



MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA

Regular Meetings: The
First, Second, And
Third Tuesday of each
month

Regular Meeting

County Courthouse,
Bridgeport CA 93517

January 4, 2011

Flash Drive	#1004
Minute Orders	M11-01 to M11-10
Resolutions	R11-01 to R11-01
Ordinance	Ord11-01 not used

9:00 AM **Meeting called to Order by Shannon Kendall:** Clerk of the Board opens the first meeting of the calendar year.

Pledge of Allegiance led by Chairman Hunt.

Ceremonial Swearing in of Newly Elected Supervisor: Judge Eller administered oath of office to Supervisor Larry Johnston, District 1.

Clerk of the Board calls for nominations to elect the Chair of the Board for 2011.

M11-01 ACTION: Nominate Supervisor Hazard as Chair for 2011.
Hunt/Bauer 5-0

Clerk of the Board calls for nominations to elect the Vice Chair of the Board for 2011.

M11-02 ACTION: Nominate Supervisor Bauer as Vice Chair for 2011.
Hunt/Hansen 5-0

Clerk of the Board made a presentation to outgoing Board Chair, Byng Hunt.

Chairman Hazard resumed duty of conducting the meeting.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD
No One Spoke.

BOARD MEMBER REPORTS

Supervisor Bauer:

- Last week, conference call with Dick Whittington regarding YARTS. Major issues with road slides due to weather. Agenda item next week regarding short range transit plan; she needs Board input.
- Spoke about ceremonial moments this morning; we are so lucky to be so supportive of each other and to be involved.
- CAC meeting tonight: latest project, signs.
- Updated Board on issues at the federal level.

Supervisor Johnston:

For future board meetings:

- Adoption of future employee recognitions (resolutions), how are these processed?
- Consider and possibly approve having third meeting of the month in Mammoth.
- Reconsider the filling and location of open positions due to budget issues.
- Solid Waste Enterprise losses.
- Look into live streaming for Board meetings; he has talked to I.T., doesn't seem too expensive.
- Idea of having a construction stimulus package to push the construction sector and help it stay afloat during tough times.

Supervisor Hunt:

- Town lost its appeal on Hot Creek Airport decision on 12/30/10, previous decision upheld. Town has a lot to talk about this week.
- Yesterday, he and Dave met with Elizabeth Tenney – she is moving for a project called a Welcoming Gateway to Mammoth – somewhere at entrance to town. He passed out a preliminary drawing done by architect. She wants to do outside of government.
- Last night, Mammoth Lakes Housing Board meeting. Went over items dealing with snow and water leakage, etc.

Supervisor Hansen:

- Had nice Christmas with daughter.
- Mom passed away on 12/29/10; all Board members gave Tim their condolences.

Supervisor Hazard:

- Deferred Board report.

COUNTY ADMINISTRATIVE OFFICE

- 1) **CAO Report regarding Board Assignments (David Wilbrecht)**
ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

Dave Wilbrecht:

- He's been on vacation.
- Negotiations with MCPEA and PSO's tomorrow.
- Will be attending the Town Council meeting – will introduce solid waste taskforce, report from Avery & Associates (group hired by Town to analyze opportunities for contracting and consolidation).

- 2) **APPROVAL OF MINUTES**

M11-03 ACTION: Approve Minutes of the Regular Meeting held December 14,

2010.

Bauer/Hansen 4-0; 1 abstain: Johnston

M11-04

ACTION: Approve Minutes of the Regular Meeting held December 21, 2010.

Hunt/Bauer 4-0; 1 abstain: Johnston

Break: 9:11 a.m.

Reconvene: 9:26 a.m.

Closed Session: 9:30 a.m.

Break: 10:15 a.m.

Reconvene: 10:20 a.m.

Lunch: 11:57 a.m.

Reconvene: 1:05 p.m.

Closed Session: 3:52 p.m.

Adjourn: 4:23 p.m.

CLOSED SESSION

The Board had nothing to report out of closed session.

BOARD OF SUPERVISORS

3a)

Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Dave Wilbrecht, Marshall Rudolph, Brian Muir, and Jim Arkens. 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.

DEPARTMENT REPORTS/EMERGING ISSUES

(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Lynda Roberts:

- Follow up to December 21st meeting regarding the election. Some voters were confused about purpose of election, so she put out a press release.

Kelly Garcia:

- New lights installed into the Board room. The main one will be lowered a little bit. They will be taking measurements for some additional can lights.

Dan Lyster:

- New Years Day, call from Tim Alpers. Due to blowing snow and cold weather, the Bell Ditch filled with snow, froze and prevented flow from Wilson Creek to portion of Conway, lost a lot of fish. The need for the pipe is very evident now.
- Request from Tim Alpers: has asked for an advance on the fish enhancement contract.
- Supervisor Johnston: where did water go once it was blocked?
- Supervisor Hansen: he would like to see pipeline done as soon as possible.

- Marshall Rudolph: they are waiting for DWP to put it in; this is not being held up by the County.
- Supervisor Hazard: What is financial loss? Asked that this issue be agendized.
- Pursue condemnation if all else fails.

Sheriff Scholl:

- Overview of last couple weeks, very busy over holidays. Nothing of any significance except amount of snow having to be dealt with. There have been a couple Search and Rescues.

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.)

SHERIFF CORONER

- 4a) Sheriff's Department Boating and Waterways Grant: Equipment and Operations Contract - The Mono County Sheriff's Department has received a Grant Contract from the California Department of Boating and Waterways in the amount of \$20,000 for fiscal year 2010-2011. This grant funds the purchase of miscellaneous equipment (refurbish vessels; pas device; dock lines; anchor lines; and sound meters).

- M10-05** **Action:** 1. Authorize the Sheriff's Department (on behalf of the County) to enter into the contract with the California Department of Boating and Waterways for fiscal year 2010-2011. 2. Authorize Sheriff Richard C. Scholl to sign the contract and all reimbursement forms for said contract.
Hunt/Hansen 5-0

Sheriff Scholl:

- Gave brief explanation as to nature of item.
- \$20,000 to go towards rehabbing current equipment.
- Not sure how future personnel grants will go.

Supervisor Hansen:

- What about future personnel grants?

Marshall Rudolph:

- This is a fifteen year contract but it is pretty much expected that money will get spent right away.

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

CLERK OF THE BOARD

- 5a) No Correspondence Received.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Additional Departments: Board of Supervisors

- 6a) Resolution of Appreciation--Gwen Plummer (Scott Burns) - Proposed resolution of appreciation for Gwen Plummer.

M11-06 Action: Approve resolution of appreciation for Gwen Plummer.
Bauer/Hunt 5-0

- Supervisor Johnston read and presented resolution to Gwen.

BOARD OF SUPERVISORS

- 7a) State Budget (Board Members) - The Board of Supervisors may discuss issues pertaining to the California State budget.

Action: None.

Supervisor Bauer:

- Brown served hot dogs during his inauguration ceremony; definitely a sign of the times.

Supervisor Hazard:

- Despite state being incredibly upside down, the general public seems to perceive our world differently.
- Mammoth is having a wonderful season economically.
- There might need to be a special election in June.
- Governor wants to have budget out within 17 days of inauguration.
- There have been no structural changes suggested to solve the problem.

Supervisor Hansen:

- Spoke about Forest Service issues.

Supervisor Hunt:

- The deficit keeps going up; our economy seems to be o.k. but there is really nothing to support it.

- 7b) Personnel Appeals Board (Board Members) - A request has been made to schedule a hearing before a Personnel Appeals Board. This matter involves an employee who lives outside of Mono County.

M11-07 Action: Appoint Supervisor Hansen to sit on a Personnel Appeals Board.
Hunt/Bauer 5-0

Marshall Rudolph:

- You don't have to appoint a member of the Board, can be anyone.
- There are three members on this particular board. One member is appointed by the Board, one member is appointed by the bargaining unit and one person appointed is mutually agreed upon by the other two parties.

Supervisor Hazard:

- There is some concern that Supervisor Hansen does not have a lot of county policy experience. He does, however support Supervisor Hansen's willingness to get involved.

PUBLIC WORKS

- 8a) Inyo/Mono Snow Removal MOU's (Jeff Walters) - Sections of Lower Rock Creek Road, Gorge Road and Rock Creek Road are located in Inyo County and have been assigned a low snow removal priority by their Public Works Department. Mono County performs snow removal on these same roads. The two proposed MOUs, Exhibit 1 and Exhibit 2, would allow Mono County to perform snow removal into Inyo County's portions of these roads thereby providing improved road conditions and recreation access.

- M11-08** **Action:** 1. Authorize the Public Works Director, in consultation with County Counsel, to negotiate terms of, enter into, and administer two Memoranda of Understanding (MOUs) with Inyo County allowing Mono County to perform snow removal services on portions of Lower Rock Creek Road, Gorge Road, and Rock Creek Road in Inyo County when necessary.

Bauer/Hunt 5-0

Jeff Walters:

- He handed out a map (copy to kept in today's folder).
- Under current policy, Inyo County removes snow on specific portions of these roads but at a low priority.
- If Mono County took over part of Inyo's snow removal, it would provide better road conditions, recreation.
- Discussed two separate proposed MOUs in the event the Board wished to go forward with one and not the other.

Supervisor Hansen:

- Is there a liability issue?
- Seems like a good idea.

Marshall Rudolph:

- Inyo wants us to accept the snow removal liability and it is spelled out in the MOU's.
- We are not required to do the snow removal but to the extent we do it, we would then hold Inyo County harmless.
- This would be the same liability we assume when we plow our own roads.

Supervisor Bauer:

- Any additional liability than we usually have for our own roads?

Supervisor Hazard:

- He sees this as two separate areas, etc.
- He was asked by his constituents if the road clearing issues could be addressed with Inyo.
- The Lower Rock Creek is important to our citizens.

- He can see plowing up to the pack station; should explore if there is funding from Forest Service for the rest. There really isn't anything past pack station.

Supervisor Johnston:

- Could we negotiate with Inyo to get more snow poles, etc?
- Any other roadways in our area that are low priority that Inyo could clear?
- We should talk to Cal Trans about mutual aid.

Supervisor Bauer:

- Both pack station and resort are in Inyo County so how much this helps Mono County is questionable.

- 8b) Results of Public Auction of Surplus Property (Jeff Walters) - With authorization of the County's purchasing agent (the CAO), Mono County recently contracted with TNT Auction, out of Reno Nevada, to conduct a public auction of surplus County heavy equipment and vehicles. The items sold were found to be obsolete or no longer serviceable.

No motion. Action: None.

Jeff Walters:

- Discussed the results of Public Auction of Surplus Property.

- 8c) Proposition 1B Funding Summary and Project List Update (Garrett Higerd) - Receive update on Proposition 1B Local Streets and Roads projects. Prioritize projects for the use of remaining funds.

R11-01 Action: Adopt Resolution No. R11-01 "A Resolution of the Mono County Board of Supervisors Adopting a Project List for Proposition 1B Funding and Amending the County's FY10-11 Budget to Include Those Projects."
Hunt/Bauer 5-0

Garrett Higerd:

- Discussed project list for Prop 1B funding – should be infrastructure with a 10-year life expectancy.
- We have done a lot of work with money already received.
- Directed Board to look at Staff Report.
- He's looking at input on past priorities to make sure they are still current priorities.
- He also wants to look at other options for use of funding.
- He went over 09/10 list and proposed 10/11 list.
- They do their best with cost estimating but they usually have a base project that they know will be less, and then they have additives.

Jeff Walters:

- Chose Quincy Engineering for the bridge project due to their experience; there were only two bids.
- Will address the Veteran's signs again.

Supervisor Hansen:

- What if projects go over budget, can you scale it back or where would money come from?

- Does Inyo County have a striper?

Supervisor Bauer:

- We need to jump into certain projects prior to funding getting cut (bridge project).
- Timetable for Aspen Road?

Supervisor Johnston:

- Have all projects been through LDTAC?
- Have all environmental impacts been addressed?
- Suggests that as a county policy, we create self-weathering steel guardrails where possible.
- Why Quincy Engineering vs. a local business?

Supervisor Hazard:

- Explained the traffic calming project plans for Paradise.
- Asked about sloughing issues on Owens Gorge? Doesn't want this lost.
- Veterans Appreciation signs – can the continuation of this be incorporated into these projects?

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Tim Fesko:

- For political reasons he has not commented on things he felt compelled to comment on in the past; that ends today.
- He and his wife own Meadowcliff Resort and have worked hard at making their RV park top notch, they have received an award.
- Walker Ball Field: special meeting on 8/21/2007 regarding funding; was there ever a report given to the board for more money? This project is up to ~\$400,000, it is \$208,000 over cost and has not been approved by the Board.
- Auchoberry Pit, Coleville: special meeting August 2009 presented Board with two options. Board approved a more permanent solution of grading the slope at a cost of up to \$15,000. This project is not complete and over \$135,000 has been spent.
- He requests that these two projects be investigated.
- He attended the 11/2/10 board meeting, item regarding funding support for non-governmental agencies. \$92,000 was pre-approved and the Board had previously agreed to stick to this limit. \$102,845.00 was ultimately approved. How could this Board overspend by \$11,000?
- All this overspending and non-reporting is very irresponsible. He feels the Board needs to stand up and reign in its costs.
- Supervisor Hazard: requests a report on the Walker Ball Field. Please put on agenda.

CLERK OF THE BOARD

9a)

Boards, Commissions, and Committees (Shannon Kendall) - The Mono County Supervisors serve on various boards, commissions, and committees for one-year terms that expire on December 31st. Each

January, the Board of Supervisors makes appointments for the upcoming year.

M11-09 Action: Appoint Supervisors to boards, commissions, and committees for 2011 as agreed upon.
Hunt/Bauer 5-0

- Stacey Simon was on hand to answer questions about which Boards are legally required and which aren't.

The Board made the following appointments:

- Airport Land Use Commission: Supervisors Hunt and Hazard; Supervisor Johnston —alternate.
- Alcohol, Drug, Mental Health Combined Advisory Board: Supervisor Hunt; Supervisor Johnston —alternate.
- Bodie Hills Coordinating Resource Management Planning Steering Committee: Supervisor Hansen. (Stacey does not have a final answer after trying to review this committee.)
- BLM Land Tenure Committee: Supervisor Hunt.
- Central Nevada Regional Water Authority: Supervisor Hansen.
- Central Sierra Conservation Resource Council: Supervisor Johnston.
- California State Association of Counties: Supervisor Hazard; Supervisor Johnston—alternate.
- Conway Ranch Task Force: Supervisor Hansen, Supervisor Johnston – alternate.
- Coalition for Unified Recreation in the Eastern Sierra: Supervisor Hunt.
- Collaborative Planning Team, Mono County: Supervisor Hazard; Supervisor Bauer—alternate.
- Eastern Sierra Community College Committee: Supervisor Bauer.
- Eastern Sierra Council of Governmental Entities: Supervisors Hunt and Johnston ; Supervisor Hansen —alternate. (According to Stacey, any public entity that owns property is eligible for associate membership of not more than one.)
- Eastern Sierra Transit Authority: Supervisors Hunt and Bauer.
- Emergency Services Council, Mono County: Supervisors Hazard and Hunt; Supervisor Bauer—alternate.
- Great Basin Unified Air Pollution Control District: Supervisors Johnston and Hansen; Supervisor Hunt—alternate.
- Integrated Waste Management Act of 1989 Independent Hearing Panel for Local Enforcement Agency: Supervisor Hunt.
- Inter-Agency Committee on Owens Valley Land & Wildlife: TAKE OFF LIST.
- Inter-Agency Visitors' Center Board of Directors: Supervisor Hunt.
- Inyo-Mono Area Agency on Aging: Supervisors Hansen and Hazard.
- Law Library, Mono County: Supervisor Bauer.
- Local Agency Formation Commission: Supervisors Johnston and Hunt; Supervisor Bauer—alternate.
- Local Transportation Commission, Mono County: Supervisors Johnston, Hansen, and Hazard. Agendize item to select alternates.
- Long Valley Hydrologic Advisory Committee: Supervisor Johnston.
- Mammoth Lakes Chamber of Commerce: Supervisor Bauer; Supervisor Hunt—alternate.
- Mammoth Mountain Ski Are Liaison Committee: Supervisors Johnston and Hunt; Supervisor Bauer—alternate.

- Mono County Children & Families Commission: Supervisor Hunt; Supervisor Johnston—alternate.
- National Association of Counties: Supervisor Bauer; Supervisor Hunt—alternate
- Regional Council of Rural Counties: Supervisor Hazard; Supervisors Hansen—alternates.
- Sierra Nevada Conservancy: Supervisor Hunt.
- Solid Waste Task Force: Supervisor Johnston; Supervisor Hazard- alternate .
- Town-County Liaison Committee: Supervisors Hunt and Hazard; Supervisor Johnston—alternate.
- YARTS: Supervisor Bauer; Supervisor Hansen—alternate.

Supervisor Hunt:

- Brought up MAMMOTH LAKES HOUSING - suggested he work with Supervisor Johnston for a year and then have him eventually take over. This will have to go before their Board.

COMMUNITY DEVELOPMENT - BUILDING DIVISION

10a) Adoption of 2010 California Building Codes (Tom Perry, Jim Shoffner) - Proposed ordinance ORD11-01 , An Ordinance of the Mono County Board of Supervisors amending chapter 15.04 of the Mono County Code pertaining to building regulations and uniform codes.

M11-10 Action: Introduce, read title, and waive further reading of proposed ordinance amending Chapter 15.04 of the Mono County Code Pertaining to Building Regulations, with revisions to clarify that the California Building Standards Commission, and not Mono County, adopts the California Building Standards Code and with other minor revisions as contained in the draft provided at the meeting. Direct Clerk to schedule ordinance, as revised, for adoption at the Board's next regular meeting.

Bauer/Hansen 5-0

Tom Perry (powerpoint presentation – copy kept in file folder for today's meeting):

- All new building permit apps in CA are required to comply with the new 2010 CA building codes.
- New Codes to be adopted in Mono County by Ordinance (CA residential Code and the Green Building Standards Code).
- Code Adoption Process.

New Building Codes:

1. California Green Building Standards Code.
2. California Residential Code.

Potential changes coming up:

- Residential Fire Sprinkler Systems (general information, key facts, key concepts).
- Question or Comments?
- He has focused mostly on California.
- They plan to be very proactive and informative to public.
- He plans to attend Construction meetings more regularly to improve relations.
- This is a uniform requirement outside of manufactured homes.
- There are various forms available to assist people with this process.
- Can accept deferred submittals for things like paint/carpet.
- Owners can also be trained to install their own materials.

- Some of the materials can be recycled.

Supervisor Bauer:

- Any other states requiring sprinkler systems?
- Are we going to be proactive in informing people about the importance of proper installation of sprinkler systems?
- Will we still require specific psi for hose systems and for sprinkler systems?

Supervisor Johnston:

- Has a lot of questions. Why are mobile homes included in statistics when sprinkler systems are not required in them?
- Have you made a presentation to the Contractor's Association?
- What parts of these are discretionary?
- Are there going to be additional documents required?
- Who is going to track all of this?
- He feels that local businesses should be able to provide the materials "required".
- He is not ready to vote on this.

Supervisor Hansen:

- How do you keep the sprinkler systems from freezing?

Supervisor Hazard:

- He has had issues with sprinkler system since it started and has seen a lot of things happen with them.
- He doesn't think this new ordinance is going to be very popular.
- He thinks the Ordinance is not ready to be approved, needs more review.
- He is going to vote against this. He suggests we go back to the drawing table.

Marshall Rudolph:

- Building Standards adopted by the Building standards Commission applies. There is a general ability to make modifications based on various conditions.
- Whether you adopt it or not, this is what is going to be required. We can make variances to this.
- Today is first reading, not adoption.
- Which particular building standards do you want to change?
- They will explore limited density.
- There are some formatting issues on the submitted ordinance.

Stacey Simon:

- This ordinance enacts the local variances which are currently in place. By not adopting this, we are not adopting the local variances.
- Section 14.04.030 could be rewritten to clarify that the County doesn't adopt the State Codes.
- Stacey went over proposed changes to the writing of the ordinance previously submitted. Section 1504.131 – added some clarifying language. Section 15.04.140 – some language was missing and also clarification of applicability.
- There is a gray area where the direction is not clear if the variances are not approved.
- All the proposed motion is doing is carrying forward your current local variances; what has already been done.

Tim Fesko:

- He has spoken to several people regarding this.
- How is the 50% reduction really going to be handled?

- Sprinkler Systems – he has lived in communities where they have been required. There are dry systems. He thinks more research needs to be done before the Board passes this. What else can we do? (Mentioned 15.020, Express Findings.)

ADJOURNMENT: 4:23 p.m. CLOSE MEETING IN MEMORY OF VERNA HANSEN.

ATTEST:

DUANE "HAP" HAZARD, CHAIR

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD

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