stand-alone reorganization, it changed the balance and there is perceived inequity. This board needs more information to make these kinds of decisions, and needs to share it with employees and with the public. Do we have current salary surveys or a classification/compensation plan? Now that our Human Resources director is here, we need to prioritize taking a bigger picture look at compensation structure.
- Would like to adjourn in memory of John Vereuck.

Supervisor Fesko:

- 2/2/16 - Had meeting with Community member to discuss the great job Facilities is doing on Memorial Hall.
- 2/4/16 - Antelope Valley RPAC. Elected new officers: Bruce Woodworth, Chair; Katy Buell, Vice Chair. They had their second reading/approval of revised Bylaws. Sadly Judy Curti resigned due to personal reasons. Roger Donahue submitted application for membership. BOS meeting on March 1st will see two applications, Diane Anthony and Roger Donahue.
- 2/7/16 - Along with 113 million other people, I watched a really good and strange Super Bowl. Congratulations to the Denver Broncos.
- 2/8/16 - Attended Local Transportation Commission. Highlights are:
- Shields Richardson was elected as 2016 Chair and I was elected as Vice Chair.
- Mono County was found to be in compliance with the Statutes, Rules, and Regulations of the California Transportation Development Act. Congratulations to staff for a job very well done!
- LTC adopted a resolution urging the State of California to provide new sustainable funding for state and local transportation infrastructure.
- Adopted a resolution allocating \$58,037 from a Low-Carbon Transit Operations Program grant. This helps with the expansion of Mammoth Express fixed route service, passenger fare reduction and expansion of Lone Pine Express fixed route service.
- Authorized a letter supporting Greyhound "Interline" service to Mono County.
- Also to keep the Board up on an issue that just came to my attention late last week. It appears, without my full knowledge and approval, a draft State Assembly bill regarding Inyo County and its 10 mile "Combined Highway Use" exception in Motor Vehicle 38026, that Mono and Sierra counties were also named in this draft bill. As soon as this came to my attention, I have been working with staff on the best and proper way to handle this. It was agreed upon by staff and I that the best way to open discussion on this topic would be initially through Strategic Planning workshop coming up soon. At that time, we can discuss this in further depth.

Supervisor Johnston:

- Attended the Local Transportation Commission meeting on Monday. Supervisors Stump and Fesko have also reported on this meeting. I would like to add that the Route Concept Report for State Route 203 was also considered at the meeting.
- Attended the IMACA meeting in Bishop last week; an item of property negotiations was considered.
- Noted that the Inyo Board would be considering an item that would include Mono County regarding Adventure Trails. Since our Board has previously

decided to take a wait and see approach on this item, I have requested that Inyo's action not include Mono County.

- Asked what the process would be for reconsideration of an item; what motion/second would be needed, who could make the motion/second, etc. Stacey Simon provided background on the item.

Supervisor Stump:

- 2-6 Attended the one year anniversary of the Round Fire get together. People have an amazing resilient spirit.
 - 2-8 Attended the LTC meeting. The Commission adopted a resolution encouraging the State Legislature to come up with a remedy for the Highway/Road Project funding shortfall. The shortfall is forcing the California Transportation Commission to cancel projects State wide.
 - Was also made aware of the Inyo County agenda item; he sent a letter to the Inyo Board:
 - Jeff and Matt,
 - As Board Chair of the Mono County Board I request that the reference to Mono County in the letter the Inyo Board will be considering tomorrow be deleted. The Mono Board has not discussed as a body whether Mono County desires to be included in the proposed legislation and if so, if the entire County should be included.
- Thank you,
Fred Stump

5. COUNTY ADMINISTRATIVE OFFICE

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

Leslie Chapman:

- Strategic plan report next week
- Met with agent, has several good candidates. Have brochures going out to organizations like CSAC.
- Manager's meeting, good attendance even with the snow.

6. DEPARTMENT/COMMISSION REPORTS

Marilyn McCurry (Treasurer/Tax Collector):

- So far for the 15-16 tax year, the first quarter TOT is over \$42,800 collected over previous years. 2nd quarter numbers, over \$57k this quarter. Complete presentation in another month.
- These numbers are also on website. Hoping 3rd quarter will be up also.

Undersheriff Moriarity (Sheriff):

- Sheriff Braun is currently attending a management seminar in San Luis Obispo.
- Threat at CHS, SO responded. They determined the threat was viable, student was detained and transported to Inyo Co.
- February 7, about 9pm, someone reported a robbery in progress at Shell Station. Units were dispatched to every Shell in the county. It was determined it was an egregious breach of the public radio system.
- The current radio system has vulnerabilities the SO is addressing. It's a public system. Sheriff utilizes cell phones to get suspect description, etc, but not always viable. Would need to purchase additional software to identify what radio a broadcast came from. 5-10 year build-out for that goal.

Scott Burns (Community Development):

- He has some bad news; received a 60 day notice of intent of lawsuit against Fish and Wildlife.
- No indication that Fish and Wildlife is changing their position.

Robin Roberts (Behavioral Health):

- Update on Davison house. She has been working with Aspen Architects, about 2/3 scope of work has been planned. Garrett Higerd and she will come back first part of April with full account of where we're at and ask for direction at that time.

7. 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.)

A. Children's Medical Services (CMS) Plan and Fiscal Guidelines 2015-16

Departments: Health Department

Proposed agreement with California Department of Public Health (CDPH) pertaining to Children's Medical Services (CMS) Plan and Fiscal Guidelines 2015-16.

Action: Approve County entry into proposed agreement and authorize the Chair of the Board of Supervisors to sign the Certification Statement of the Children's Medical Services (CMS) Plan and Fiscal Guidelines 2015-16 on behalf of the County.

Johnston moved, Fesko seconded

Vote: 5 yes, 0 no

M16-40

B. Walker Basin Restoration Program Grant Award

Departments: Community Development

Acceptance of National Fish and Wildlife Foundation (NFWF) grant agreement for a "California Environmental Quality Act (CEQA) Analysis of Water Transfers" associated with the Walker Basin Restoration Program.

Action: Approve and authorize the CAO's signature on the attached National Fish and Wildlife Foundation (NFWF) grant agreement to fund a "California Environmental Quality Act (CEQA) Analysis of Water Transfers" associated with the Walker Basin Restoration Program.

Johnston moved, Fesko seconded

Vote: 5 yes, 0 no

M16-41

C. Allocation Change from Lieutenant I to Lieutenant II

Departments: Sheriff-Coroner

Proposed resolution #R16-09 authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to

eliminate one Lieutenant I position and allocate one Lieutenant II position in the Sheriff's office.

Action: Adopt proposed resolution #R16-09, authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to eliminate one Lieutenant I position and allocate one Lieutenant II position in the Sheriff's office. Provide any desired direction to staff.

Pulled by Supervisor Fesko:

- Has concerns about this, similar to the probation item from last meeting. Could be viewed as just giving someone a raise. Concern about current salary savings; we've seen some great savings, but this uses some of those savings. What about later, when we fill empty positions, how will we pay for this increase then? Will there be money later on?
- Does not doubt Lt. West has done great work. Question is whether we can afford to sustain the salary increase down the road if we fill the empty positions.
- Need to look at getting the SO fully staffed. Would like to see more resident SO deputies through incentives versus mandates.

Undersheriff Moriarity:

- We are currently down 6 positions, and we have authority to hire 3. Lt. West has had many additional tasks given to him. Brought the dept up to compliance on several issues. He has responded well to the increased work load.
- SO has already achieved savings in excess of \$6700.

Leslie Chapman:

- Last year at budget, this item came up. Inadvertently was left off the allocation list. Item was postponed. Reiterated there are tremendous salary savings in the SO budget this year.

Supervisor Stump:

- Reminded the Board the SO used to have 2 Lt positions, one has been eliminated. Appreciates we have one person doing the job of 2.
- Would like this to be continued for a week until mid-year budget hearing.

Supervisor Johnston:

- Thinks this should be postponed until mid-year budget, then reallocated within context of other employees. Understands there was a lot of shuffling of SO employees in the past.

Consensus of Board: pull this item and defer until mid-year budget.

D. Hiring Freeze Variance Request

Departments: Sheriff-Coroner

Effective March 1, 2016, the Sheriff's Office Administrative Services Specialist / Finance Officer accepted a position with the Public Health Department. This position is an essential function of the daily operations of the Sheriff's Office, and we do not have any other administrative personnel who can assume the responsibilities of this position. I am requesting that the Mono County Sheriff's Office be allowed to fill this vacant position immediately. This will minimize the impact to daily operations and to ensure that finances and budgeting continue to be managed properly.

Action: Approve a variance of the hiring freeze to allow the Mono

County Sheriff's Office to recruit and hire one Administrative Services Specialist / Finance Officer.

Johnston moved, Fesko seconded

Vote: 5 yes, 0 no

M16-42

E. Ordinance Delegating Investment Authority

Departments: Treasurer-Tax Collector

Proposed ordinance delegating investment authority to the County Treasurer.

Action: Adopt proposed ordinance ORD16-01, delegating investment authority to the County Treasurer.

Johnston moved, Fesko seconded

Vote: 5 yes, 0 no

ORD16-01

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. State Water Resources Control Board Letter

Departments: Clerk of the Board

Letter from the California Water Board dated January 25, 2016. Corless; acknowledges our Environmental Health dept's good work. Louis Molina: location of water system in Coleville, north of walker.

B. Letter from American Lung Association

Departments: Clerk of the Board

Correspondence received February 2, 2016 from the American Lung Association regarding the State of Tobacco Control Report to be released on February 3, 2016.

C. Letter from Sonoma County Juvenile Justice Commission

Departments: Clerk of the Board

Correspondence dated January 25, 2016 from the Sonoma County Juvenile Justice Commission regarding the need for Residential Treatment for Foster Youth.

The Board acknowledged receipt of the correspondence.

9. REGULAR AGENDA - MORNING

A. Resolution Regarding Road Closure for Mammoth Gran

Fondo Bike Ride

Departments: Public Works; CAO

(John Armstrong, Bill Cockroft) - Resolution requesting a road closure of state route 120 and Benton Crossing Road on September 10, 2016 from 8:00 a.m. to 12:30 p.m. for the Mammoth Gran Fondo Bike Ride. This resolution is being requested by members of the organizing committee for this event.

Action: Approve Resolution #R16-09, approving a road closure of state route 120 and Benton Crossing Road on September 10, 2016 for the Mammoth Gran Fondo Bike Ride.

Johnston moved to approve as amended, Fesko seconded

Vote: 5 yes, 0 no

R16-09

Jeff Walters:

- This is needed to eliminate conflicts between bicycles and other vehicles. County staff would be on hand with signs and flags.
- Locals would not have access to the closed roads during the race, but would after the bikes have passed by.
- Not sure if California Code gives the county the ability to set lower speed limits on the road during that time.

Supervisor Johnston:

- Why is Yellowjacket Rd included?
- Does this still allow locals access?
- Feels the way the resolution is written, it says the roads are closed, not the highway.

Supervisor Stump:

- In 2013, Highway 120 washed out. Cattle drive to Yellowjacket Rd was the detour. Can this be addressed without rewriting the resolution?
- Concerned about closing residential road to the reservation and trapping people.

Stacey Simon:

- We could add to the resolution, maybe table the item until later to give time to rewrite. Verbiage can be clarified/changed.

Garrett Higerd:

- This special event goes onto the State highway system. This requires a special encroachment permit from Caltrans. Caltrans is requiring stamped, engineered traffic control plans. Public has asked for copies. Would like the Board to discuss and give direction. For example: 4th of July in Bridgeport. Would like direction from Board, whether to use County staff to create these engineered traffic control plans, or should the organizer be responsible for this?

B. Board Cover Letter and Resolution to the Legislature Urging the State to Provide Sustainable Funding for State and Local Transportation Infrastructure

Departments: Community Development, Public Works

(Gerry Le Francois, Garrett Higerd) - Proposed letter and

resolution to representatives urging the state to provide sustainable funding for state and local transportation infrastructure.

Action: Approve and authorize Chair's signature on a letter to the State Legislature, and approve Resolution #R16-10, urging the State to Provide New Sustainable Funding for State and Local Transportation Infrastructure.

Alpers moved, Corless seconded.

Vote: 5 yes, 0 no

R16-10

Garrett Higerd:

- This is in response to Board update from last week regarding state crisis in funding. This is based on SCAC master resolution, but added a few things. Strongest arguments: 5th whereas, talks about how pavement deteriorates and requires more than just preventive maintenance. Easier to keep pavement at a higher quality level rather than make costly repairs. Also important is the last whereas, to highlight regional collaboration.

Supervisor Fesko:

- Wants to know how this affects the Freeman Gulch decision.

Gerry Le Francois:

- Yesterday, the LTC agreed to cut additional money from MOU projects to keep Freeman Gulch moving forward in our region. Big hit for us. Hope to get with Inyo Co LTC next week on the 14/395 corridor. Given the state of funding, we may or may not be paid back for funding the state's portion on Freeman Gulch.
- Proposing to delay the Olancha/Cartago project to a future stip cycle, maybe 2018? 2020? depends on what legislature plans on doing. Trying to get things ready to go so if funds become available we can move forward.

Supervisor Alpers:

- Olancha corridor is a major safety issue.

Supervisor Johnston:

- It bothers him that the state is unwilling to fund important infrastructure projects. We are stuck with a terrible situation that never should have happened. Would like to see a more aggressive letter to the state.

Supervisor Corless:

- The legislature also borrowed from the State parks OHV trust fund; was in the Governor's budget this year to pay that back.

C. Quarterly Investment Report for Quarter Ended 12/31/2015

Departments: Finance

(Joanne K. Werthwein) - Quarterly Investment Report for Quarter Ending December 31, 2015.

Action: None.

Joanne Werthwein:

- On the second page of report, she pointed out that the treasury was in compliance with Mono County statement of investment policy. Anticipated that the treasury will be able to meet its obligations for the next 6 months. She went through each page in the report,

explaining what each report shows.

Supervisor Fesko:

- Great job to staff. Congratulations to Joanne on her new position.
- Concerned with how our local bank's reduced hours will affect the County.

Supervisor Stump:

- Curious how the County looks at banks and if we take into consideration if they have been troubled.

Supervisor Johnston:

- The county has eliminated banks from our investments that had fraud, etc. The Treasury Committee is aware of this.

Gerald Frank:

- We check ratings before we purchase CDs.
- There are no plans to permanently close our local bank, they are only having problems filling positions.
- Thanked Joanne for doing a great job and she will be missed on the TTC side of the Finance Department.

Leslie Chapman:

- We only buy FDIC insured banks. We only buy investments that have a presence in the United States.

D. Regional Planning Advisory Committee Procedures

Departments: Community Development

(Scott Burns) - Consider Amendment to Regional Planning Advisory Committee Purpose and Procedures.

Action: Adopt amendment to Regional Planning Advisory Committee Purpose and Procedures, and provide any desired direction to staff.

Corless moved, Alpers seconded

Vote: 4 yes; 1 no: Fesko

M16-43

Scott Burns:

- This is a follow up from workshop last month, just to clarify things. Items have been included in proposed changes.

Supervisor Johnston:

- For clarification, bottom of page 1, add "to community development department".
- He noted he still disagrees with spouses and County employees being appointed to County commissions such as RPACs and will continue to vote against such appointments should they arise in the future.

Supervisor Fesko:

- This board doesn't want to micromanage, but some of these changes do that exactly.

Supervisor Stump:

- Last week, we had a discussion on the issue regarding county employees. Is this agenda item broad enough for that now?

Stacey Simon:

- Reported back there is not a legal issue with county employees serving on RPACs. Serving is at discretion of Board.
- Two technical clarifications: on page 2, meeting ground rules,

“should” leaves discretion to RPACs. Word should be “shall” if that’s not the board’s intent.

- Beginning of next sentence, “some RPACs are not subject...”, but with changes made, ALL RPACs are subject to the Brown Act.

Supervisor Alpers:

- These changes need to work within the communities.

Supervisor Corless:

- Agrees with Supervisor Alpers, it should be up to the individual supervisor to see that the RPAC reflects the community.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Benny Romero:

- Very proud of Joanne. Thanks.
- With regard to RPACs, thank you for moving on, and carrying forward. The work that you do every week needs to be realized by the public. We need to get people more involved, be proud of our county. His idea, we need Town Hall meetings and to invite people. Internet tells people to stay home and watch meetings. Thinks we need to invite the public as much as possible to see the work being done, the commitment. Mentioned the future banner across Main Street in Bridgeport as a way to get people to stop and notice the town. Offered his assistance to get a town hall meeting together.
- He and (former Supervisor) Bill Reid spoke of need to bring people. Most people come to complain. Need to turn it around to be as positive as we can to make people proud of our town.

Supervisor Alpers:

- What issues do you see as important? What subjects would bring folks in?

Supervisor Corless:

- A governance workshop is coming up. She wants to make sure we schedule evening meetings with items that are interesting to people here.

11. CLOSED SESSION

There was nothing to report out of closed session.

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, and Dave Butters. 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.

B. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Inland Aquaculture Group v. Mono County et al.

C. Closed Session-- Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title:
Finance Director.

ADJOURN

ATTEST

FRED STUMP
CHAIRMAN

HELEN NUNN
SR. DEPUTY CLERK OF THE BOARD