



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 18, 2011

9:00 AM Meeting Called to Order by Supervisor Hazard, Chair

Pledge of Allegiance led by Supervisor Hansen

Ceremonial swearing in of Supervisor Byng Hunt, District 5, by Judge Magit
Supervisor Hunt was re-elected at a Primary Election held on June 8, 2010.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD
No one spoke.

BOARD MEMBER REPORTS
Supervisor Bauer

1. Attended the MCPE negotiations last Wednesday.
2. Was out of town over the weekend.

Supervisor Hansen

1. Attended the Antelope Valley chamber meeting last Tuesday. Discussed fishing and the ATV jamboree, which won't involve Mono County this year.
2. Attended the RPAC meeting. There is an ongoing issue with Edison about construction of a new substation.
3. On Thursday met with staff and consultants about the Walker Community Center project. The Walker community discussed this issue at a meeting that evening; people in Walker would still like to add on to the current building pending construction of a new building.

Supervisor Hazard

1. January 12: Met with two developers about 50 acres north of Chalfant. They want to subdivide and build single-family homes; there are no issues with the development impact fees. They will start the process with the planning department.
2. Held office hours in Chalfant. A citizen expressed concern about Mammoth's law suit and impacts to the County.
3. Last Friday: Contacted AT&T to discuss phone service issues in Tri-Valley. The system is operational in Benton, but service in Chalfant is still a problem. Once the problem is resolved, service may be provided to Hammil Valley.
4. Will be meeting with Rusty Gregory (Mammoth Mountain) to discuss the airport and

- “cargo-container” housing.
5. After the Board meeting, will be leaving for Sacramento. Plans to meet with Senator Gaines.
 6. Information from RCRC contains a notice about courthouse funding; Mono County is not listed. [David Wilbrecht, CAO, said he believes only projects to be funded are listed, and Mono County has already been funded.]
 7. Made the Board aware of a new state regulation regarding energy efficiency requirements.
 8. A constituent from Old Benton complained about an issue with a well and the planning process. Will ask staff to follow up on issues and options.

Supervisor Hunt

1. Last Wednesday: Attended labor negotiations; they are moving along.
2. Mammoth Mountain had a lot of skiers over the weekend.

Supervisor Johnston

1. Attended a short course on value based leadership.
2. Attended the Solid Waste Task Force meeting. The solid waste program is losing about \$80,000 per month. Johnston raised a question about profits from 2004-2007, and asked staff to research the question. Will meet over the next month with the Town to discuss the deficit.

COUNTY ADMINISTRATIVE OFFICE

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

David Wilbrecht

1. After labor negotiations last Wednesday, attended training in the afternoon.
2. Labor negotiations are continuing; some progress is being made.
3. Attended the MAG meeting last week. The presentation addressed a new educational foundation in Mammoth.
4. Attended the joint meeting of the Solid Waste Task Force.
5. Reviewed the process of agendizing items requested by outside agencies or constituents.

- 2) **APPROVAL OF MINUTES**

- M11-12** A. Approve minutes of the Special Meeting held December 21, 2010, as corrected.

Bauer/Hansen, 4-0; Johnston abstain

Supervisor Hazard: Page 6, last bullet point. Add the lot number to the following sentence: “Would like to see the old bridge on Lot 11 removed if it can’t meet CalFire standards, and replaced with a pedestrian bridge.”

- M11-13** B. Approve Minutes of the Regular Meeting held January 4, 2011, as corrected.

Hunt/Johnston, 5-0

Supervisor Hansen: Under Board Member Reports, page 2, correct the spelling of two names: Whittington (Supervisor Bauer’s report), and Tenney (Supervisor Hunt’s report).

Supervisor Johnston: Page 8, corrections under Supervisor Johnston's comments, 1) Lan Tac, should be LDTAC; 2) reference to guardrails should specify self-weathering steel guardrails.

M11-14

C. Correction to November 2, 2010 Minutes, Item 11a: Make correction to motion under item 11a (Funding Support for Non-County Agencies and Organizations) from the November 2, 2010 minutes to read: "Approve all submitted funding requests in the amount of \$102,845 from local non-County agencies and organizations."

Peters/Bauer, 3-1, Hazard no; Farnetti absent

Bauer/Hunt, 3-0; Hansen and Johnston abstain

Supervisor Hazard: This correction is a good reminder that the Board needs to be more formal when making motions. A motion needs to be clearly stated and not made off another's comment.

CLOSED SESSION

Closed Session: 9:13 a.m.

Break: 10:10 a.m.

Reconvened: 10:15 a.m.

Break: 11:45 a.m.

Reconvened: 11:59 a.m.

Closed Session: 12:54 p.m.

Reconvened: 2:59 p.m.

Adjourned: 3:00 p.m.

The Board had nothing to report from closed session.

BOARD OF SUPERVISORS

- 3a) Closed Session -- County Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: CalTrans's allegations of noncompliance with grant conditions applicable to Conway Ranch.
- 3b) 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.
- 3c) Closed Session--County Administrative Officer - PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

DEPARTMENT REPORTS/EMERGING ISSUES

Julie Tiede, Social Services: Reviewed the Governor's budget and the potential impacts to CalWorks, IHSS (in-home services), Child Welfare, Child Support, and re-alignment of funds.

Lynda Roberts, Clerk's Office: 1) Asked the Board if they wanted to continue receiving quarterly reports about the number of recorded documents pertaining to foreclosures. The Board said they would like to continue receiving the report. 2) Roberts will be making a presentation to the Mammoth Lakes Noon Rotary Club this Thursday. The topic is about the election process.

Brian Muir, Finance Department: 1) Provided an update about refinancing the Certificates of Participation for the Solid Waste Fund. He will email the Board a schedule outlining the refinancing of the COPs. 2) Suggested a date for the mid-year budget review. The Board decided to meet on March 3rd in Bridgeport.

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.)

Supervisor Hunt raised a question about the process of making appointments to commissions, committees and special districts, and suggested the Board discuss this at a future meeting. Supervisor Hazard suggested that IT create a tracking system to show which seats are expiring or will expire so the Board can review these at the same time each year.

CLERK OF THE BOARD

4a) County Service Area #1 - Reappoint Ron Glende and John Connolly to serve as members of the CSA #1 Board.

M11-15 **Action:** Reappoint Ron Glende and John Connolly to serve four-year terms as members of the CSA #1 Board, with terms expiring November 30, 2014.
Hunt/Bauer, 5-0

4b) County Service Area #5 - County Service Area #5 board resignation, appointment and reappointments.

M11-16 **Action:** Accept the resignation of D. Mike Bangle, and appoint Helen Nunn to complete the vacant term, to end December 31, 2012. Reappoint Mary Booher and Steve Noble to another 4-year term, to end December 31, 2014.
Bauer/Hansen, 4-1; Johnston voted no

Supervisor Johnston pulled Item 4b. He expressed concern that one of the people to be appointed (Mary Booher) may have conflicting fiscal responsibility with the County and the CSA. Supervisors Hansen and Bauer did not believe there is a conflict. Supervisor Hazard said Booher should be aware of the perception of a conflict and recuse herself on certain decisions. Supervisor Hunt did not see cause for concern with this appointment.

- Marshall Rudolph, County Counsel: There is no legal conflict; however, the Board may want to consider the perception of a conflict.
- David Wilbrecht, CAO: Booher has limited access to financial work within the finance department.

- Brian Muir, Finance Department: CSAs are dependent special districts and the Board controls the CSAs; these are not independent districts.

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-RECORDER

- 5a) Thank You to Board for Funding - Letters received from Mono Basin Historical Society and Chamber Music Unbound thanking the Board of Supervisors for their generous funding contributions.

The Board acknowledged receipt of the correspondence.

HUMAN RESOURCES

- 6a) Human Resources - Undersheriff (Jim Arkens) - Proposed resolution approving an employment agreement with Ralph Obenberger (the Undersheriff) and prescribing the compensation, appointment, and conditions of said employment.

R11-02 Action: Adopt Resolution R11-02 approving an employment agreement with Ralph Obenberger (the Undersheriff) and prescribing the compensation, appointment, and conditions of said employment.

Bauer/Hunt, 5-0

Jim Arkens, Human Resources: This is a contract for the undersheriff, and was discussed in closed session several weeks ago. The contract reflects changes requested by the Board.

Supervisor Johnston raised a question about how the financial impact was listed on the agenda; it seems misleading since the only amount shown is the cost for the remainder of the fiscal year rather than the total impact for a year.

- Brian Muir, Finance Director: Suggested for future agendas showing both the cost for remainder of the fiscal year and the cost for the next fiscal year.

Marshall Rudolph, County Counsel: The effective date of the former agreement should be January 1, 2008.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

- 7a) Inyo-Mono Integrated Regional Water Management (Tony Dublino) - Review items on the Jan 26 Inyo-Mono IRWM agenda and discuss as necessary. Discuss process of agendizing all IRWM meetings before the Board, and whether that process should be reconsidered provided the current status of the IRWM Group.

No Motion **Action:** Direct staff to submit a letter for Board signature to be sent to the Division of Water Resources regarding issues that affect small water districts.

Tony Dublino, Community Development, provided the following information:

- Mono County grants did not move forward but issues of interest to Mono County did go forward.
- The cost for three proposed projects increased to approximately \$100,000 each, which moved the proposals out of the realm of small water projects.
- It is not cost effective for small water systems to submit grants. Mono County wanted to package the proposals but DWR required separate grants for each. The IRWM program doesn't have a process that is suited to rural counties.
- Projects that moved forward had already been ranked by IRWM and approved by the Board of Supervisors. Mono County's projects can be reconsidered in the next round of funding.
- IRWM plans to send a letter to DWR outlining issues that impact small water districts. A letter signed by the Board of Supervisors would be helpful.
 - Stacey Simon, County Counsel's Office, suggested asking DWR to provide a streamlined process for grants under a certain amount.
- The IRWM's agenda for January 26th will be mostly discussion items.
- There is some uncertainty about future funding of the program. IRWM will continue to move forward until notified otherwise.

Kelly Garcia, Public Works Department, provided the following information:

- Public Works developed two project proposals, but the requests would have exceeded availability of funds and they were rated 19 and 20 out of 25, so her office did not move forward. However, the process has created a valuable foundation for future efforts.
- The compressed timeframe for submitting grants also caused difficulty in moving forward and keeping the Board involved.

Board Comments:

- Supervisor Hansen: Supports providing assistance to smaller districts.
- Supervisor Hazard: Asked Dublino to be aware of a potential issue regarding a well in Crowley; he may need to provide information regarding efforts to involve water districts in the IRWM process.
- Supervisor Hunt: Would like to see a regular report from Dublino about the program.

Since waiting for the IRWM agenda causes logistical issues with creation of the Board's agenda, Board Members suggested that Dublino provide the IRWM agenda via email separate from the Board's agenda process, and also bring a hard copy to the Board meeting.

- Dublino said his staff reports will continue to outline items of interest.

ELECTIONS

8a) Special General Election (Lynda Roberts) - Review the results of the Special General Election held on January 4, 2011. Potentially discuss other upcoming 2011 special elections.

Action: None

Lynda Roberts, Elections Office, provided the following information:

- No Board action is required since the Senate District 1 seat is not within their jurisdiction.
- The overall turnout was 26.86%, and vote-by-mail turnout was higher than polling place turnout (14.23% for vote-by-mail and 12.63 for polling places).
- The turnout in the all vote-by-mail precincts was between 42-55%; turnout at the polling places was less than 40%
- The election cost approximately \$54,231; the County would have saved approximately \$10,795 by holding an all-mail election.
- Reviewed the 1% manual tally process and actions taken to ensure accuracy (i.e., manually accounting for every ballot, manually counting an additional precinct, reviewing the machine report showing ballots cast on election day, and comparing the information against the revised final report).

BOARD OF SUPERVISORS

Additional Departments: Clay Neely, IT Department, and Lynda Roberts, Clerk of the Board

- 9a) Board of Supervisors' Meetings--location change of third monthly meeting (Supervisor Byng Hunt) - Pursuant to Assembly Bill 139, effective as of January 1, 2011, consider the option of holding the third regular board meeting of each month in Mammoth Lakes, Board of Supervisors Meeting Room, 3rd Floor Sierra Center Mall, 452 Old Mammoth Road, with teleconferencing to Bridgeport. The Board may also discuss the following options pertaining to their meetings: video streaming and/or embedding video or audio recordings into the minutes.

- M11-17** **Action:** For a one-year trial period, each month hold the third regular meeting of the Board of Supervisors in Mammoth.
Bauer/Johnston 3-2; Hazard and Hansen no

Marshall Rudolph, County Counsel: This change will require further action from the Board, such as adopting a resolution.

Board Discussion:

- Supervisor Hunt: AB 139 allows the Board to hold regular meetings outside the county seat, which provides the opportunity of having a regular meeting in South County where the majority of the population resides. It is important to bring County government closer to the constituents, especially since Districts 1 and 5 don't have access to RPAC meetings like other communities. During the trial period last year, some meetings had a very good turnout and attracted politicians from the Town who may not have otherwise attended. He suggested a two-year trial period.
- Supervisor Johnston: His district includes 2,500-3,000 people, and constituents support holding a regular meeting in South County. He believes this will be advantageous to District 1. Regarding the meeting location, there are options for the Board to consider, such as using one of the Superior Court rooms after they relocate.
- Supervisor Bauer: Members of the public have expressed interest in accessibility to County government and the impetus of AB 139 is to allow for more public participation. Even though Bridgeport is the county seat, and will remain the county seat, the Board

should give this another try for a longer period of time since it will take more than a few months to re-educate the public.

- Supervisor Hansen: After attending Board meetings for 9-10 months, there doesn't seem to be much public interest in Mammoth; mostly department heads and staff members attend the meetings. Bridgeport needs to have people in town spending money. His constituents oppose this change.
- Supervisor Hazard: Currently there is very little turnout in Mammoth via the video-conferencing so citizens do not seem to be interested. Last year, the only big turnout was for the issue pertaining to dog sledding. Holding evening meetings takes County government directly to the various communities. He concurred with Supervisor Hansen about the financial need to keep the meetings in Bridgeport. He suggested a 6-month trial period.

Staff Comments:

- Brian Muir, Finance Department: The Bridgeport courthouse provides security that is not available in Mammoth. Also, the meeting room in Mammoth is inadequate. He agreed with the positive economic impact to Bridgeport and Mono County in general because of money spent at local businesses and TOT generated when consultants stay in Bridgeport. If people in Mammoth were interested they would attend the Board meetings via videoconferencing; it is typically the media that attend. It seems more appropriate to have regular meetings in the county seat.
- Clay Neely, IT Department: Regarding staff time, it takes IT staff 5 minutes to prepare the Bridgeport board chambers for a meeting, and takes 1 hour at the Mammoth location.
- Lynda Roberts, Clerk of the Board: Her office cannot dedicate the time of one staff member to monitor the proceedings in Bridgeport and oversee public participation.

Public Comments:

- Benny Romero: The facilities in Mammoth are small and not permanently in place. He expressed concern about a snowball effect, first to improve the facilities in Mammoth, and then to hold more meetings in Mammoth. He also expressed concern about the economy in Bridgeport and said Mammoth already attracts a lot of visitors that help their economy.
 - Supervisor Hunt: It is not the Board's intent to take business away from North County, detract from the courthouse, or hold more meetings in Mammoth. Board Members just want the opportunity to have a regular meeting in Mammoth so those constituents can attend and interact with the Board.

The Board then discussed the second part of the agenda item pertaining to video streaming and/or embedding video/audio in the minutes.

Clay Neely, IT Department, outlined various options:

- There are a number of companies that can provide video and/or audio options capable of being indexed to an agenda so people can watch or listen to specific portions of the meeting at a later time.
- The video/audio files are stored and displayed from a vendor's site, so streaming video would not impact the County's band width.
- One option is to have video streaming available only to staff members and department heads so they can monitor a meeting from their offices and watch for their agenda item, rather than waiting in the board room.
- One-time costs vary between \$3,000 and \$10,000, with monthly costs varying between \$300 and \$900. There seems to be no cost difference between audio and video,

although the video option would require purchase of a video card, and may require purchase of a new camera.

- Vendors can arrange to give the Board a demonstration.
- Neely asked the Board for direction.

Board Discussion:

- Supervisor Johnston: The Town of Mammoth Lakes uses live streaming; he suggested talking with their IT people. He personally uses this resource to view Town Council meetings. The Board could use this technology as a tool to reach out to the public. He suggested gathering detailed information about costs and finding out if there is a way to monitor how many people access the system.
- Supervisor Hunt: Likes the idea of indexing the meeting as part of the agenda so specific items can be reviewed afterwards. He raised several questions: Does the value of the service warrant the expense? Is it cost effective? How much use would there be?
- Supervisor Bauer: Supports the use of video to provide more public access and allow for better understanding of decisions made by the Board. Suggested that staff find out if Inyo County has a video/audio system.
- Supervisor Hazard: Suggested using funds currently allocated for the phone system, which is nearly paid off, to purchase a video or audio system. He would like a report about potential cost savings by integrating video/audio into a phone system. He would also like information about how many people access the Town's video.

Staff Comments:

- David Wilbrecht, CAO: Staff members can collect data from the Town about their use of video. Regarding the third meeting in Mammoth, the County could possibly arrange an agreement with the Town to use their Town Council meeting room, which is equipped with video. Wilbrecht suggested using the CAO conference room in Bridgeport for videoconferencing rather than opening the board chambers.

Public Comments:

- Benny Romero: Believes face-to-face communication is best for democracy. If people have access from home, they won't attend meetings.

ADJOURN: 3:00 p.m.

ATTEST:

DUANE "HAP" HAZARD, CHAIR

LYNDA ROBERTS
CLERK OF THE BOARD

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