



**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

May 3, 2011

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

Pledge of Allegiance led by Supervisor Hunt.

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

- Rick Phelps, High Sierra Energy Foundation:
  - 1) May 16<sup>th</sup> Solar Workshop, LeeVining Community Center @ 6:30pm.
  - 2) May 18<sup>th</sup> implement Direct Install Program for small businesses in Inyo/Mono Counties.

**BOARD MEMBER REPORTS**

**Supervisor Bauer**

1. Deferred due to time.

**Supervisor Hansen**

1. Deferred due to time.

**Supervisor Hazard**

1. April 20<sup>th</sup> Attended Rotary meeting
2. April 21<sup>st</sup> MCPE negotiations
3. April 22<sup>nd</sup> Attended Air Service sub committee meeting
4. April 26<sup>th</sup> Met with AT&T regarding Chalfant cell service
5. April 28<sup>th</sup> MCPE negotiations
6. April 29<sup>th</sup> Met with concerned citizen regarding a water bill
7. Met with new Forest Service Supervisor

**Supervisor Hunt**

1. Attended MLHA meeting

**Supervisor Johnston**

1. Devils Postpile will be celebrating their 100 year anniversary on July 4, 2011
2. Attended Bio Mass Corp meeting
3. Attended Andrea Lawrence's Award Dinner – Recipient for this year is Eastern Sierra Audubon's Society

4. Met with the General Manager of Water and Power

## 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. Deferred due to time.

- 2) **APPROVAL OF MINUTES**

**M11-87** A. **Action:** Approve Minutes of the Regular Meeting held April 5, 2011, with corrections:

- Supervisor Hazard: pg 2, bullet 11-correct Chalfant to read Hammil Valley; pg 2, bullet 13-correct to 'No hearing officer to enforce these?'
- Supervisor Johnston: pg 3, bullet 7-correct to 'APCD meeting and Abatement Hearing.

**Hunt moved; Bauer seconded**

**Vote: 5 Yes, 0 No**

**M11-88** B. **Action:** Approve Minutes of the Regular Meeting held April 12, 2011, with corrections:

- Supervisor Hazard: pg 10, bullet 3 & 4-Benton Crossing Landfill

**Bauer moved; Hansen seconded**

**Vote: 5 Yes, 0 No**

**M11-89** C. **Action:** Approve Minutes of the Special Meeting held April 12, 2011.

**Hunt moved; Johnston seconded**

**Vote: 5 Yes, 0 No**

Closed Session: 9:10 am to 10:30 am

Break: 10:30 am

Reconvened: 10:36

Lunch: 12:17 pm to 1:06 pm

Break: 2:57 pm

Reconvened: 3:06 pm

Adjourned: 5:34 pm

## CLOSED SESSION

The Board had nothing to report from Closed Session.

## BOARD OF SUPERVISORS

- 3a) Closed Session -- Personnel - PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer.

- 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.

## **DEPARTMENT REPORTS/EMERGING ISSUES**

### **Ann Gimpel, Director of Mental Health:**

- \$72,000 collections from Drinking Driver Fees for FY 09/10; and \$141,000 for FY 10/11.

### **Dan Lyster, Director of Economic Development:**

- Upcoming meeting in May of the Conway Ranch Task Force. Grant paperwork is not complete. Hopefully, we will have the pipeline in the ground before the snow.
- It was fishing season opener on April 30<sup>th</sup> weekend. I will talk to people across the County on how the weekend went and report back.

### **Garrett Higerd, Public Works:**

- Informed the Board that he has the architectures' package regarding the Hammil Valley Emergency Services Station.
- Supervisor Johnston: Are we getting ahead of ourselves before we have an actual use permit.
- Higerd: It would require a special use permit. Package does take the special use permit into consideration. This package will aid in the grant writing process.
- Supervisor Hazard: I would like to see this item agendaized on the June 7, 2011 Board of Supervisors meeting.

### **Mary Booher, Financial Analyst:**

- Board Members have an invitation to tour Camp Antelope's water tank site. Board agreed that not every member needs to attend. Mary will schedule a date/time and notify Board Members.

### **Jeff Walters, Assistant Director Public Works:**

- Drilling of three ground water monitoring wells in Bridgeport has begun.
- Virginia Lakes Road was open for the fishing opener.
- Tioga Pass is only open from the south to the South Fork Bridge area. This is the start of the avalanche area. CalTrans is asking for the County's assistance/support by supplying equipment and staff. The estimated amount would be \$5,000 to \$15,000.
- Supervisor Johnston: Seems we are bailing out CalTrans inadequacies. We should rattle some cages at CalTrans and/or Sacramento to take care of this.
- Supervisor Bauer: Our constituents are counting on us to do what we need to do to get this road open.
- Supervisor Hazard: Will our people be in avalanche danger?
- Walters: Our section would be out of danger. We need to take a D8 and operator to work on it.
- Supervisor Johnston: I would like to invite Mr. Tom Hallenbeck, CalTrans District Director, to speak to the Board.
- Supervisor Bauer: I would suggest having a supervisor talk to Mr. Hallenbeck

individually.

- Supervisor Hansen: CalTrans equipment has had breakdowns. They need a Cat Dozer from us to help them out for a short period of time.
- Supervisor Hazard: I would like to send a letter, from the Board, to Mr. Hallenbeck and our legislators along with pictures in order to find a solution to this problem.

**M11-90**

URGENT AGENDA ITEM presented by Supervisor Hansen: I move that the Board determine that there is a need to take immediate action with respect to the proposed agenda item, that the need for action came to the County's attention subsequent to the agenda being posted and therefore, that the Board add the item to the agenda.

**Hansen moved; Bauer seconded**

**Vote: 5 Yes, 0 No**

**M11-91**

**Action:** Permit the Public Works Department to supply a dozer and operator to assist CalTrans in clearing snow in order to open Tioga Pass, not to exceed \$15,000.

**Hansen moved; Hunt seconded**

**Vote: 5 Yes, 0 No**

**DEPARTMENT REPORTS/EMERGING ISSUES**

**Brian Muir, Finance Director:**

- Quarterly Investment Report

**Dan Lyster, Economic Development Director:**

- Reporting back to the Board: Bridgeport Fishing Opener-visitors were down but they caught fish. Robinson Creek-was smoking hot. Tom's Place-was booked, satisfied with fishing. Twin Lakes-fishing was good, DFG planted 12-14 inchers. In general, it was not a bad opener and the weather might have been a factor.

**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.)

**COUNTY COUNSEL**

Additional Departments: CAO

4a)

**Amendment to Hospital Option Agreement** - Proposed Town of Mammoth Lakes First Amendment to Option Agreement. The amendment pertains to a transaction under which the Southern Mono Healthcare District is exercising an option to purchase from the Town of Mammoth Lakes a portion of the parcel acquired by the Town through a 2007 land-exchange with the Forest Service. The transaction does not affect or involve the County or its property, but the County must approve the amendment because it was a party to the original Option Agreement.

**M11-92**

**Action:** Approve County entry into First Amendment to Option Agreement pertaining to a transaction under which the Southern Mono Healthcare District is

exercising an option to purchase from the Town of Mammoth Lakes a portion of the parcel acquired by the Town through a 2007 land-exchange with the Forest Service. Authorize the Board Chair to sign the First Amendment on behalf of the County as a party to the original Option Agreement.

**Hunt moved; Bauer seconded**

**Vote: 5 Yes 0 No**

## **FINANCE**

5a) **M11-93** **Property Tax Software Maintenance Contract** - Proposed contract and addendum with Megabyte Systems, Inc. pertaining to software maintenance and web services.

**Action:** Approve contract and addendum with Megabyte Systems, Inc. pertaining to software maintenance and web services.

**Hunt moved; Bauer seconded**

**Vote: 5 Yes 0 No**

5b) **Debt Policy** - Revised debt policy.

**M11-94** **Action:** Adopt revised debt policy.

**Hunt moved; Bauer seconded**

**Vote: 5 Yes 0 No**

Additional Departments: County Counsel

5c) **M11-95** **Budget Adjustment - County Counsel** - FY 10/11 budget adjustment to County Counsel budget.

**Action:** Approve adjustment to the FY 10/11 County Counsel budget.

**Hunt moved; Bauer seconded**

**Vote: 5 Yes 0 No**

## **PUBLIC WORKS**

6a) **R11-29** Correction to Gate Fee Resolution - Consider and potentially adopt Resolution No. R11-29, "A Resolution of the Mono County Board of Supervisors Making a Minor Correction to and Rescinding a Portion of Resolution No. R11-24, "A Resolution of the Mono County Board of Supervisors to Increase Certain Fees for County Solid Waste Facility Services"."

**Action:** Adopt Resolution No. R11-29, "A Resolution of the Mono County Board of Supervisors Making a Minor Correction to and Rescinding a Portion of Resolution No. R11-24, "A Resolution of the Mono County Board of Supervisors to Increase Certain Fees for County Solid Waste Facility Services"."

**Hunt moved; Bauer seconded**

**Vote: 5 Yes 0 No**

- 6b) **Wood Waste Waiver Program** - Approve a continuation of the gate fee waiver program for wood waste generated by residents clearing a “defensible space” around homes in select communities.
- M11-96** **Action:** Authorize Public Works to continue the program through 2011 and to distribute wood waste waiver coupons through local fire chiefs, finding it is in the public interest to encourage residents to create defensible space around structures.  
**Hunt moved; Bauer seconded**  
**Vote: 5 Yes 0 No**

### COUNTY ADMINISTRATIVE OFFICE

- 7a) **Letter of Support-SB 184** - Letter of Support for SB 184 (Leno) which would protect locally enacted inclusionary housing programs.
- M11-97** **Action:** Approve Chair’s signature on letter of support for SB 184.  
**Johnston moved; Hunt seconded**  
**Vote: 3 Yes 2 No Hazard/Bauer**

### 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

- 8a) June Lake Advocates Letter of Concern - Letter from Al Heinrich, President of the June Lake Advocates dated April 18, 2011, expressing concern (and asking for Board support) about Conway Ranch and the possible decrease and/or loss of Alpers Trout stocking in the June Lake Loop.
- 8b) SB 505 Support Letter from Tim Alpers - Letter to Honorable Fran Pavley dated 4/19/11 from local resident Tim Alpers in support of SB 505.
- 8c) Letter from Jim Gonzales - Letter regarding the County's Developmental Impact Fee.  
Discussion followed.  
Marshall Rudolph, County Counsel: His case came forward, it was denied.  
Scott Burns, CDD Director: The whole DI package will be coming before the Board in the near future. Gonzales’ DI fee, in June Lake, is about \$5,000.  
Mary Booher: DIF will be presented the last meeting in June.

**The Board acknowledged receipt of correspondence.**

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### HUMAN RESOURCES

- 9a) **Human Resources - Animal Control** (Nancy Boardman and Jim Arkens) - Proposed resolution to allow Animal Control to hire a part-time, non-benefited position; modify the Allocation List to include this new position.
- Nancy Boardman, Animal Control Director:
- This person will be located at Whitmore Shelter. This will allow Whitmore to be open 7 days a week and this will allow the Bridgeport Shelter to be open 5 days a week and 2 half days. Cost savings of \$7,700.
- Supervisor Hazard:
- Title is misleading as this person could potentially be seen as a supervisor. I would like to change the job title to match the job description.
- Jim Arkens, Human Resources Director:
- Titled this way but it can be changed and the job description has been approved by the Union.
- Jeanie Nelson, Animal Control Volunteer:
- I strongly support the animal control department. I have worked as a volunteer for many years. This position would be greatly beneficial.

- R11-26** **Action:** Approve Resolution #11-26 to approve part-time, non-benefited position, Animal Shelter Attendance/Volunteer Coordinator position in Animal Control.  
**Bauer moved; Hunt seconded**  
**Vote: Yes 5 0 No**

## **BOARD OF SUPERVISORS**

Additional Departments: CAO, Finance, County Counsel

- 10a) **Amendment to Arkens contract** (Brian Muir, Marshall Rudolph, Jim Arkens) - Proposed Resolution Approving an Agreement and Second Amendment to the Employment Agreement with James Arkens and Prescribing the Compensation, Appointment, and Conditions of said Employment.
- R11-27** **Action:** Adopt Resolution R11-27, Approving an Agreement and Second Amendment to the Employment Agreement with James Arkens and Prescribing the Compensation, Appointment, and Conditions of said Employment.  
**Hunt moved; Johnston seconded**  
**Vote: Yes 5 0 No**

## **COUNTY COUNSEL**

- 11a) **Creation of Redistricting Advisory Committee** (John-Carl Vallejo) - Proposed resolution to establish a redistricting advisory committee. Appointment of advisory committee members.
- Board discussion:
- Public hearing mandated meetings to be held by the end of June 2011.
  - Minimum of one meeting in each supervisor district and additional meetings if needed.
  - Each Board Member will appoint two citizens to the Committee.
- Nate Greenberg, IT/GIS Department:
- His group has compiled six possible options that the Committee may review.

**R11-28**      **Action:** Adopt Resolution R11-28, presenting the Board with a total of three redistricting options from the Committee. The Board will require the Committee to present their redistricting options by July 19, 2011. The Board will make their own final decision regarding the redistricting options by September 1, 2011.  
**Hunt moved; Bauer seconded**  
**Vote: 5 Yes 0 No**

**With the adoption of Resolution R11-28, appointments will be made to the Redistricting Advisory Committee.**

**M11-98**      **Action:** Appoint the following Committee members:

District 1 (Johnston): Jose Garcia and Chris Carmichael  
District 2 (Hazard): Rick Phelps and Cindy Kitts  
District 3 (Bauer): Brent Harper and Rob Morgan  
District 4 (Hansen): Bob Peters and Sally Miller  
District 5 (Hunt): Bill Taylor and Tony Taylor  
**Bauer moved; Hunt seconded**  
**Vote: 5 Yes 0 No**

Additional Departments: Community Development - Planning Division

11b)      **County Comments on proposed Forest Service Planning Rule** (Stacey Simon) -County comments on Forest Service proposed Planning Rule.

**M11-99**      **Action:** Approve and authorize Chair to sign proposed letter to USFS providing comments on the proposed National Forest System Land Management Planning Rule.  
**Hunt moved; Bauer seconded**  
**Vote: 5 Yes 0 No**

LUNCH  
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**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**  
**No One Present In Bridgeport/Mammoth to Speak.**

**COUNTY ADMINISTRATIVE OFFICE**

12a)      **Digital 395 Update** (Michael Ort) - Presentation by Michael Ort, representing Praxis, regarding the status of the Digital 395 project.  
Michael Ort, Praxis:  
• Overview of project.

**Action:** None (informational only).

**COMMUNITY DEVELOPMENT - PLANNING DIVISION**

Additional Departments: Public Works, County Counsel

- 13a) **Crowley Lake Community Garden Project** (Courtney Weiche, Joe Blanchard, Tara McKenzie ) - Receive status report on Crowley Lake community garden project proposal.

Courtney Weiche, Mono County Associate Planner:

- Discussed Project Application, Project Proposal, Participation Efforts, Site Plan, Required Project Approvals.

Supervisor Hazard:

- Guidelines needed and no impact on General Fund.
- We need to look into possible water meter.
- These projects need to go through the RPAC's.

Kim McCarthy, CSA #1 chairperson:

- I would like to see the County ration water throughout the whole community, if water is an issue.

Supervisor Johnston:

- I would like to let the CSA do what they need to do.
- Going through the Planning Commission and RPACs the summer will be over.

Marshall Rudolph:

- The County has to approve fee schedule and licensing.

Scott Burns:

- Clarified meaning of Conditional Use Permit.

**Action: No action taken.**

**The Board asked that this be presented back later in June.**

## **AMBULANCE PARAMEDICS**

- 14a) **Presentation of Community Wildfire Protection Plan for BOS approval** (Mark Mikulicich, with Bob Rooks from Mammoth Fire and Debra Hein from BLM/USFS) - Presentation by Mark Mikulicich (with input from Bob Rooks and Debra Hein) regarding the Community Wildfire Protection Plan that was recently completed for Mono County.

Presentation given by Mark Mikulicich, Mono County Fire Rescue; Bob Rooks, Mammoth Lakes Fire Department; Debra Hein, BLM/USFS Fire Mitigation Specialist.

Board discussion followed.

- M11-100 Action:** Approve the Community Wildfire Protection Plan as a planning tool for wildfire mitigation within Mono County.

**Hunt moved; Bauer seconded**

**Vote: 5 Yes 0 No**

## **PUBLIC WORKS**

- 15a) **Contract Award - Architectural Design and Construction Management Services** (Jeff Walters) - Consider and potentially approve County entry into proposed contracts with Tom Schaniel Architecture, Mountain Resort Architecture and HMR Architects pertaining to architecture design and construction management services, and authorize Public Works Director to

execute said contracts on behalf of the County. Receive staff report. Provide any desired direction to staff.

**M11-101**

**Action:** 1. Authorize Public Works Director (in consultation with County Counsel) to execute and administer agreement(s) with Tom Schaniel Architecture (Bishop, CA) for a not-to-exceed budget of \$60,000 for architectural design and construction management services. This authorization shall include making minor amendments to said agreement(s) from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work or budget and are approved as to form and legality by County Counsel. 2. Authorize Public Works Director (in consultation with County Counsel) to execute and administer agreement(s) with Mountain Resort Architecture (Mammoth Lakes, CA) for a not-to-exceed budget of \$40,000 for architectural design and construction management services. This authorization shall include making minor amendments to said agreement(s) from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work or budget and are approved as to form and legality by County Counsel. 3. Authorize Public Works Director (in consultation with County Counsel) to execute and administer agreement(s) with HMR Architects (Sacramento, CA) for a not-to-exceed budget of \$100,000 for architectural design and construction management services. This authorization shall include making minor amendments to said agreement(s) from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work or budget and are approved as to form and legality by County Counsel.

**Johnston moved; Hansen seconded**

**Vote: 5 Yes 0 No**

15b)

**Special Events Support Discussion** (Jeff Walters) - Requests for assistance from various organizations for events or other activities.

Jeff Walters, Assistant Director Public Works:

Requests:

- Antelope Valley ATV Jamboree – traffic control, signage,
- Banner Management – Bridgeport, June Lake, Lee Vining: banners placed in cities
- Bodie Road – assistance on access road- grading, road material
- Founder's Day – court house set up
- 4<sup>th</sup> of July – prepping sites, power polls, sand bags, waste removal, machinery
- Tioga Pass Snow Removal – equipment and operators

Bob Peters, Bridgeport resident:

- Town of Bodie is a huge draw for residents. Tioga Pass is crucial to Lee Vining. Bridgeport 4<sup>th</sup> of July, 149<sup>th</sup> year celebration, is so important to the community of Bridgeport. Signature page of supporters distributed to Board. I encourage the Board to keep these policies in effect.

Mary Booher, Coleville High School Boosters:

- We request your continued support as the school benefits from these events in their fund raising projects.

Benny Romero, Bridgeport resident:

- There is a large amount of guests that come each year for this celebration. It helps to support the entire area.
- I would like to see a better sound system for the 4<sup>th</sup> of July events/parade.

Jeff Walters:

- The Court House chimes system is a sound system but is not sufficient for the size of the crowds.

Supervisor Hansen:

- We need to do everything we can do to help support these events.

Supervisor Hazard:

- 4<sup>th</sup> of July events should be supported in the entire County, this is a very special event.
- I believe other events should benefit the County as a whole and not just the community.

Supervisor Bauer:

- Every year it seems to escalate. We need to find a way to equalize these requests and maybe categorize. I would like to have each organization submit an application and a cap dollar amount.

Supervisor Hunt:

- I would like to see an annual budget that would include all. Evaluate each event every year.

Brian Muir:

- Bridgeport's events generate TOT and sales tax for the general fund. Town of Mammoth Lakes events stay in the town.

Dave Wilbrecht:

- It is our intention to have the dollar amount of what each event costs the County. It is pure disclosure.

Hank Cole, Bridgeport resident:

- Voiced support for the Bridgeport 4<sup>th</sup> of July.

**Action: No formal action taken.**

After discussion, the Board directed Public Works to continue assisting these non profit events that benefit the whole County:

1. Bodie Road – up to \$10,000 a year
2. Tioga Pass
3. Bridgeport 4<sup>th</sup> of July
4. All other listed requests – If it appears the cost will exceed \$1,000 Public Works will report back to the Board

The Board would like to see these expenses included and listed separately in the Public Works Budget.

## **SHERIFF CORONER**

16a)

**Presentation Outlining the Sheriff's Department's Off Highway Vehicle (OHV) Program (Sergeant Jeff Beard)** - Presentation regarding the functions of the Off Highway Vehicle (OHV) Program operated by the Sheriff's Department.

Jeff Beard, Sgt. Sheriff's Office:

Detailed presentation to the Board.

**Action:** None (informational only).

16b)

**Presentation Outlining the Efforts and Responsibilities of the Office of**

**Emergency Services** (Sergeant Jeff Beard) - Presentation regarding the functions and efforts of the Office of Emergency Services (OES).

Jeff Beard:

- In depth report/power point presentation regarding Mono County's emergency services. June 3<sup>rd</sup> Unified Command Meeting at Mammoth Lakes Fire Department.

**Action:** None (informational only).

## **BOARD OF SUPERVISORS**

17a)

**Federal and State Budgets** (Board Members) - The Board of Supervisors may discuss the Federal budget and the California State budget and potential impacts to Mono County.

**Item deferred until next Board meeting.**

ADJOURN: 5:34 pm

ATTEST:

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DUANE "HAP" HAZARD  
CHAIR

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LINDA ROMERO  
ASSISTANT CLERK OF THE BOARD

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