



**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
December 5, 2017**

9:17 AM Meeting called to order by Chair Corless
Supervisors Present: Corless, Gardner, Peters, and Stump.
Supervisors Absent: Johnston.

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 Supervisor Gardner

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Benny Romero, Bridgeport Ranch:

- Would like to display artwork in County buildings. Eastern Sierra Photography Jamboree.

Misti Sullivan, Twin Lakes Resort / Vice President, Chamber of Commerce:

- Met with Economic Development, community marketing event fund.
- Wanted to say thank you.

2. RECOGNITIONS

A. Recognition of Jessica and Larry Anderson, Mono County Resource Family

Departments: Social Services

(Kathy Peterson, Michelle Raust) - Recognition and honoring of Jessica and Larry Anderson, the first certified resource family in Mono County.

Action: Recognize and thank Jessica and Larry Anderson in their new role as a Mono County Resource Family

Kathy Peterson, Director of Social Services:

- Discussed becoming a Mono County resource family.
- Michelle Raust, Social Services:**
- Introduced the Andersons.

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Leslie Chapman, CAO:

- Last week at CSAC.
- 20th – met with representatives from Town and Forest Service. Recreation coordinator position. Moving along will discuss at joint Town / County meeting.
- CSAC conference highlights:
- Women’s leadership forum at CSAC.
- Public Information Officers Workshop.
- Social Community and public health impacts of cannabis workshop; criminal justice reform.
- Policy committee on government, finance, and administration.
- General Sessions: Jane Pauley; Reverend Jeffrey Brown; Aneesh Chopra.
- Capstone of the conference: was presented with the executive leadership credential from CSAC Institute for Excellence in County Government.
- Back in Mono County – Meeting, Strategic Planning for Southern Mono Hospital.

4. DEPARTMENT/COMMISSION REPORTS

Sheriff Ingrid Braun:

- Squad meeting last Friday, No Shave November.
- Undersheriff Moriarty retiring December 22.
- Lt. Phil West will be appointed as Undersheriff.

Nate Greenberg, IT Director:

- Apologize for technology issues this morning.
- Last night, launched brand new Mono County website.

5. 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. Board Minutes

Departments: Clerk of the Board

Approve minutes of Board of Supervisors meeting on November 7, 2017.

Action: Approve minutes of Board of Supervisors meeting on November 7, 2017, as corrected.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

M17-230

Supervisor Gardner:

- Page 4, Item e, Anne Larsen, the amount is \$15,000 not \$15.

B. Amendment #1 to Contract with Inyo County for Senior Services Funds

Departments: Social Services

Amendment #1 to Contract with Inyo County for a decrease of funds for FY 2017-18 pertaining to the Senior Services Program.

Action: Approve the proposed contract Amendment #1 to the contract with Inyo County for senior services for the period July 1, 2016 through June 30, 2020, and authorize the Board Chair to execute such Amendment on behalf of the County.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

M17-231

C. Ormat/USGS Hydrologic Monitoring Funding

Departments: Community Development

Proposed Ormat and USGS contracts pertaining to funding ongoing hydrologic monitoring in the Long Valley Caldera.

Action: Approve County entry into proposed contracts and authorize Director of Community Development to execute said contracts on behalf of the County.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

M17-232

D. Out-of-State Travel Authorization for NACo Legislative Conference

Departments: Board of Supervisors

Out-of-State travel request for Supervisor Corless and Supervisor Gardner to attend NACo conference in Washington D.C.

Action: Approve out-of-state travel for Mono County Supervisor Stacy Corless (the county's NACo representative) and Supervisor Gardner (alternate) to attend the NACo Legislative Conference in Washington, D.C. March 2 - 8, 2018.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

M17-233

6. CORRESPONDENCE RECEIVED - NONE

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.

7. REGULAR AGENDA - MORNING

A. Letter to BLM Re: Rifle / Pistol Range Hours

Departments: Clerk of the Board

Letter to the Bureau of Land Management supporting a change in the hours of operation of the Bridgeport Gun Club public rifle / pistol shooting range during

migratory periods (April 1 through May 31 and October 14 through December 20) from 9:00 a.m. to 2:00 p.m. on weekends only (current hours) to 8:00 a.m. to 3:00 p.m. daily (proposed hours).

Action: Approve and authorize the Chair, or designee, to sign letter of support.

Peters moved; Stump seconded

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

M17-234

Supervisor Peters:

- Discussed the item.
- Supervisor Stump: Supports the change in hours.
- Peters moved, Stump seconded.

Tony Dublino:

- Speaking as a property owner, not County employee.
- Owns a home in ear shot of the gun range.
- Doesn't want to unravel all of the work and effort that went into the original legislation.
- Unintended consequences doesn't mean getting rid of the mitigation, it means finding a new solution.

Supervisor Corless:

- Uncomfortable supporting the very specific hours in the letter.
- What is missing – anything discussing mitigating impacts on wildlife.
- Would like to see the gun club work with BLM to come up with different hours.

B. Resolution Superseding and Replacing Resolution R15-81, Creating a Revolving Loan Fund for the Purchase of Deed-Restricted Housing, to Remove Subordination to the Town of Mammoth Lake's Revolving Loan Fund

Departments: CAO, Finance

(Leslie Chapman, Janet Dutcher) - Resolution R15-81 authorized the creation of Mono County's revolving loan fund (RLF) to facilitate the purchase of deed-restricted properties by Mammoth Lakes Housing (MLH). The original resolution restricted the timing of these loans to disburse only after the Town of Mammoth Lakes (TOML) RLF had been exhausted. The proposed Resolution removes this restriction, allowing the disbursement of loans without regard to the funding status of the TOML's RLF.

Action: Adopt proposed Resolution R17-86, Superseding and replacing Resolution 15-81 to remove subordination to the Town of Mammoth Lakes Revolving Loan Fund.

Corless moved; Gardner seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

R17-86

Janet Dutcher, Finance Director:

- Introduced item.
- Town of Mammoth Lakes has decided to put their revolving loan fund on hold, which caused the County's RLF to be put on hold as well.
- Need to change the resolution to remove the subordination so the County's loan isn't put on hold based on what TOML decides to do with their fund.
- Fund will be back at full strength after escrow closes on Friday.

Jennifer Halferty, Mammoth Lakes Housing:

- Homes being saved are critical.
- The homes are turning over quickly to new occupants / buyers.

Supervisor Corless:

- Alternate on Mammoth Lakes Housing Board.
- The Housing Board appreciates the County's quick consideration of this.

C. Housing and Disability Income Advocacy Program (HDAP)

Departments: Social Services

(Kathy Peterson; Francie Avitia) - The Housing and Disability Advocacy Program is a county administered program that assists disabled individuals (including those in families) who are experiencing homelessness to apply for disability benefit programs while also providing housing assistance. Authorization is sought for the Department of Social Services to receive the California Department of Social Services HDAP grant in the amount of \$75,000 for Fiscal Years 2017-20.

Action: Authorize the Department of Social Services to receive from the California Department of Social Services a Housing and Disability Advocacy Program grant in the amount of \$75,000 for Fiscal Years 2017-20.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

M17-235

Kathy Peterson, Social Services:

- Introduced item; described the program.

D. 2018 HAVA Contract Agreement #17G26125

Departments: Elections

(Helen Nunn) - The U.S. Elections Administration Commission, through the State of California, is offering HAVA (Help America Vote Act) federal reimbursement funding for travel and training expenses and to improve the administration of elections. This funding will cover costs for one Elections staff member to attend HAVA training in January, the purchase of elections supplies and equipment needed to maintain polling place compliance with accessibility requirements, and accessibility training and education of poll workers.

Action: Authorize Shannon Kendall, Mono County Clerk-Recorder-Registrar of Voters, to enter into a contract with the State of California for the program known as "HAVA Polling Place Accessibility Training Program."

Gardner moved; Stump seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

M17-236

Helen Nunn, Asst. Clerk-Recorder:

- Described agreement.
- Candidate's Guide is available on the web, and in the office.
- Elections webpage - continuing to make it as user-friendly as possible.
- Presentation at Mammoth Voices.

Break at 10:27 AM

Reconvene at 10:38 AM

E. Implementation of Building Homes and Jobs Act Fee (SB 2)

Departments: Clerk-Recorder

(Shannon Kendall, Clerk-Recorder; Jason Canger, Deputy County Counsel) - Beginning January 1, 2018, a fee of seventy-five dollars (\$75) must be paid at the time of recording of every real estate instrument, paper, or notice required or permitted by law to be recorded, except those expressly exempted from payment of recording fees, per each single transaction per parcel of real property. The total fee may not exceed two hundred twenty-five dollars (\$225).

Action: None.

Shannon Kendall, Clerk-Recorder:

- Introduced item; explained Senate Bill.

Jason Canger, Deputy County Counsel:

- It is a state fee, not county.

Janet Dutcher, Finance Director:

- Unknown how much revenue will be generated, estimate is \$200 - \$300 million.

F. Solid Waste Task Force Recommendations for Future Regional Solid Waste Services and Member Appointment

Departments: Public Works - Solid Waste

(Justin Nalder) - Recommendations for future regional solid waste services as provided by the Solid Waste Task Force. Appointment of Sandra DiDomizio to the Public at Large seat of the Solid Waste Task Force.

Action: Appoint Sandra DiDomizio to fill the Public at Large seat on the Solid Waste Task Force for a two-year term commencing on September 28, 2017 and ending on September 19, 2019.

Gardner moved; Stump seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

M17-237

Justin Nalder, Solid Waste Superintendent:

- Introduced item.
- Reviewed recommendations.
- One more vacancy on the task force still remains.

G. Temporary Road Closure of Upper Summers Meadow Road for Emergency Bridge Construction

Departments: Public Works - Roads

(Garrett Higerd) - Qualcon Contractors Inc. has provided a preliminary construction schedule for the bridge abutments for the Upper Summers Meadow Road bridge. The contractor intends to start construction on December 4, 2017 and continue until approximately mid-January. Unfortunately, the abutment excavations need to be wider and deeper than originally expected and there is

not enough room to keep the road open during construction of the abutments without significant cost and further delays.

Action: Adopt Resolution #R17-87, A Resolution of the Mono County Board of Supervisors Authorizing the Temporary Closure of Upper Summers Meadow Road at Green Creek Road for Emergency Bridge Construction.

Peters moved; Corless seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

R17-87

Garrett Higerd, County Engineer:

- Gave status of the project.

Moved to Item 12: Board Reports.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Closed Session began at 11:41 AM

9. CLOSED SESSION

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. 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: Michael Hallum v. County of Mono, et al. (CV170086).

C. Closed Session - Public Employment: Public Works Director

Departments: County Administrative Office

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Public Works Director.

D. Closed Session - Public Employment: Community Development Department Director

Departments: County Administrative Office

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Community Development Department Director.

E. Closed Session - Exposure to Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: 1.

Report out of Closed Session:

Direction was given to Legal Counsel to defend litigation filed by Michael Hallum challenging the personnel appeal determination which upheld his termination from County employment. The vote on this matter was 4 ayes and 1 absence.

THE AFTERNOON SESSION RECONVENED at 1:14 PM

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

11. REGULAR AGENDA - AFTERNOON

A. Public Hearing - General Plan Amendment 17-03 / Cannabis Policies - 1:00 PM

Departments: Community Development

PUBLIC HEARING - 1:00 p.m.

(Wendy Sugimura, Michael Draper) - Public hearing regarding new General Plan policy language in the Land Use and Conservation/Open Space Elements related to the legalization of commercial cannabis activities.

Action: Adopt Resolution 17-88, with any desired changes, Approving General Plan Amendment (GPA) 17-03 adding provisions to the Land Use Element and Conservation/Open Space Element for commercial cannabis activities, find that the proposed amendment is consistent with the County General Plan and applicable area plans, and find that the project is exempt from the California Environmental Quality Act pursuant to Business & Professions Code §26055(h)).

Peters moved; Corless seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

R17-88

Wendy Sugimura, Community Development:

- Introduced item. General overview.
- The general plan is the blue print for development for Community Development.

Michael Draper, Community Development:

- Discussed item further.

Public Hearing opened: 1:46 PM

Sally Rosen:

- Question about Action 1.G.1.A - Would this require a general plan amendment?

Tina Braithwaite, Benton Paiute Tribe:

- Personal grows allowed on reservation.
- 6 – 8 foot privacy fence.
- How are you going to regulate which chemicals are being used on the grows?

Mike Curti, Rancher:

- State law requires that we cannot spray restricted chemicals i.e. 2-4-D.
- There are no chemicals out there that you can spray cannabis with legally.

Public Hearing closed: 2:04 PM / Board Discussion

Break at 2:12 PM

Reconvene at 2:19 PM

Wendy Sugimura will provide copy of final changes (available in additional documents).

B. Cannabis Regulatory Program - Next Steps

Departments: CAO

(Tony Dublino) - Discussion of the County's Cannabis Regulatory Program, including next steps and timing of implementation.

Action: Consider different options for implementation and provide direction to staff.

Tony Dublino, Asst. CAO:

- Introduced item.
- Recommended actions (per staff report): 1. Direct staff to pursue adoption of the regulatory program, and not temporary permits. 2. Direct staff to complete preparation and forward the Cannabis Regulatory Program for Board consideration in March 2018.

Leslie Chapman, CAO:

- To summarize, last time this was before the Board there was specific direction to bring back the policy along with the tax major. Next general election is in November. After, we received comments and a letter asking for temporary regulations. Does the Board want staff to wait until October to bring back proposed regulation, or continue with time line with projected deadline in March?
- After meeting with different groups and departments it seems like this whole group is on track to produce something by March, otherwise will stand by original direction to have something in October.

Public Comment:

Eric Edgerton, Tilth Farms:

- Proposed recommendations will not allow for outdoor cultivation to occur in 2018.
- Ask that Board will allow people with proper zoning to apply to state for temporary permits.
- Will allow operations to start while we work through the licensure process.

Sally Rosen:

- Thanked CAO for addressing letter sent to them (available in additional documents).
- Allowing some mechanism to allow growers to apply for a state permit will bring to light those instances that need addressing.
- The county has an incentive to be supportive to business activities.

Tina Braithwaite, Benton Paiute Tribe:

- Implementing in March is in the County's best interest to move forward, these are tax dollars.

Jeph Gundzick, Banner Springs Ranch:

- If there is a way to allow cultivation to begin ahead of time because of the lags that would be very beneficial to us as cultivators.
- Tax windfall generated by cannabis for housing, etc.

No motion. Staff direction. Consensus on Board for the 2 actions.

12. BOARD MEMBER REPORTS

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

Supervisor Corless:

- CSAC Conference: Very relevant discussions (especially in the Agriculture, Environment, Natural Resources Committee) on emergency services, fire hazard mitigation, preparedness; also had discussions and did some research on issue of county boundary adjustment—see information submitted with this report (available in additional documents).
- Mammoth Lakes Housing:
- June Lake family closed on a house using county HOME funding.
- Deed Restriction Management.
- MLH has closed escrow on a San Joaquin Villas deed restricted condo using both Town and County RLF monies. This home is in escrow and scheduled to close December 6th. This is a 150% AMI home.
- MLH is in escrow with a buyer for the Meridian Court A202 condo. This is a 80% AMI home. MLH will be recording a new deed restriction agreement with the buyer of this condominium. Escrow is scheduled to close December 8th.
- MLH represented a Mammoth Lofts deed restricted owner on the sale of their condo. This home is a 100% AMI (middle income) studio-loft. MLH recorded a new deed restriction agreement with the buyer. This home closed on November 30th.
- 12/6--Town Council will consider accepting the housing action plan and will discuss the finance plan for the Shady Rest Parcel Purchase.

Supervisor Gardner:

- Along with Chair Corless and Supervisor Peters I attended the CSAC Annual Conference last week in Sacramento. The conference provided information on the status of state and federal legislative action concerning our County, and other information about issues of interest. It was also very useful top talk with Supervisors from other rural counties across the state about issues of common interest.
- This week I will be attending several meetings, including the Fish and Wildlife Commission, the June Lake Citizens Advisory Committee, the ESCOG Airport Subcommittee, the ESCOG meeting, and ESTA.

Supervisor Johnston:

- **Absent**

Supervisor Peters:

- **27th - 1st** CSAC Conference Highlights
- **2nd** Lions Club Business Meeting/Basketball Tournament
- **3rd** Poetry Out Loud Judge
- **Upcoming:** Chamber meeting Bridgeport tonight.

Supervisor Stump:

- 11-28: Attended the CSA 1 Meeting. The CSA is starting to look beyond the Skate Park project to determine what might be next.

- 11-29: Attended a retirement lunch for Scott Burns. In addition to many County Staff there were folks there from Cal Trans, BLM, the Town of ML, and even former employees. Former Supervisor Alpers came from Reno. Thank you to Wendy and Gerry for putting it on. It was a fitting tribute.
- 12-2: the still under construction Crowley Skate Park had its first accident victim. It was a mid-30s male with an apparent broken femur. To all that are tempted, the park is not ready for use yet and will not be truly finished until Spring.
- Last week I was made aware of two School Bus transportation issues in the Tri Valley effecting every school age child, from the Benton Tribal Reservation to Chalfant that rides school busses. The school operated by the Eastern Sierra School District in Benton has been reduced from K-12 when I first took office to K-5 currently. Children in upper grades are bussed by Eastern Sierra to Chalfant where they transfer to a Bishop School District bus for the trip to schools in Bishop. Last week, because of driver unavailability, Eastern Sierra did not provide bus service. There was an attempt to cover using sport utility vehicles. That District did not notify the Bishop District until last Tuesday of this and it appears that it was left up to the Bishop District to notify parents.
- The Bishop District has its own issue around bus service. That District is short of bus drivers and may have to cut the Bishop/Chalfant run if they cannot hire at least one person. This is not a money issue for Bishop, it is an issue of finding a qualified person who will take the job.
- I spoke with the Bishop Superintendent last week and emailed with the Eastern Sierra Superintendent who was out of town. We were scheduled to speak on Monday but I received a message that he had to leave the area due to family medical reasons. Both Superintendents were supposed to speak with each other on Monday to seek solutions. I do not know if that happened. I also contacted ESTA to see if they could help. Neither District had spoken to them. There are restrictions on what a public transportation agency can do but ESTA is defiantly willing to discuss. The Bishop Superintendent said he was going to call ESTA.
- If the school districts do not work this out it will have a negative effect on the livability in the Tri Valley Communities. My opinion, for what it is worth, is that the Eastern Sierra District retains responsibility for transporting students from within their boundaries to the point of education and I hope that the Eastern Sierra School Board understands that. It is true that Eastern Sierra transfers some funding to Bishop but that does not absolve that District of responsibility. The children are paying the price.

ADJOURNED at 3:08 PM

ATTEST

STACY CORLESS
CHAIR OF THE BOARD

SCHEEREN DEDMAN
SENIOR DEPUTY CLERK