



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

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

County Courthouse,
Bridgeport, CA 93517
Regular Meeting

June 14, 2011

9:01 AM Meeting Called to Order by Chairman Hazard.

Pledge of Allegiance led by Interim CAO Jim Arkens.

Supervisor Vikki Bauer is absent from today's meeting.

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

Closed Session: 9:02 a.m.

Break: 10:37 a.m.

Reconvene: 10:41 a.m.

Closed Session: 11:34 a.m.

Lunch: 12:00 p.m.

Reconvene: 1:01 p.m.

Adjourn: 2:08 p.m.

CLOSED SESSION

There was nothing to report out of closed session.

BOARD OF SUPERVISORS

- 1a) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): 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
- 1b) Conference with Legal 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.

2) APPROVAL OF MINUTES
None.

3) **BOARD MEMBER REPORTS**

Supervisor Hunt:

- Last Thursday, labor negotiations with MCPEA. He thinks that progress is being made; but he's still concerned with how long this is taking.
- Friday, skied in the morning.
- Sunday, biked Tioga.
- He's talked to Commissioners from Tourism Commission to agendaize item for July 5, 2011 meeting.

Supervisor Hansen:

- 6/8 – met with Fred Fulstone and family and Bernadette Lovato from BLM and Brett from Road Shop. Question about use of county road and use, etc. BLM is supporting sheep grazing as much as they can.
- Saw Inyo Register article by George Milovich.
- Mono Basin RPAC meeting; talked about visioning plans.
- Yesterday, LTC meeting.

Supervisor Hazard:

- LTC Meeting – Tom Hellenbeck and Caltrans: trying to keep snow/avalanche equipment in the region. We need to determine whether or not we need a letter of support. Put on agenda at beginning of July.
- 6/8 – meeting regarding economic study at new geothermal plant; focus a bit narrower than ours; good to share ideas.
- 6/10 – Chalfant office hours; visitor concerned about solid waste fees, got addressed and it's ok. Temperatures in Community Center were close to 90 degrees; Public Works took care of it and should stay on top of this.
- Last Friday, received call from Cindy from RCRC regarding Veteran's legislation – could potentially see some action by August of this year.
- He was contacted late last week regarding wind projects. Scoping/comment period closes later this month. County was kind of left out of this discussion.
- Town/County Liaison meeting this Thursday, he can't go, who can? Supervisor Hansen will check his schedule and attend if he can.

Supervisor Bauer:

- **Absent from this meeting.**

Supervisor Johnston:

- Mono Basin RPAC and June Lake CAC meetings.
- Yesterday LTC meeting; Tioga Pass presentation; looked at overall work program.
- Meeting with Great Basin Air Pollution Control District – discussed bio-mass issues. Next meetings are next week.

COUNTY ADMINISTRATIVE OFFICE

4) INTERIM CAO Report regarding Board Assignments (Jim Arkens)
ACTION: Receive brief oral report by Interim County Administrative Officer (CAO) regarding his activities.

Jim Arkens:

- Monthly C4 meeting with At-Will staff.
- Met with Various Dept. Heads and staff with regular status reports; he's expanded those meetings to other individuals as well.
- Negotiations continue with MCPEA on Thursday.
- Assessor has talked with him about proposed plan to fill a position in her office.
- Activity with Union Stewards and Union Reps.

DEPARTMENT REPORTS/EMERGING ISSUES
(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Beverlee Bryant:

- AB109 Realignment Update: Governor's intent is to not implement that until October 1, 2011; also delay implementation of realignment with youth groups.

Jeff Walters:

- Tioga Pass – still no estimated opening date.
- ATV event in Antelope Valley later this week – two roads impacted.
- Looked at all bridges in Antelope Valley, doesn't see any issues. No flooding or damage concerns at this point.
- One mechanic out on military leave; he got a permanent job at Mammoth Mountain; another mechanic due to retire. Also a vacancy in road department. Needs to fill these.

Sheriff Scholl:

- Small stream advisories went from watch to warning but his staff doesn't see any problems.
- Potential break-ins at park and ride at 203 exit – he received a call from Supervisor Hazard. This issue is on their special patrol list.
- Discussed sportsman's publication – the Pelichowski brothers were discussed, etc. Good kudos for his staff for passing on some good fishing information.

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.)

SOCIAL SERVICES

5a) Contract between Inyo Mono Advocates for Community Action and Mono County - Proposed contract with Inyo Mono Advocates for Community Action (IMACA) to provide community services directed at preventing child abuse through parent education, training and support.

M11-132 Action: Approve County to enter into the proposed contract and authorize Julie M. Tiede, Mono County Director of Social Services, to execute said contract on behalf of the County. This authorization shall include making minor amendments to the agreement from time to time as the Department of Social Services' Director may deem necessary, provided such amendments do not substantially alter the scope of work or contract costs and are approved as to form and legality by County Counsel.

Hunt moved; Johnston seconded
Vote: 4 Yes; 0 No; 1 absent: Bauer

- 5b) Contract between Wild Iris and Mono County - Proposed contract with Wild Iris to provide community services directed at preventing child abuse through domestic violence intervention, counseling and education.

M11-133 Action: Approve County to enter into the proposed contract and authorize Julie M. Tiede, Mono County Director of Social Services to execute said contract on behalf of the County. This authorization shall include making minor amendments to the agreement from time to time as the Department of Social Services' Director may deem necessary, provided such amendments do not substantially alter the scope of work or contract costs and are approved as to form and legality by County Counsel.

Hunt moved; Johnston seconded
Vote: 4 Yes; 0 No; 1 absent: Bauer

COUNTY COUNSEL

- 6a) Second reading of Skateboard Park Ordinance - Proposed ordinance adding section 10.17.100 to the Mono County Code to specify the use restrictions of adding section 10.17.100 to the Mono County Code to specify the use restrictions of county owned and/or operated skateboard parks.

ORD11-06 Action: Adopt proposed ordinance #ORD11-06 adding section 10.17.100 to the Mono County Code to specify the use restrictions of adding section 10.17.100 to the Mono County Code to specify the use restrictions of county owned and/or operated skateboard parks.

Hunt moved; Johnston seconded
Vote: 4 Yes; 0 No; 1 absent: Bauer

- 6b) Ordinance Suspending Housing Mitigation Requirements - Proposed ordinance adding section 15.40.170 to the Mono County Code, temporarily suspending all housing mitigation requirements.

ORD11-07 Action: Adopt proposed ordinance #ORD11-07 adding section 15.40.170 to the Mono County Code, temporarily suspending all housing mitigation requirements.

Hunt moved; Hansen seconded
Vote: 3 Yes; 1 No: Johnston; 1 Absent: Bauer

Pulled from Consent Agenda for discussion

Supervisor Johnston:

- Doesn't think this was well thought out or noticed properly.

Marshall Rudolph:

- A hearing or notice is not needed to suspend or decrease fees.

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

- 7a) California State Parks Foundation Letters - Letters received from California State Parks Foundation (on behalf of various county residents) in opposition to releasing the Bodie Wilderness Study Area.
- 7b) Colusa County Fish and Game Advisory Commission Request for Support - Letter dated June 3, 2011 from the Colusa County Fish and Game Commission asking our Board to assist them in their efforts by writing a letter to the state. In their own letter to the state (attached), they are requesting that the wild pig be made a non-game animal.
- 7c) Mono Co. RCD position letter regarding Walker River Water Leasing considerations - Letter from the Mono County Resource Conservation District dated May 8, 2011 outlining their position in the Walker River Water Leasing considerations.
- 7d) Suddenlink letter and application for a State video franchise - Letter from Suddenlink (NPG Cable) dated May 24, 2011 with its application for an amended State video franchise with the California Public Utilities Commission, to expand its video service area.

The Board acknowledged receipt of the correspondence.

ECONOMIC DEVELOPMENT

- 8a) Vacancy on Mono County Fisheries Commission (Dan Lyster) - There is a vacancy on the Mono County Fisheries Commission. The term of this position as Commissioner is from date of appointment until April, 2013. The commissioner who recently vacated this position resides in the Bridgeport Area.

PULLED Action: NONE - PULLED FROM AGENDA – WILL GO ON 7/5/11 AGENDA.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

- 9a) Integrated Regional Water Management Update (Tony Dublino) - Receive update on Inyo-Mono IRWM process. Consider, potentially approve, and

authorize Chair to sign revised MOU.

M11-134 **Action:** Approve and authorize Chair to sign revised MOU, with understanding that the effective date of the MOU (proposed to be September 1, 2011) is to be finally determined by the IRWVG at its June 15 meeting.

Johnston moved; Hunt seconded

Vote: 3 Yes; 1 No: Hazard; 1 Absent: Bauer

Tony Dublino:

- Zero funding received; unfortunate to say the least.
- They are now determining what happened, how application could have been improved.
- Detailed items of interest in his staff report. No one wanted to miss out on round one of funding but there simply wasn't enough time for application process.
- Experience will prove to be helpful when it's time to submit application again.

Supervisor Johnston:

- Doesn't think the group should beat themselves up over the application process and lack of money received.
- He thinks that each group should have received some sort of money – it's disturbing that this didn't happen.

Tony Dublino - MOU:

- MOU has been reviewed by County Counsel; Tony recommended the Board hold off on signing it the last time it was brought up.
- He's hopeful that the Board thinks our County should be involved; if the board is willing to sign MOU, now is the time to reiterate our support.
- He can only be cautiously optimistic that the next round will be successful; even outside of the funding issues, this group (in his opinion) does serve a purpose.
- He feels it would be helpful for Board to sign the MOU.
- He would be surprised if Inyo County chooses not to sign; our county is probably the biggest wild card at this point.

Supervisor Hunt:

- Do you have a feel for the future of this? He still thinks there is a potential benefit.
- He supports signing the MOU.

Supervisor Hansen:

- Agrees with Supervisor Hunt. There has been a lot of time spent so far.
- We owe it to the county; we might get money, we might not.
- He's in favor of continuing, signing MOU.

Supervisor Hazard:

- He thinks a lot of staff time is going into this.
- He wanted to make sure his opinion of not being sure that this program is going anywhere be on the record.
- He sees other opportunities.

Supervisor Johnston:

- Doesn't really see another opportunity right now.

BOARD OF SUPERVISORS

- 10a) 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.

Action: None.

Supervisor Hazard:

- Final salaries go away from decision makers tomorrow if no budget is agreed upon.
- I saw an email from RCRC indicating there was a Grand Jury report in Kern County recommending Maricopa be unincorporated. They are a city of 1200 people that is \$200,000.00 in debt, this shows how low the threshold of vulnerability to the cities are at this point.
- We're still liable to see significant changes in the political realm.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

COUNTY COUNSEL

- 11a) Gateway Sign Project (Tara McKenzie and Elizabeth Tenney) - Receive an update on the Gateway Sign Project. Discuss legal and any other issues raised as well as how the County would like them to be resolved.

Action: None.

Tara McKenzie:

- Two recent developments: The issue of whether or not the monument would be located on an easement has been resolved (map passed out). This area has not been dedicated to the town yet according to Peter Bernasconi who spoke with Ms. Tenney yesterday. Second update: The State has proposed a 7 foot Superior Court sign in front of monument? (handout). AOC has applied to the Town for a permit – she isn't certain where this is in the approval process.
- Suggests the following next steps and requests Board's feedback on those or other direction:
 - Speak to Foundation and see if they have the expertise to ensure this project is successful and completed.
 - Also determine whether or not the county would remain owners of land where monument will be built, or would the Town deal with it?
 - Move forward with the easement dedication, but make easement language clear that Town would be responsible for maintaining the sign as part of the "landscape"

Marshall Rudolph:

- We're immune to the sign provisions in the town although to be courteous we've always complied with town regulations. But we don't legally have to do this.

Elizabeth Tenney:

- Believes the Superior Court sign still has to go through the sign review process.
- There is a lot of town support for a “grander” sign – on both sides of the road.
- The Forest Service wants to have some say as to signage; doesn’t want the wilderness aspect to be lost; they are talking about clustering, consolidating, etc. signs.
- Nothing will happen until the Forest Service plan is taken into account. Wants to make sure the gateway project is sensitive to environmental issues.
- Two misconceptions: she was never going to plan both sides; it was the Mountain that wanted the sign on a grander scale and both sides. In regards to the water issue – trying to work out an agreement with water district for garden site to landscape the sign.

Supervisor Johnston:

- Theoretically if it’s county property, we can put any sign there, correct?
- He’d like to hear more about gateway sign – both sides.
- Likes the idea of two signs but isn’t too sure about the Superior Court sign.
- He feels the Forest Service is taking Supervisor’s concerns into account; disagrees with holding this up for any reason.
- He likes the idea of maintaining ownership but allowing the offer of dedication to Town thereby ensuring they are responsible for the upkeep/maintenance, etc.

Supervisor Hansen:

- Doesn’t object to entrance signs; thinks progress on this project should not be stopped.
- He fully supports her efforts.

Supervisor Hunt:

- Supports this; thinks it’s timely.
- Doesn’t see any issue on the north side and believes progress should be made for the south side sign as well.
- Maybe Superior Court sign could be repositioned.
- He anticipates that there will be a big change in sign policy as time goes on.
- Is going to be opposing the Superior Court sign.

Supervisor Hazard:

- The board was originally told that this sign project would not deal with the north side; he supported that. Now he is told otherwise.
- Before we do anything we need to consider how Highway 203 is going to look; he feels no pressure to get this built this year.
- Why can’t the court just put a sign on the side of their building? Otherwise, it’s like “leapfrogging” signs.
- There is still too much up in the air.
- The county needs to step up and make the Town plan better when it deals with plans on county property.
- While he has concerns about the project, he fully supports his fellow supervisors and their districts. He will support the project for that reason.

PUBLIC WORKS

- 12a) Solid Waste Parcel Fee Program, FY11-12 (Matt Carter) - Proposed resolutions to extend and re-establish the Mono County Solid Waste Fee Program for Fiscal Year 2011-2012 and Implementation of a Solid Waste Fee Agreement with the Town of Mammoth Lakes for Fiscal Year 2011-2012.

R11-39 **Action:** 1. Approve and authorize the Chair's signature on Resolution
R11-40 No. R11-39, "A Resolution of the Mono County Board of Supervisors
Extending and Re-Establishing the Mono County Solid Waste Fee
Program for Fiscal Year 2011-2012." 2. Approve and authorize the
Chair's signature on Resolution No. R11-40, "A Resolution of the Mono
County Board of Supervisors Authorizing the Implementation of a Solid
Waste Fee Agreement with the Town of Mammoth Lakes for Fiscal Year
2011-2012."

Hunt moved; Johnston seconded

Vote: 4 Yes; 0 No; 1 absent: Bauer

Matt Carter:

- Asking the Board to authorize the Chair's signature on two resolutions.
- Approximately \$780,000 in revenue from fees and interest.

12b) Airport Road Discussion (Jeff Walters and Brett McCurry) - Airport Road, constructed in 1984, provides access to the Mammoth-Yosemite Airport and a USFS gravel pit. Mono County maintains all 1.4 miles of its length including crack sealing, pothole repairs and other maintenance activities. The current condition of the road is rated a PCI of 79 by our pavement management system. Hot Creek Hatchery Road east of Highway 395 provides access to Airport Road. This road is also maintained by Mono County and has a PCI of 71.

Action: None.

Jeff Walters:

- Hot Creek Hatchery Road and Airport Road discussion.
- Handout of PCI rating system.
- Discussion regarding the condition of these roads; repairs need to be made.
- Traffic counts: (surveys done in January 2008) approximately 260 per day (on Hot Creek Hatchery Road).
- He recollects that the airport snow removal equipment can only be used at the airport and someone else would have to do roads around the airport.
- Plan with next budget cycle is to get funding levels back up to where they should be as they cut back significantly last year.

Supervisor Hansen:

- Keep doing minor fixes on it.
- Could the county make a trade with the Town and give them the airport road to maintain since they own the airport?

Supervisor Johnston:

- His district depends primarily on tourism; he feels the county could do repairs and it would contribute to the overall tourism base.
- He would like to at least see repairs from Highway 395 to the airport.
- There is increased traffic on these roads due to airport being used.
- Needs to be fixed sooner than later.
- He disagrees with Supervisor Hazard. Town contributes 80% of property tax value to county; this is the least we could do to help repay that. Town is not likely to have resources available to them due to their budget issues. There were

- roads in Supervisor Hazard's district that were fixed.
- He is firmly in favor of fixing this road.
- There will be a discussion with LTC regarding this.
- Asked Public Works for different repair levels and cost scenarios to be brought back to the Board.

Supervisor Hunt:

- Jurisdictional question: any chance of the Town kicking in funding to help repair since they will primarily benefit from it. It's the county's road but the town benefits, they should be a player.
- It would be worth talking to the Town.

Supervisor Hazard:

- Discussion about increasing the classification from light duty to heavy duty to obtain funds through Public Works?
- Town could obtain additional funds?
- County will help, do paperwork, etc. – but this is town funding issues, not county funding issue.
- Road should stay on high priority list, but feels the Town can come up with funding.
- Whose property is this on?
- The roads that were fixed in his district truly were priority roads and had to be fixed.
- Direction to Jeff is that yes they support the fixing of the roads but the funding needs to be discussed. Need to know what additional funding is available in the road fund as well.

Kelly Garcia:

- We have a good portion of the road by easement from the Forest Service.
- She couldn't find any additional agreements but the county does a lot of snow clearing, etc.
- There are different levels of repair – probably don't need to rip up the entire road. More of a maintenance cost issue.

Brian Muir:

- Isn't this road a problem for us in the winter to plow?
- Couldn't we make an agreement with the Town that they plow and we fix the road?
- \$560,000 statutory contribution that will not go away; this additional funding would go in the road fund to be used for other projects. There is \$1.2 million for use potentially for next year.
- The entire road budget needs to be looked at before making decisions. It will all come down to a matter of priorities.

ADJOURNMENT 2:08 p.m.

ATTEST:

DUANE "HAP" HAZARD, CHAIR

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD