



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

Special Meeting

March 16, 2010

Mammoth Lakes Board of
Supervisors Meeting Room,
3rd Fl. Sierra Center Mall,
452 Old Mammoth Rd.,
Mammoth Lakes, CA 93546

8:33 AM Meeting Called to Order by Chairman Hunt

Pledge of Allegiance led by Supervisor Hazard

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Teri Murrison: Member of the Board of Supervisors in Tuolumne County introduced herself and said she is running for 25th Assembly District.

BOARD MEMBER REPORTS

Reports deferred due to time constraints.

COUNTY ADMINISTRATIVE OFFICE

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

- 2) APPROVAL OF MINUTES

A. Approve minutes of the Special Meeting held February 16, 2010, 9:00 a.m., as corrected

M10-40 Hazard/Farnetti, 3-0; Hunt abstain

Correction: Supervisor Bauer, Board Member Reports, #3, take out reference to June Lake so the statement reads, "...allowing easier access to her constituents."

B. Approve minutes of the Special Meeting held February 16, 2010, 6:00 p.m.
Farnetti/Hazard, 3-0; Hunt abstain

C. Approve Minutes of the Regular Meeting held March 2, 2010, as corrected.
Bauer/Farnetti 3-0; Hunt abstain

Correction: Supervisor Hazard, Board Member Reports, 8th bullet point, Michael Ward should be Michael Ort.

Closed Session: 8:36 a.m.
Break: 9:00 a.m.
Reconvened: 9:05 a.m.
Break: 10:10 a.m.
Reconvened: 10:25 a.m.
Lunch: 11:55 a.m.
Reconvened: 1:00 p.m.
Break: 2:59 p.m.
Reconvened: 3:10 p.m.
Adjourned: 5:00 p.m.

CLOSED SESSION

The Board had nothing to report from closed session.

BOARD OF SUPERVISORS

- 3a) CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6. Agency designated representative(s): Dave Wilbrecht, Brian Muir, Marshall Rudolph, Mark Magit, Mary Booher and Rita Sherman. Employee Organization(s): Mono County Public Employees-Local 39.

DEPARTMENT REPORTS/EMERGING ISSUES

Ed Zylman, Social Services: Kathy Watkins was recognized by the American Red Cross of Greater Los Angeles for her outstanding service.

Linda Salcido, Health Department: Update about a certified pool operator program being offered by the Environmental Health Department. The program will probably be offered twice this year; it is not required.

Mary Booher, CAO's Office: Both the Benton houses have been rented to teachers. The June Lake tenant has been given a notice of termination due to nonpayment of rent.

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.)

ELECTIONS

- 4a) Bishop Unified School District - Consolidation of the Election of Governing Board Members for the new Bishop Unified School District with the Statewide Direct Primary Election on June 8, 2010.

- R10-12 Action:** Adopt **Resolution R10-12** authorizing consolidation of the election of the governing board members for the new Bishop Unified School District with the June 8, 2010, Statewide Direct Primary.
Bauer/Farnetti, 4-0

COUNTY ADMINISTRATIVE OFFICE

5a) Human Resources-Management Compensation Adjustments - Proposed resolution establishing and adjusting the 2010 base compensation of certain officers and employees through the implementation of the County's Management Compensation Policy.

R10-13 **Action:** Adopt **Resolution R10-13** establishing and adjusting the 2010 base compensation of certain officers and employees through the implementation of the County's Management Compensation Policy.
Bauer/Farnetti, 4-0

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Additional Departments: Public Works

6a) SCE Energy Policy Grant - Joint Application with Town of Mammoth Lakes - Proposed resolution for SCE Grant Application.

R10-14 **Action:** Adopt **Resolution R10-14** authorizing a grant application to the Southern California Edison Company Local Government Strategic Plan Strategies Solicitation Program with Mono County as the primary applicant and the Town of Mammoth Lakes as the co-applicant.
Bauer/Farnetti, 4-0

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

7a) No Correspondence Received

COUNTY ADMINISTRATIVE OFFICE

8a) Human Resources-Watkins Retirement Resolution (Mary Booher) - Proposed fancy resolution for Kathy Watkins, in honor of her retirement, acknowledging more than 32 years of public service more than 10 of which have been in Mono County. Present resolution to Ms. Watkins.

M10-43 **Action:** Adopt retirement resolution honoring Kathy Watkins.
Hazard/Farnetti, 4-0

Ed Zylman read the resolution and presented it to Ms. Watkins. Ms. Watkins thanked the Board and said it has been an honor to work with them. Board Members congratulated Ms. Watkins.

8b) Human Resources-Retirement Resolution Zylman (Mary Booher) - Proposed fancy resolution for Ed Zylman, in honor of his retirement, acknowledging more than 35 years of public service, 7 of which have been in Mono County. Present resolution to Ed Zylman.

M10-44 Action: Adopt retirement resolution honoring Ed Zylman.
Farnetti/Bauer, 4-0

Chairman Hunt read the resolution and presented it to Mr. Zylman. Mr. Zylman accepted the resolution on behalf of his staff, who he said did much hard work. He expressed his appreciation to the Board of Supervisors. Board Members congratulated Mr. Zylman.

COUNTY COUNSEL

- 9a) Report by U.S. Fish and Wildlife Service regarding sage grouse (Robert Williams, State Supervisor, USFWS) - Presentation by Robert Williams, State Supervisor of the U.S. Fish and Wildlife Service, regarding the Service's determinations on petitions requesting that the Mono Basin sage grouse and/or the greater sage grouse be listed as threatened or endangered species.

Action: None

Robert Williams, U.S. Fish and Wildlife Service: Presented information about the recent finding on sage grouse made on March 5, 2010. Reviewed the issue:

- Sage Grouse has been in the endangered species process since 2001 for range-wide listing and bi-state Mono County area.
- In 2005, received a larger petition from the Stanford Law School and other petitioners.
- Finding published in February 2005.
- In 2008 an Idaho court determined that more information should have been brought forward in 2005; finding remanded back to the agency.
- Agency and Court agreed on a date certain to have a new finding based on additional science.
- There is a 12-month finding today that indicates a decline of the bird and range threats. The bi-state population in the Mono County area qualifies as a distinct species from the range-wide species; the bird population in Mono County is unique. Threats include urbanization and recreation.
- Without more active management, four of the six units in the bi-state population could be lost.
- The range-wide bird is warranted for listing as a candidate species (may not move forward for 5-10 years to endangered or threatened species); this allows time to work with private individuals and agencies. Bi-state species is high in priority and could move in the next 2-3 years to a threatened or endangered species.
- Need to look for opportunities for on-the-ground conservation.
- No requirement at this time for land owners to consult with the agency or get a use permit.
- The decision is based on the best science available.

Williams' response to Board questions:

- The landfill creates a problem for the sage grouse due to predation in and around the area.
- South Mono and Bodie Hills are the biggest populations.
- The agency will review declining areas to determine whether habitat problems can be resolved, and possibly relocate birds within the population.
- In California, there is limited hunting of the sage grouse.
- Western Association conducted a range-wide assessment in 2004 and updated it in 2006; there is a difference of opinion in how bird trends are analyzed. The ornithological group analyzes the issue differently.
- Every year there is a candidate notice of review to determine where a species should be listed.

- There is time for agencies and landowners to work together to address questions.

How will the designation impact current mitigations in the County planning process and how BLM manages lands?

- Scott Burns: The listing would create more of an absolute threshold; the primary tools at this time are CEQA and general plan policies.

Supervisor Hazard: Expressed concern about the County's ability to find locations for future landfills, and concern that the sub-species is being too narrowly defined. County representatives need to be part of the discussions and decisions.

Steven Nelson, BLM: The agency is committed to grouse conservation and will continue to be involved. BLM may want to investigate a better location for the landfill.

Supervisor Hunt: The Collaborative Planning Team needs to be involved in the process.

CLERK OF THE BOARD

- 10a) Eastern Sierra Transit Update (John Helm, Executive Director) - John Helm, ESTA Executive Director, will provide an informational update on ESTA's activities in 2009 and a preview of plans for the coming year.

Action: None

John Helm, ESTA Executive Director: Provided updates and talked about new developments; reviewed a printed presentation:

- The Eastern Sierra service area is a challenge due to elevation, mountain passes, and temperature changes along the route.
- Outlined service area and types of routes provided.
- Outlined the size of the fleet, number of employees, operating statistics and key performance indicators.
- Highlighted future projects such as improved signage in Mammoth Lakes. If this is successful, they hope to expand signage.
- Discussed possible funding sources.

Supervisor Hunt: Serves on the ESTA board; their goal is to have a seamless transit system along the Eastern Sierra. The biggest issue is funding. Challenges are helping to better understand how to work with other jurisdictions.

Supervisor Bauer: Also serves on the ESTA board. Bauer complimented Helm on the good job he is doing, and talked about the positive aspects of providing service to Reds Meadow.

Supervisors Hazard and Farnetti: Acknowledged the benefits of ESTA and how the agency has improved transportation services.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

- 11a) Hwy 395 National Scenic Byway Grant/Corridor Management Plan (Heather deBethizy) - Workshop regarding Highway 395 National Scenic Byway Grant and Corridor Management Plan.

No Motion **Action:** The Board asked staff to make sure funding questions are answered, and keep the Board informed of any potential mandates.

Heather deBethizy, Community Development: Presentation regarding byways grants. Goal is to pursue grants for capital projects; the National Scenic Byway allows designated byways to get funding for marketing and infrastructure. The program is about recognition and not regulation. She outlined the scenic byways program in a PowerPoint presentation:

- A byway offers a unique driving experience.
- Outlined the National Scenic Byways program and projects.
- Currently writing a scenic corridor management plan, which is required to become a designated byway.
- Outlined the state scenic designations in Mono County.
- Outlined National Byway management requirements.
- Many byways have websites, which provide a marketing tool.
- Reviewed a tentative timeline.

Supervisor Farnetti: Expressed concern about closure of the Crestview rest area during the winter. Perhaps a National Scenic Byway designation will make funds accessible to keep the rest area open.

Supervisor Hunt: How does the federal designation enhance the state designation?

- deBethizy: The State is more of a regulatory management tool, and more specific to land use. The Federal designation focuses more on marketing and offers funding opportunities. The only regulation applies to billboards.

Supervisor Hazard: Suggested including Highway 6 in the designation since there are partners wanting to join and create an historical designation. All the current marketing tools could be united into one coherent program.

Supervisor Bauer: This effort should be coordinated with MLTPA.

Gerry LeFrancois, Community Development: Regarding the required match, 20% would be about \$50,000, which can be in the form of in-kind services or rural planning assistance funds. They hope to focus mostly on an in-kind service match.

COUNTY ADMINISTRATIVE OFFICE

Additional Departments: Social Services

12a) Senior Services Contract with IMAAA (Mary Booher) - Proposed contract with Inyo Mono Area Agency on Aging (IMAAA), pertaining to Senior Services for fiscal year 2009-10.

M10-45 **Action:** Approve a contract with Inyo County, as fiscal agent for Inyo Mono Area Agency on Aging (IMAAA), for the provision of Senior Services in Mono County, resulting in revenue of \$173,195; authorize David Wilbrecht, CAO, to execute said contract and any amendments on behalf of the County.

Farnetti/Hazard, 4-0

Mary Booher, CAO's Office: The contract has been revised as necessary and is ready for approval.

Ed Zylman, Social Services: The program is complicated and there are many detailed requirements. Mono County can do the job, but it will probably be expensive to administer. He hopes the program will be expanded into other Mono County communities.

David Wilbrecht, CAO: There will be pressure on the Board to enhance senior services.

Supervisor Hazard: This is a natural progression for the IMAAA program.

PUBLIC WORKS

- 13a) Mono County Cemetery Ordinance Update and Policy Approval Workshop (Kelly Garcia) - Receive staff report regarding status of the Mono County cemetery ordinance update and policies concerning cemetery operations.

Action: None

Kelly Garcia, Public Works: Provided the following update.

- Public Works has been working on this for a number of years and this is the final phase.
- Previously met with Bridgeport and Mono City RPACs and subcommittees; this item is on the agenda today so citizens of the Town of Mammoth Lakes can provide input.
- The Bridgeport and Lee Vining groups have asked to maintain the sub-committees and have meetings during the year.
- Mt. Morrison cemetery issues have included size of monuments, vandalism, safety, and the need for vaults due to the terrain.
- Currently considering future needs for cemeteries.
- Will continue to collect public input; the final document will come back before the Board.

Public Comment: Working with Public Works has been a good experience. Supports the ordinance; would like continued involvement. His family and another family have worked to help with cemetery issues.

Supervisor Hunt: Maintenance and security issues need to be addressed for the long term.

Brian Muir, Finance Director: Will need to review fees before the ordinance is finalized, including a perpetual care fee.

Supervisor Hazard: Supports the concept of installing vaults. Appreciates the support provided by several community members.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Additional Departments: County Counsel, Env. Health, Community Dev.

- 13b) Options for Use of the Old Sheriff's Substation Property (Evan Nikirk) - Receive staff report and discuss options for use of the Old Sheriff's Substation near Mammoth Lakes. Discuss potential uses presented by the current tenant. Provide any desired direction to staff.

M10-46 Action: Begin the process to advertise for a new lease, give 120-day notice of termination to the current lessee, and begin the process to demolish the old substation building, in coordination with the current tenant.

Bauer/Hazard, 4-0

David Wilbrecht, CAO: The County has been moving carefully through this issue and this will continue; the County is constrained by law about how the property can be used. Today's presentation will discuss various constraints.

The PowerPoint presentation was given by the following staff members:

Stacey Simon, Assistant County Counsel:

- Summarized status of the current lease, which is month-to-month since the lease expired.
- There are three leasing options if the Board opts for renewal. Under each procedure, the public has the opportunity to participate in some form of competitive bid or request for proposal (RFP) process.
- The County has obligations and responsibilities as property owner.
- An issue separate from the lease pertains to animal control and the tethering of dogs; it may be wise to coordinate the timing of the two issues.
- Today's discussion is to help make a decision. The Board cannot accept a lease proposal today, but can provide direction to staff.
- If the Board decides to enter into a new lease, they will have to terminate the old lease.

Scott Burns, Community Development:

- Reviewed the General Plan directives and historic uses.
- Outlined future planning possibilities.
- Improvements would have to comply with the building codes.

Evan Nikirk, Public Works:

- Reviewed history of the site and of the building.
- Reviewed the current condition of the building; showed photographs of the exterior and interior.
- Outlined use options and use limitations for the building.
- Estimated cost to upgrade the building for commercial use is approximately \$414,000; estimated cost to upgrade for residential use is \$529,000; cost to demolish the building is approximately \$82,000; cost to secure the site is approximately \$34,000; workforce housing (modular units) would cost approximately \$402,000 after demolition.
- The County is currently using the space for storage, and could expand its use for storage.

David Wilbrecht, CAO: summary

- Important to secure the site.
- Retain use for Public Works/County purposes.
- If the Board decides to lease the property, recommends short-term lease.
- If the building is used for a public purpose, the County is required to make ADA improvements.
- Recommended demolishing the building or making it inaccessible.

Therese Hankle representing Mammoth Dog Teams:

- Distributed copies of petitions signed by people supporting MDT.
- Mr. Ouimet appreciates the County's previous support and asks the Board to choose the lease option that provides the most flexibility for the continued use of the property.
- Mr. Ouimet has made improvements and repairs to the property. In addition to paying the property taxes, he pays \$500 per month.
- Mr. Ouimet has been active in the community, including the north county, by giving presentations at schools.
- Mono County Animal Control has statutory discretion to allow tethering at this site.
- Read positive comments from the MDT public comment book.
- The County has provided the opportunity for the public to benefit from MDT.

Jim Ouimet, MDT:

- Wants to keep the museum functional.
- Asked the Board to approve alternative #5—Lease for Exterior and Interior for Business/Museum (as presented in the staff report).
- He has talked with his crew about modular units if the building is demolished. He has the resources to install a modular unit.
- Previous locations have only been for emergency/temporary use. Ouimet has not been able to work out a long-term solution.
- People on site are currently housed in RVs.

Board Comments

- Supervisor Hazard: The Board has previously acknowledged the history of dog sledding in the Eastern Sierra and its value to the community. He supported demolishing the current building; part of the property would be valuable for work-force housing. It may be better to relocate the dog-sled operation to the adjacent piece of property.
- Supervisor Hunt: Suggested waiting until after the season to terminate the lease. He talked about the need to secure the site, Public Works' needs on site over the next 10-20 years, boundaries for uses, short-term lease, demolition of the building, and directing staff to start the process for a new lease.

Public Comments

The following people supported Jim Ouimet and Mammoth Dog Teams, and what this operation provides to the community and visitors to the Eastern Sierra in the form of history, culture, and recreation. Speakers urged the Board to find a way to maintain the use of this property by MDT:

- Mike Anderson
- Tom Beverage
- Doug Schneider
- Jill Grayhecht
- Allen Blumer
- Scott Walker (affordable housing on this site would be too far out of town)
- Mike Williams
- Ron Makenson
- Scott Cedarscrim
- Steve Searles

Board Discussion regarding Next Steps

- Supervisor Hazard: 1) Demolish the building; 2) Give notice of lease termination; 3) Designate a boundary for the operation; 4) Ensure uses of the remaining area are compatible with the viewshed; 5) Resolve animal control issues.
- Supervisor Farnetti: 1) Secure site, 2) Give 90-day notice of lease termination; 3) Determine Public Works uses; 4) Begin process to award a short-term lease; 5) Demolish the old building.
- Supervisor Bauer: Concurred with other Board Members. Need more than 90 days to get through process; should lease the smaller parcel. Emphasized that building needs to be demolished. She needs to know that any future lease obligations will be met.
- Supervisor Hunt: Wants to see both sides moving forward.

The Board unanimously agreed to refer this back to staff to work on the following Board direction:

- Demolish building
- Give 120 day termination notice to Ouimet
- Animal Control to resolve the tethering issue
- Begin short-term lease process (up to 10 years) in mid-late April

Wilbrecht: Staff will come back to the Board with a specific proposal based on Board direction.

FINANCE

- 14a) Mid Year Budget Review (Brian Muir) - Receive report on expenditures and revenues for the first six months of the current fiscal year. Receive update on departments on the status of their budgets. Consider any proposed policy items.
- M10-47** **Action:** Fund the power lift for the Whitmore Pool in the amount of \$3,163.
Farnetti/Bauer, 4-0
- M10-48** **Action:** Approve \$10,000 for High Sierra Energy, and consider this item again during the annual budget.
Bauer/Farnetti, 4-0
- M10-49** **Action:** Approve budget changes as follows
- Net reduction in appropriated revenues—\$26,642
 - Net increase in appropriated expenditures—\$155,740
 - Resulting in reduction of \$182,382 to contingency appropriation
- Also, appropriate \$17,500 for ADA improvements to Memorial Hall in Bridgeport.
Bauer/Farnetti, 4-0

Finance Department Overview

Brian Muir, Finance Director:

- 52% of general fund revenues have been gathered as of December 31, 2009.
- \$4.5 million in general reserve remains.
- Reviewed the Revised Summary of Requested Budget Changes; will have \$181,000 after funding operational requests.
- Could face at least a 3-4% decrease in property taxes next year.

Budget Committee Report

David Wilbrecht, CAO:

- Reviewed the priorities and principles the committee has been discussing.

Policy Item Review

David Wilbrecht, CAO:

- Reviewed the hold-over items, new policy items, and personnel allocation items listed on the Revised Summary of Requested Budget changes.

Board Discussion

Addressed the Revised Summary of Requested Budget Changes item by item; comments:

- Requests by community groups need to be addressed during the annual budget process.
- Defer hold-over policy items to annual budget.
- Asked for an explanation about Public Health General Fund contribution.
Lynda Salcido, Health Department: This relates to fee increases requested last year. Ultimately the fees were not raised and the shortfall was over \$100,000. The Board's intention by not raising fees was to backfill from the General Fund. Notices have been

sent at the lower rate. Environmental Health is striving to be self supporting.

Brian Muir, Finance Director: Recommended that the Board collect 100% of the fees for Environmental Health next year. Fund this shortfall at the end of the year from the General Fund; if the Board raises fees next year, the amount should be recovered.

- Regarding development impact fees (DIF), the County is obligated to look at these fees every 5 years and this is the 5th year, so the process needs to start. The Board asked to agendize this issue for a separate discussion.
- Demolition of the old sheriff's substation—move to next year's budget but prepare now with bidding. Explore all options for demolition, such as training for Cal Fire.
- New Policy Items: **1)** Re-allocate funds from the Chalfant Community Center to Memorial Hall for ADA access, and accomplish both projects in-house. **2) Randy Schinle**, Mammoth Lakes Police Chief, talked about the need for a school resource officer; this position serves Mammoth Lakes as well as a large population in the County. Sheriff Scholl agreed that the program is important. **3) Maggie Pelton**, Disabled Sports, submitted a proposal to the Town for Measure R funding to acquire a lift for Whitmore Pool; the Town asked her to get matching funds from the County. This will be an improvement for this joint Town-County facility, and will address an ADA issue. **4) Rick Phelps**, High Sierra Energy Foundation, discussed work he has been doing to benefit the County, which will save money in energy costs. Asked for County support, and will ask again at the annual budget. Will potentially save \$21,000 annually with just Annex I and Annex II changes. **5)** The senior citizens' services in North County (linkages program) has been dismantled, but a third person needs help and a request has been made to support her out of general fund. Does the Board want to commit funds to a policy program to help people in this situation? **Ed Zylman**, Social Services: The state social services programs is drawing back funding. There is a risk to assume mandated or formerly mandated services; it sets a precedent with the state. Zylman recommended not entering into this type of service without serious discussion; the Board should not make a decision today. **Supervisor Farnetti**: The Board needs to view this issue as support for a program, which needs much more discussion. The service has been a state obligation, and the Board cannot make an immediate decision. This item should be agendized in April. **Claudia Bonnet** from Walker: Asked the County to absorb the cost to help one additional individual by having the new position at the Sr. Center take on this additional role. **Marshall Rudolph**, County Counsel: There are many questions to answer and this issue should be carefully analyzed.
- Personnel allocation items: Defer this to April.

Board Comments

- Supervisor Bauer: The Board should hold a workshop to discuss a process for addressing funding requests by community groups.
- Supervisor Hunt: The County is facing lean budget years and community groups need to provide documentation about their group and other funding sources they have.
- Supervisor Hazard: County Service Areas (CSAs) need to start helping financially support projects in their communities.
- Supervisor Farnetti: Agreed that a school resource officer is important, and perhaps the County can share officers to help maximize efforts with limited resource; he is willing to give this request another opportunity during the annual budget. Regarding, Whitmore pool, the County shares expenses with the Town, and has an obligation because this is a public facility and the ADA issue has been brought forward.

ADJOURN: 5:00 p.m.

BYNG HUNT

Chairman

ATTEST:

LYNDA ROBERTS
Clerk of the Board

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