



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

February 1, 2011

9:02 AM Meeting Called to Order by Chairman Hazard.

Pledge of Allegiance led by Supervisor Bauer.

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

BOARD MEMBER REPORTS

Supervisor Johnston:

- Attended Liaison Committee meeting with Supervisor Hunt. Still moving forward with trying to solve Solid Waste problems; will be meeting with Solid Waste Mammoth Disposal regarding recycling facility.
- Cell Towers in Crowley Lake, will go on February agenda.
- Praxis presentation meeting.
- Listened in on Assemblywoman Kristin Olsen's conference call.

Past Agenda Requests – Status?

- Construction sector local Stimulus Package (e.g. elimination of DIF, Green projects free Building permits, Stick Built SFR permit fee reduction)?
- Review of Policy related to employee recognitions?
- Reconsideration of filling of Principal Planner and Permit Technician positions as well as location of same?
- Report on live streaming of meetings?
- Report of Building Code adoption – tailoring to Mono County conditions and additional input from Contractors Association and others?
- Report of Limited Density Residential building permits / areas in the County?
- Report on status of PACE Financing Plan for Green projects (solar, insulation, etc.)/ pay back via property tax bill?
- Formation of internal staff group to promote “good government”/news releases.
- When is next -Housing Authority Meeting? Agenda items: 2010 Housing Stats, permits, foreclosures, SFR sales information, etc. Full report on County's affordable housing units in Benton/JL: revenues, costs, routine maintenance, major improvements, safety checks, etc. Also Quarterly meetings for Housing Authority?

- Report on cost of staffing for RPACs?

Future Agenda:

- Report on Census information - when available?
- Agenda format revision to be less awkward for public and staff?

Supervisor Bauer:

- Census data has been delivered to the President on time.
- Building permit thing: Mariposa is another county who has instituted rural county exceptions.
- Attended MCPEA negotiations.
- Friday, ESTA meeting.
- Wednesday, took second year finals. Finished college degree.
- June Lake PUD vacancy coming to board next week.
- Local June Lake resident in hospital due to stroke and heart attack.
- Network of Care with NAACO – using it for veteran’s outreach service.
- YARTS meeting – she now has a large board assisting.
- June Lake Entrance sign may be moving faster than anticipated.
- CSAC conference call coming up.
- Request from RCRC for legislature support.

Supervisor Hansen:

- 1/19 met with IMAAA woman in Bishop.
- 1/20 – Bridgeport RPAC.
- 1/24 – YARTS meeting.
- Meeting with Kelly Garcia about Walker Community Center Survey, seems like everyone would like to add on to that building.
- 1/25, Fishing Commission meeting – many upset people.
- 1/27 – meeting regarding Conway Ranch.
- Spent weekend for memorial service for his Mom.

Supervisor Hunt:

- Attending MCPEA Negotiations and DPO Negotiations. DPO has asked to be negotiated separately.
- 1/20 - Town/County Liaison Meeting; Solid Waste solution discussions.
- 1/21 – ESTA Board meeting in Mammoth, business as usual. ESTA is moving towards social media.

Supervisor Hazard:

- RCRC meeting attended. Request from RCRC and Siskiyou County – letter of support regarding water issues.
- RCRC request for Public Works to do letter regarding what projects would be affected by cut funding.
- There are a handful of legislators looking at fire sprinkler issues.
- On 1/20 - Met with Kristin Olsen and Ted Gaines; he has the talking points on this for anyone interested.
- 1/25 – RPAC meeting regarding Crowley Cell Tower. Have been trying to get a cell phone tower to Crowley for a long time, it’s been unsuccessful. Going to planning commission on 2/10/11. Now there is some opposition to the project. All local media has been notified.
- 1/27/11 – attended CPT. Plans, development regarding Lee Vining, transportation issues, Emergency Preparedness discussion: concerns and a commitment to work on this issue, there was no attendance by the Sheriff’s Department; he thinks the OES component needs to be evaluated at the mid year budget hearings to see if OES needs to be removed from the Sheriff’s Department, he is displeased that this is going on. Discussed Digital 395.
- Sally Miller lunch re: digital 395 and mining issues.
- Solid waste negotiations

- 1/28/11 – met with folks opposing Crowley Lake cell tower project.
- Yesterday met with Bennett Kessler regarding various issues.
- Plot layouts for EMS station in his district.
- Form 700 –reminder that these are time sensitive and need to be completed and filed. Get a receipt from whomever you turn it in to.

COUNTY ADMINISTRATIVE OFFICE

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

Dave Wilbrecht:

- Working on MCPEA negotiations.
- Continuing status agendas and meetings with staff.
- Reconvened budget committee in anticipation of mid-year budget meeting.
- Ongoing air quality problems in Sierra Center Mall, have had air quality testing done. This is hopefully coming to a close.
- Been working with Conway Ranch and IAG folks, ongoing discussions.
- Tourism and air service follow up.
- Funding Nancy Boardman received for spay/neuter program – another piece developing: desire to enhance the volunteer program. Discussions ongoing.
- Out of town at conference this afternoon through Friday.

- 2) APPROVAL OF MINUTES

M11-18 ACTION: Approve Minutes of the Regular Meeting held January 11, 2011.

Bauer/Hansen 5-0

Closed Session: 9:03 a.m.

Break: 10:00 a.m.

Reconvene: 10:06 a.m.

Break: 12:12 p.m.

Reconvene: 12:19 p.m.

Closed Session: 1:00 p.m.

Reconvene: 2:55 p.m.

Adjourn: 3:00 p.m.

CLOSED SESSION

There was nothing to report out of either 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-Real Property Purchase - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: APN 02-140-38. Agency negotiators: Kelly Garcia, Dave Wilbrecht, Marshall Rudolph, Tara McKenzie, and Brian Muir. Negotiating parties: Gaye Graves, Trustee of the Olive Mae Graves Family Trust, and Mono County. Under negotiation: Price and terms of payment.

3d) Closed Session--County Administrative Officer - PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

DEPARTMENT REPORTS/EMERGING ISSUES

(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Kelly Garcia

- Owens Gorge Rd. Project: funding was deferred indefinitely but she received a call in January that some funding might be available if we can commit to getting project done this season.
- Supervisor Hazard: Is the dam and mailbox projects still built into this?
- Public Works needs to pass plans onto Forest Service to keep them in the loop.

Joe Blanchard:

- Update on potential solar project at Whitmore Animal Shelter. Has been in contact with Mr. Smith who is thinking it might not be financially viable at this point.

Lynda Roberts:

- Passed out information on recent Senate District 1 election.
- In most cases the Vote by Mail turnout was higher than turnout at the polls.
- In light of Supervisor Hazard's meeting with Gaines, she thought this information was interesting.
- Supervisor Hazard: he has met with Assemblywoman Kristin Olsen; he thinks he has her support with this vote by mail issue. Senator Gaines's bill is still active at this point.

Mary Booher:

- Annual housing authority meeting will be March 8th.
- Here to solicit agenda items. Explained potential items that will go onto this agenda.
- Supervisor Bauer will be gone for that meeting.
- Supervisor Johnston: He'd like to consider having meetings quarterly; see Supervisor Johnston's Board report for specific Housing Authority items.

- Supervisor Hunt: He'd like to have ML housing represented at this meeting; the frequency discussion is a good idea. Update on the Crowley Lake Affordable Housing project and where that sits.

Nancy Boardman:

- Memorial golf tournament down in Bishop, CA. She recently picked up a check for \$3,000 as overall proceeds. This will go in the spay/neuter trust fund. It sounds like this could be an annual event.
- Supervisor Hazard: Asked for brief update on Dog issue in Walker and on Kennel in Crowley Lake.
- Ex- Kennel up in Walker – going fine. They go up there once in awhile, but no complaints, no barking issues.
- Ms. Stone in Crowley – have done frequent kennel inspections and it has looked great. She has complained about barking dogs that are not hers.

Jeff Walters:

- Update on panic hardware in board room. There are three. There are also various buttons throughout the various offices, all will be tested regularly.
- Have been discussing the board chambers as a safe room, possibly designing it as such.

Brian Muir:

- Update on funding 2001 Solid Waste COP – went over schedule.
- Quarterly Treasury Report handed out; update given. Will ultimately receive a greater rate of return if allowed to mature.

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.)

CLERK OF THE BOARD

4a) No Consent Items

REGULAR AGENDA

**CORRESPONDENCE RECEIVED
(INFORMATIONAL)**

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

4b) Mammoth Community Water District Letter Regarding Financial Support for IRWM - Letter to the Mono County Board of Supervisors, dated January 12, 2011 requesting Mono County to contribute financially to the IRWM group.

The Board acknowledged receipt of the correspondence.

BOARD OF SUPERVISORS

- 5a) U.S. Forest Service Update on Various Projects (Kit Mullen and Jon Regelbrugge) - Update from Acting Forest Supervisor Kit Mullen and Mammoth and Mono Lakes District Ranger Jon Regelbrugge on Forest Service projects and planning efforts currently happening on the Inyo National Forest. This item was requested by Supervisor Hazard.

Action: None.

Jon Regelbrugge:

- Acting Forest Supervisor for Inyo National Forest; his temporary assignment runs until early May.
- Forest Service planning: updating rules on management plans. There should be a draft Environmental Impact Statement out early spring.
- Travel Management Rule – they are going to continue to honor their obligations on this. They plan to continue restoration to routes not added to their system, including signs, etc. Working with BLM and Coalition to publish a map for this area; will help define routes. Not sure of timeframe for publication.
- Will continue to seek funding through OHV grants. Grants due March 7th and they've scheduled a grant workshop the evening of Feb. 15th in Bishop.
- Supervisor Hazard: have you been in contact with Sheriff's Department to coordinate OHV issues? Is that a possibility?
- Additional travel management; Sub Part (a): National Travel Management, evaluation the total system of routes and minimize where necessary; will get additional direction on this in next month or two.
- Digital 395 – Supervisor Hazard was at the meeting last week. Project involves installing fiber optic cable between Barstow and Reno, NV. Project a bit complicated as it crosses lots of Forest Service regions, BLM Field Units.

Mike Schlafmann:

- Invited Board to be involved in a project regarding Shady Rest and recreational uses, etc. There will be public meetings to take first step in design process.

Mono Basin:

- Forest Service has become much more aware of water issues in general.
- He's very willing to facilitate water issue process, but he realizes the county has some clear interest in this.
- Initial interest, to find out whether it's feasible for Forest Service to sit down with County and begin discussion about Mono Basin.
- Supervisor Hazard: designate two supervisors, Hansen, Johnston and then pull in Marshall Rudolph and Dan Lyster to be on a committee.
- Supervisor Bauer: not sure about jumping into something so broad; she thinks Marshall needs to make first discussions.
- He's not proposing negotiating federal water rights, he has no authority. He just wants discussion about process.
- Supervisor Johnston: he's willing to discuss, as long as legal counsel is present.
- Supervisor Hunt: would be good to define our relationship but agrees we can't get into making major water decisions.
- Supervisor Hansen: thinks it's a good time for this. Should discuss scenic area also in regards to water.
- Marshall Rudolph: He and Dan can meet with Mike and pull in Supervisors Hansen and Johnston when necessary. He suggests that the Board not take formal action to create a committee but rather start with staff discussion and find out what Mike has in mind.

Supervisor Hunt:

- Shady Rest project: he'd like to sit in at meetings. What is current status of Mammoth Nordic grooming? What can Forest Service do to maintain such things?
- Mike: doesn't think Mammoth Nordic has the ability to keep up on the grooming. They are working with the Town to come up with a solution. The Town has drafted a proposal and it's being reviewed.

Supervisor Hansen:

- Heard that all campgrounds from Tioga pass down have recycling bins in them and people put aluminum cans in and they get thrown away. True?
- Standing burnt timber along highway 395, going to waste. He'd like to see it put to some sort of use.
- Scenic area – reassessment of it?

Supervisor Johnston:

- Mammoth Nordic, why did they not receive more funding from town?
- Mike understands it's in the town's interest to work with Mammoth Nordic.

Supervisor Hazard:

- Shady Rest – there had been previous discussions, what is status of these?
- Doesn't Forest Service have road dollars available? What about Rock Creek Road – any chance the money could be used on this? Mike: he's not familiar with Rock Creek Road project but can follow up.
- Burn plans in Crowley Lake area – please contact the county to utilize the 1610 community radio system so that public is informed.
- Jim Upchurch, change of direction in land exchange in Tom's Place – what is status?

- 5b) Mammoth-Yosemite Airport (Howard Pickett, Chief Marketing Officer of Mammoth Mountain Ski Area; John Urdi, Executive Director of Mammoth Lakes Tourism; Bill Manning, Town of Mammoth Lakes Airport and Transportation Director) - Presentation to review the performance of the 2010 summer air service program; outline the plan for the 2011 summer/fall air service program; request Mono County participation in the support for the 2011 program. This item was requested by Supervisor Byng Hunt.

Action: None.

Dave Wilbrecht:

- There is a change in the agenda. MMSA was originally going to do a presentation.
- Because of the narrowness of this, it caused conflict. Dave still wanted Board to hear the topic but have options.
- The idea of air service has been talked about for a long time.
- If the county wants to participate in recreation/tourism within the town then that could include air service, events, etc. This has not been vetted out.
- Hard to get to this for legal reasons, there are conflicts. Can't discuss it directly, how do we get there?
- Needs to have a discussion regarding Tourism, more generally.

- We can have the Mountain come and give a presentation of last year's air service.
- Give direction on future agenda items.
- The Board has been disciplined to deal with budget items at budget times.
- Public process hasn't been done involving the relationship with the town.
- This is a big conversation to be had; the Board might be able to give some direction for future topics.

Supervisor Hunt:

- He received a letter from Tourism Commission requesting that Mono County support subsidy of air service.
- He'd like it kicked back to Tourism Commission for discussion.
- MMSA is in tight timeline here.
- Our \$45,000 that we gave last year was absorbed. If we become equal partner, what can we expect in the future? He'd like to know more about specifics.
- He strongly feels that Mammoth Lakes and the recreational opportunities are the driving force of the economics in Mono County. We need to support it, but he needs more details.
- How realistic is it for us to subsidize this and maintain investment over a long period of time? He doesn't want county locked into subsidizing every year.

Supervisor Hansen:

- He previously supported it.
- Since then, he's asked for reports as he was interested in the fall season numbers. He never heard much. He can't really comment.
- He needs more information before deciding on the proposed fiscal impact.

Supervisor Bauer:

- She was ready to have the discussion today.
- To her the initial \$45,000 was to solve an immediate problem, which it did.
- She believes that an increase in TOT in the Town of Mammoth Lakes equals an increase in property values in the Town of Mammoth Lakes which is the engine that drives the county.
- She wants to stay involved in these conversations.
- We need to be part of the solution even in spite of county's financial difficulties.

Supervisor Johnston:

- He supported the \$45,000 experiment. He'd like to see stats on that.
- The Town has a more dedicated source of income for this kind of thing.
- He needs more information.
- He'd love to be able to help in some way but agrees it's tough to come up with \$250,000 in light of issues like solid waste, etc.
- He requested as much information as possible to be in the packet.

Supervisor Hazard:

- He appreciates each supervisor's representation to their districts.
- The mountain is up 20% for this year. The money they take in is strictly theirs to decide how to invest. They only answer to their citizens.
- The County is in a different boat, we need to work on projects that benefit the entire county.
- He has problems looking at our employees and explaining all cut backs and then turning around and investing \$250,000 in the town.
- Why would we subsidize one flight service and not others? We need to re-

- evaluate and discuss.
- Ultimate goal is to take to the public and let them weigh in. If they support it, he can too. If not, then he supports citizens in the county.
- Discussion with Town only is going to be biased; it needs to be restructured to include everyone.

5c) State Budget (Board Members) - The Board of Supervisors may discuss issues pertaining to the California State budget.

Action: None.

Supervisor Johnston:

- Listened in on Kristin Olsen's conference call; there's still a lot of unknowns.

Supervisor Hazard:

- At last RCRC meeting, there was a great deal of discussion on realignment as a whole.

Supervisor Bauer:

- Can they do realignment without a vote?

Brian Muir:

- New Governor wants to give Juvenile Probation back to the counties. How will counties afford this?

COMMUNITY DEVELOPMENT - BUILDING DIVISION

Additional Departments: County Counsel

6a) Appointments to Construction Appeals Board (Jim Shoffner)
Appointments to Construction Board of Appeals.

M11-19 Action: Appoint the following individuals to the five (5) member construction Board of Appeals: Randy Gilbert - CA General Contractor, Kathy Cage - CA Civil Engineer, Robert Creasy - CA Architect, John Goetz – Mammoth Lakes Building Inspector, Ryan Boyer - CA General Contractor.

Johhston/Hunt 5-0

Jim Shoffner:

- Explained nature of item.
- This is first ever Construction Board of Appeals.
- Will be good to have in place for citizens that have a complaint.
- Went over list of names to be appointed to this board and talked about their qualifications.
- Instead of using the Board of Supervisors for appeals, they will now have their own board.
- Staggering terms of office will be discussed at upcoming meeting in consultation with County Counsel.
- There will be a fee associated with the filing of these appeals.

Supervisor Hunt:

- Suggested staggering terms of office.
- How often is this board used?

Supervisor Hansen:

- Was impressed by qualifications, seems like a good cross-section.

Supervisor Bauer:

- How did you find these individuals?
- She is concerned with how this board was chosen. The Mono County Board of Supervisors wasn't asked to take part in the selection.
- She would like the board to be involved in future selections.

Supervisor Hazard:

- Thinks a final appeal to the Board of Supervisors should be allowed.

Stacey Simon:

- Code only sets out four year terms; she'll have to look at this to see what can be done in regards to staggering terms of office.
- There may be timing issues with staggering, but she'll come back to board if necessary.
- These will be final decisions by this new board; these appeals will not go before the Board of Supervisors.
- Thinks the Board could provide a further level of decision by amending the ordinance if that is their desire.

ADJOURNMENT: 3:00 p.m.

ATTEST:

DUANE "HAP" HAZARD, CHAIR

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD

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