



**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
October 4, 2016**

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

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

*Break: 10:15 a.m.
Reconvene: 10:25 a.m.
Break: 11:50 a.m.
Reconvene: 12:00 p.m.
Closed Session: 12:45 p.m.
Reconvene:
Back to Closed Session: 3:23 p.m.
Adjourn: 4:01 p.m.*

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>

Pledge of Allegiance led by Chairman Stump.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Mike Curti, Antelope Valley FD Chief:

- Read from a reply by Kevin Shea to the opinion letter on the correspondence agenda.
- Also, as Fire chief of AVFPD, ICEMA is requiring all medics to do reporting; double reporting. AVFPD is volunteer, the extra hour of paperwork required will make it so his volunteers will not be willing to go on medical calls. Asking for the Board's help in this new requirement from

ICEMA.

- **Leslie Chapman:** response to this issue: ICEMA issued a 15 day comment period to change three sections. Through the County EMS program and MLFD, we have drafted a letter asking for an extension on the comment period, also incorporating comments from MLFD, very similar to Chief Curti's concerns. Big issue and problem for all of our small, volunteer Fire Departments.
- **Stacey Simon:** Will put an item re: possible legal action on next week's agenda.

Rich Boccia, Mammoth Lakes Recreation:

- On behalf of Mammoth Lakes Recreation, we appreciate the budget item for county trail development, perhaps they can make a presentation to the Board in the future.
- Mammoth Lakes Rotary, all invited to attend Veterans Day celebration on November 11. Requested Chairman Stump to make some opening comments.

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Approve Minutes of the Regular Meeting held on September 13, 2016, as corrected.

Johnston moved; Corless seconded

Vote: 5 yes; 0 no

M16-204

Supervisor Johnston:

- On page 5, under Wendy Sugimura's comment, it should read "all lakes and creeks we requested have been removed"

Supervisor Stump:

- On page 10 under his comment, it should say "Welcomed Paul Rudder and Drew Hild to come to address this new information".

B. Board Minutes

Departments: Clerk of the Board

Approve Minutes of the Regular Meeting held on September 20, 2016, as corrected.

Fesko moved; Alpers seconded

Vote: 4 yes; 0 no; 1 abstain: Corless

M16-205

Supervisor Alpers:

- On page 3 in his Board report, 4th bullet point, the proper spelling is "Harry Blackburn".

3. RECOGNITIONS

A. Domestic Violence Awareness Month

Departments: Clerk of the Board

(Susi Bains, Wild Iris Director) - Proclamation designating October 2016 as Domestic Violence Awareness Month.

Action: Approve Proclamation designating October 2016 as Domestic Violence Awareness Month.

Fesko moved; Corless seconded

Vote: 5 yes; 0 no

M16-206

Susi Bains:

- Gave a general overview of Wild Iris services, how this organization is able to serve the community. Asking the community to get involved, get educated. They offer training and education classes. Urges being a voice for others.
- 300+ calls per year, but numbers are actually down from previous years, not sure if that's directly related to the economy. Tough to predict.

Supervisor Stump:

- Presented the Proclamation certificate to Wild Iris and Susi Bains.

B. Resolution of Appreciation for Ed Parkinson, Sr.

Departments: Clerk of the Board

A Resolution of Appreciation recognizing Ed Parkinson, Sr, a resident of Benton.

Action: Approve Resolution of Appreciation recognizing Ed Parkinson, Sr.

Stump moved; Johnston seconded

Vote: 5 yes; 0 no

M16-207

Supervisor Stump:

- Wanted to point out that Mr. Parkinson, Sr donated the land the Benton Community Center is built on. He will be presenting this resolution to Mr. Parkinson, Sr on Saturday at his 95th birthday party.

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- 9/28, 29 & 30 - Attended the RCRC 2016 Annual Meeting/Board of Directors meeting held at the Resort at Squaw Creek. Panel discussions and panelists at the conference included:
- Countdown to November! Unpacking the Current Political Landscape Gary Dietrich - Political Analyst & President of Citizens Voice Rob Stutzman - Political Consultant & President, Stutzman Public Affairs
- There's an App for That: The Impacts of the Internet on California's Rural Economy Lauren Kimzey - State & Local Gov't. Affairs Manager, Internet Association Devin Whitney - Senior Manager, State Government Relations, PayPal Lucas Puente - Economist, Thumbtack
- An Insider's Perspective on the U.S. Supreme Court Marcie Coyle - Chief Washington Correspondent, THE NATIONAL LAW JOURNAL
- Emerging from the Shadows: Regulating the Medical Marijuana Industry Lori Ajax - Chief, Bureau of Medical Cannabis Regulation Jim Houston - California Dept. of Food and Ag.
- Drones: Balancing Benefits and Challenges Nicole Witt - Attorney, Hanson Bridgett, LLP Gregory McNeal, JD/PhD - Professor of Law and Public Policy at Pepperdine Univ. and Co-Founder, AirMaps Keith Coleman - Chief Strategy Officer, Tesla Foundation
- Navigating Life Post Foster Care
- Richard Knecht - Children's System of Care, Client Services Director, Placer County Serita Cox - Co-Founder and Executive Director, iFoster
- Too Much at Once? Criminal Justice Reform in California The Honorable Brian McCabe - Merced County Superior Court Judge The Honorable Kory Honea - Butte County Sheriff Magnus Lofstrom - Senior Fellow, Public Policy Institute of California
- Rebuilding the American Dream: The Changing Focus of Housing Needs Dave Cogdill - President & CEO, California Building Industry Assoc.

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- Lisa Bates - Deputy Director, Division of Housing Policy Development, Calif. Dept. of Housing and Community Development
- Please refer to program brochure for discussion direction. Information on the panel discussions will appear on the RCRC website soon.
- RCRC Dinner and Basket Raffle/Auction - This year's Chair, Glenn County Supervisor John Viegas, selected 3 local charities to receive the proceeds of the 2016 Basket Raffle and Auction, spreading the donation across Glenn County resource providers including the Westside Domestic Violence Shelter, the Willows Food Bank, and the Orland Pantry. Last year's raffle/auction (2015) raised \$25,000. This year's event netted \$41,400! A unique and spectacular horse sculpture from Humboldt County, constructed from used mechanics tools, was the top Auction item going for \$10,000. I am proud to announce that Mono County prepared and offered the leading county Basket at auction for \$3250! I would like to thank the following individuals and businesses for their contributions to Mono County's winning Basket:
 - Dr. Don and Tracey Harrell - Mammoth Hospital -Convict Lake Resort and Restaurant - Mammoth Resorts -Double Eagle Resort and Spa -Ernie's Tackle Shop -Mono Lake Committee -June Lake Brewery -Alpers Trout LLC -Mono County
 - RCRC Board of Directors Meeting - 9/30
 - The two government affairs items that engendered extended discussion were Prop. 57 - "Governor's Criminal Justice Initiative" and Proposition 64 - "Marijuana-Use Initiative". Prop. 57 would allow certain nonviolent felons to seek early parole and give juvenile court judges an increased role in trying juveniles in adult courts. Prop. 64 would legalize marijuana use beyond medicinal activities in California. All relationships and participatory activities considered, RCRC staff, headed by Paul Smith, recommended adopting a "NO POSITION" on these to measures. After vigorous discussion, the Board of Directors adopted, on split votes, the Staff recommendations. RCRC Staff has prepared an Executive Summary of the Board of Directors meeting that will be distributed by Helen Nunn.

Supervisor Corless:

- Spent time while on vacation seeing and discussing how different places approach issues that face our county, including wildlife management and transient rentals.
- 9/14 Tom Steyer Meeting: met with Steyer and NextGen Climate staff member Katelyn Hailey. Steyer, founder of NextGen Climate and possibly candidate for governor was interested in learning more about Eastern Sierra issues, including impacts of climate change, housing, income inequality.
- 9/15 Town County Liaison Items: animal control—requested this item on the agenda to gauge town's interest in possibly contracting with county or addressing issue, and the answer was no, it is not a current priority, according to Dan Holler, unless council gives direction. Board/Council joint meeting November 15 or 16, agendas items include Mammoth facilities planning.
- Participated in Lakes Basin Cleanup on Sept 17, thanks to Friends of the Inyo, Mammoth Lakes Recreation, Mammoth Lakes Chamber for organizing and sponsoring.
- Coming up: Fire Safe Council meeting Oct. 11, still looking for participants and so I will forward the agenda to Helen to share with the board to get the word out to Mammoth constituents. Will be hearing a presentation from Inyo National Forest regarding an upcoming fuels reduction project in the Lakes Basin.

Supervisor Fesko:

- Tuesday September 20th – Attended a Supervisorial debate in Mammoth. Interesting questions especially the one regarding if the County would give up some of the property tax money to the Town.
- Thursday September 22nd – My wife and I had the honor and privilege to attend the Mount Warfare Training Center's 65th anniversary. The current commanding officer, Col. James Donnellan spoke about their mission at the base. Retired Major General Steele recounted some of his stories from years ago, quite an interesting gentleman. We toured a new library with hundreds of books donated by Major General Steele. It is always a great time to see this base in operations.

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- We left the base and headed out of town as my wife and I share anniversary dates with MWTC. We had a great night away celebrating 26 years of marriage.
- Saturday September 24th – Had the honor to celebrate a friend's 84th birthday, Happy Birthday to Edith Maxey of Topaz.
- Tuesday September 27th – I meet with Brett Emery regarding the wood thinning that he is doing up in Swagger Creek area. I went up to see first-hand the fuels reduction he is doing under permits by CalFire, Fish and Wildlife and Lahontan. I be speaking with Planning in the near future on this matter.
- Saturday October 1st – A county employee who worked in the Walker Social Services office unexpectedly passed away. Deborah (Debbie) Mayorga passed away from an apparent heart attack in the early hours on Saturday. Her two year old grandson was with her at the time. A special thanks to the Antelope Valley Fire Department and Mono County Paramedics for their quick response. Luckily the Fire Department has a new female firefighter who was able to comfort the grandson while our Paramedics and Fire Fighters worked diligently to save Deborah. Our sympathy goes out to her remaining family. Deborah was only in her early 50's, way too young to pass on.
- I would ask that we adjourn today's meeting in memory of Deborah Mayorga.
- Monday October 3rd - Attended the LTC in Mammoth. Thanks to Commissioner Stump for running the meeting as I was video conferencing into the meeting.
- Update on Hwy 108 Truck Restriction. I spoke with Tom Hallenbeck. He assured me he would find the paperwork and sign quickly.

Supervisor Johnston:

- Attended the IMACA meeting in Bishop. They continue to conduct many community benefits including fuel wood distribution from recent fire safe harvest areas in the Town area.
- Attended the Local Transportation Commission meeting. Items included several items as follows: Unexpectedly, the Freeman Gulch phase I is likely to be funded and constructed next year. The State California Transportation Commission will be meeting in Mammoth Lakes next September 13th and 14th. The Hwy 108 truck prohibition is at CALTRANS headquarters awaiting signature. The state legislature will be in special session through November to try and resolve transportation funding. There was also an update on the Red Meadow road rehabilitation efforts being led by the Town of Mammoth Lakes.
- Attended the Mammoth Lakes Housing meeting. We are still preparing for the joint meeting with the Town on October 19th. Also, we are getting feedback on the struggle people are having finding housing. The potential EFID was also brought up in relation to how that might affect housing opportunities.

Supervisor Stump:

- 9-27 - Attended the CSA 1 meeting, they are continuing to work on community improvement projects
- 9-29 - Attended the Southern Mono Hospital District Community Health Needs Priority; Access to care Implementation Team Meeting : Focused on simple steps such as combining health screenings with Flu Shot clinics
- 10-3 - Attended Local Transportation Commission.
- 10-3 - Attended Eastern Sierra Unified School District Community meeting in Benton - District is proposing to cut the Benton school back to K-3 next year. Currently K-5.

5. COUNTY ADMINISTRATIVE OFFICE

Leslie Chapman:

- 9/11 – June Lake Jam fest volunteer. Mono Arts Council event benefits school programs.
- 9/12 – Met with Robin Roberts and staff to go over preliminary report on transitional housing that will be presented to your Board on October 18th.
- 9/13 & 14 – Free hearing tests in Mammoth and Bridgeport.

- 9/15 – Town/County Liaison meeting, discussed parking a fully-stocked emergency trailer at the airport for emergency preparedness. Also discussed the possibility of adding Animal Services back in the Town – found out this is low priority in the grand scheme of Town priorities.
- 9/19 – Clerk Musil hosted an elections meeting to discuss duties and logistics of the upcoming election. I will be picking up ballots at Crowley Lake and Mammoth.
- 9/22 – South County building committee met to discuss next steps which include meeting with our current landlords and meeting with the Town to discuss joint occupancy arrangements.
- Arranged SCE field trip to look at power poles in the Mono Basin. Also arranged for SCE to be at the Mono Basin RPAC meeting on Wednesday, October 12th at 7:00pm
- 9/26 – Janet Dutcher and I met with HDL to discuss getting services they provide including sales tax, tot and property tax data reporting and projections.
- 9/27 – Met with Finance and representative from Moody's to discuss data that was provided by finance and answer questions relevant to our upcoming bond rating
- 9/28 – Jay Sloan hosted training, "Supervisor Training, Building Skills for Success"
- 9/29 – Jay Sloan hosted training, "Power of Team"
- 9/28 & 29 – RCRC Conference where I attended presentations on the political landscape, the impacts of the internet on the economy, Supreme Court status, Drone legislation, regulating the marijuana industry, foster care and criminal justice reform.
- 10/3 – Met with SCM landlord to begin discussions of potential future lease arrangement
- Met with local citizen to hear recommendations for EMS sustainability and improvements.

6. **DEPARTMENT/COMMISSION REPORTS**

No one spoke.

7. **CONSENT AGENDA - NONE**

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

8. **CORRESPONDENCE RECEIVED**

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

A. Opinion Letter re: Wildlife Services (a subdivision of the Dept of Agriculture)
Predator Control Program

Opinion letter from the New York Times regarding Wildlife Services' predator control program submitted by Supervisor Larry Johnston.

Supervisor Johnston:

- The point of the letter regarding wildlife services is that they need to do better scientific studies regarding this. He read this in the digital clipping service as it relates to the recent bear problems reported in June Lake.

Supervisor Alpers:

- Interesting and informative, but this is not correspondence. Feels that correspondence should only be correspondence, there should be protocol. Include informational items?

Stacey Simon:

- A Board member cannot forward information directly to other members. Correspondence typically is not an action item, but since it is on the agenda, it may be discussed.

Supervisor Corless:

- Feels this should be a future agenda item.

Supervisor Fesko:

- He has a lot of agriculture in his district, did some research on the article and wildlife services.

9. REGULAR AGENDA - MORNING

A. Ormat Presentation Regarding Local Geothermal Development

Departments: Board of Supervisors

(Mark Hanneman, Janice Lopeman and Steve Henricksen) - Presentation by Ormat regarding local geothermal development (requested by Chairman Stump)

Action: None (informational only). Provide any desired direction to staff.

Steve Henricksen:

- Introduced his team: Janice Lopeman and Rahm Orenstein. Went through the power point and answered general questions from the Board; please see the video of this meeting and the additional documents link on the website.

B. Long Valley Hydrological Advisory Committee Report

Departments: Community Development

(Nick Criss) - Presentation by Nick Criss updating the Board of Supervisors on the August 10, 2016 Long Valley Hydrological Advisory Committee meeting.

Action: Receive update; and provide any desired direction to staff.

Nick Criss:

- Reviewed the LVHAC minutes from the meeting of August 10, 2016.
- Since he has been Chair, the HAC has not taken any formal action with regard to findings over the years.
- Reiterated the HAC is an advisory committee, not regulatory. They take information from ORMAT and others into consideration but only give advice.

Supervisor Stump:

- Does the HAC discuss their role or authority? HAC is not a regulatory committee. If the HAC recommends something, Mono Co has to enforce.
- Isn't the BLM going to rely on the LVHAC recommendation?

Stacey Simon:

- BLM is not bound to do what the HAC recommends.
- Legal point; this is not a County entity. Any agency can disregard the advice from the HAC.

Supervisor Corless:

- Beyond the minutes, are there records of the HAC findings over the years?

Supervisor Johnston:

- Takes issue with the idea of a secret committee. Feels the geothermal groundwater is the public's resource, and should not be decided on in private. Takes issue with a former employee of ORMAT now overseeing ORMAT's project for the State.

Stacey Simon:

- Question regarding the reimbursement for county and staff time.

Scott Burns:

- Working toward more reimbursement for staff time from ORMAT.

C. SCE Grant Easement Request

Departments: Public Works - Road

(Jeff Walters) - Southern California Edison (SCE) is requesting a grant of easement to install approximately 25 feet of new underground conduit to two existing utility poles along a county owned dirt road near the Mill Creek Powerhouse.

Action: Authorize the Public Works Director, in consultation with County Counsel, to sign the easement request paperwork. Provide any desired direction to staff.

Alpers moved; Fesko seconded

Vote: 5 yes; 0 no

M16-208

Jeff Walters:

- His concern is if this is a county maintained road. It's a dirt road that follows the power line. This is not a county maintained road. He does not see any further impacts the road itself or for anyone using the road. Is on county owned land, but not a maintained road.

D. Appointment to Assessment Appeals Board

Departments: Clerk of the Board of Supervisors

(Bob Musil) - Discussion and possible appointment of Jeff Mills as an alternate member of the Assessment Appeals Board.

Action: Consider and potentially appoint Jeff Mills to serve as an alternate member of the Assessment Appeals Board; provide any desired direction to staff.

Fesko moved; Alpers seconded

Vote: 4 yes; 1 no; Johnston

M16-209

Bob Musil:

- Back to department reports briefly, his office is on schedule with election activities, resolving last things with IT, sample ballots mailed from our printer, voter information guides from the State. Our ballots were extensively proofed by 3 employees and he is confident of their accuracy. Our vote by mail ballots will be going to the post office next Tuesday.
- The Assessment Appeals Board normally has 3 members and 1 alternative that hear assessment appeals hearings on real and personal property. Our last alternate member, John Gallagher, resigned earlier this year and we need an alternative because we have a case scheduled for October 26-27 that one member has recused herself from. 2 year time limit for this hearing to be heard.

Supervisor Johnston:

- Takes issue with a county employee making decisions that affect the county tax rolls, in turn affecting his own salary.

Stacey Simon:

- She has looked into this, and there is no prohibition from him being on the appeals board.
- Confirmed the remoteness of the tax roll affecting his personal paycheck; not a legal issue.

E. Planning Commission Meeting Schedule Change

Departments: Community Development

(Scott Burns) - Consider changing planning commission regular meeting time from the second Thursday to the third Thursday of each month.

Action: 1. Introduce, read title, and waive further reading of proposed ordinance amending section 2.36.040 A of the Mono County Code, pertaining to regular meetings of the planning commission; and 2. Provide any desired direction to staff.

Alpers moved; Johnston seconded

Vote: 5 yes; 0 no

M16-210

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

No one spoke.

11. **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 - Initiation of Litigation**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: One.

C. **Closed Session - Performance Evaluation - CAO**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: CAO.

REPORT OUT OF CLOSED SESSION:

- A. Nothing to report
- B. Approval was given to legal counsel to intervene in litigation. The action, the defendants and other particulars shall, once intervention is formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the County's ability to effectuate service of process on one or more unserved parties or the County's ability to conclude existing settlement negotiations to its advantage." 5-0 vote.
- C. Nothing to report. This item has been extended and will be revisited after the conclusion of the regular afternoon agenda.

THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 1:00 P.M.

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

13. REGULAR AGENDA - AFTERNOON

A. Transient Rental Neighborhood Designation Process

Departments: Community Development and Board of Supervisors

(Supervisor Johnston, Nick Criss) - Supervisor Johnston's Transient Rental Designation Process Proposal

Action: Direct that Supervisors Johnston's proposal be presented to and considered by the Planning Commission and Board of Supervisors during upcoming public hearings on the matter; and provide any desired direction to staff.

For the full discussion on this item, please refer to the video on the website.

http://monocounty.granicus.com/MediaPlayer.php?view_id=1&clip_id=127

Scott Burns:

- This is to update the Board on where they are within the process.

Nick Criss:

- Overview of the staff report, general overview of why this item is before the Board today.

Supervisor Stump:

- Crowley/Swall/Paradise community meeting has been cancelled due to Supervisor Johnston's bringing this item to the Board now.

Supervisor Johnston:

- Gave an outline of his proposal, focuses on the idea that some zone changes in some areas would be acceptable, if those areas are agreeable. Does not think every area within the County is an acceptable location for transient rentals.

Supervisor Alpers:

- Feels many of these ideas are already being incorporated into the process. Feels his proposal could be meshed into the existing track, rather than starting over.

Public Comment:

Charlie Burdette/Dorothy Burdette:

- In support of this alternative approach. Will give handout.

Scott Burns:

- General overview of where his department is in the process, his staff shortage, how his department came to the current state of the proposal; refining the package with Supervisor Johnston's comments. The proposal would still need to go to the RPAC and the public. No decisions were going to be made today.
- This may end up being an adjustment to the general area plan that was recently adopted.

Supervisor Johnston:

- Needs to be a process that gets us where we want to be; where do we want to allow transient rentals? And others where it's not appropriate. Trying to stave off a measure Z, we need to do something clean and succinct now.

Supervisor Fesko:

- Second home owners have just as many rights as residents, it's trying to find the balance.

Supervisor Stump:

- Agrees with Supervisor Fesko, this should be limited to SFR areas. Has 4 communities w/o RPACs by choice. Individual homeowners have property rights. He is inclined to disallow all transient rentals in June Lake except for existing ones. Compared the fee to an expectation of a service. Wants to see it simplified. Prefer to have it apply to SFR areas only.

Board direction was given to Scott Burns to take concept and integrate into Planning's proposal, with clarifications today, focus on June Lake.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

ADJOURN in memory of Deborah Mayorga at 4:01 p.m.

ATTEST

FRED STUMP
CHAIRMAN OF THE BOARD

HELEN NUNN
SR. DEPUTY CLERK OF THE BOARD