



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

July 12, 2011

9:03 AM Meeting Called to Order by Supervisor Hazard, Chair

Pledge of Allegiance led by Supervisor Hunt

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Closed Session: 9:06 a.m.

Break: 10:15 a.m.

Reconvened: 10:25 a.m.

Lunch: 12:05 p.m.

Reconvened: 1:19 p.m.

Adjourned: 3:17 p.m.

CLOSED SESSION

The Board had nothing to report from 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.

2) APPROVAL OF MINUTES

M11-156 A. Approve Minutes of the Regular Meeting held on June 21, 2011, as corrected.

Hunt moved; Hansen seconded

Vote: 5 Yes, 0 No

- Supervisor Hazard: Board Member Reports, bullet point #1: Michael Orr, should be Michael Ort.

- Supervisor Bauer: Item #18a, Bauer's comments, last bullet point: remove sentence, "...or give all fees to buildings."

3)

BOARD MEMBER REPORTS

Supervisor Bauer

1. Last Wednesday visited Conway Ranch with the June Lake Chamber of Commerce; the improvements are impressive.
2. Last Wednesday night attended the Town Council meeting to listen to the redistricting discussion.
3. Last Friday attended a presentation at the Mammoth Lakes Visitor's Center about the Devil's Postpile.
4. Last weekend attended a family birthday party, and visited with family and friends in Bishop.

Supervisor Hansen

1. On July 7 attended the Antelope Valley RPAC meeting; discussed redistricting and General Plan amendments.
2. Yesterday attended the LTC meeting.
3. Last night attended the BLM meeting about wind generation in Adobe Valley.

Supervisor Hazard

1. On July 6 had a phone conversation with John Hooper about the Rock Creek project and concerns with the approval process.
2. On July 7 met with two citizens who provided feedback about redistricting. Also met with staff and Mike Ort from Praxis about Digital 395; discussed many issues and made progress. People reported that the meeting was positive.
3. On July 8 held Chalfant office hours. Two constituents talked about building inspections and Public Works issues.
4. Yesterday attended the LTC meeting.
5. Provided information about an experience with high tech parking meters and the process of paying by credit card.
6. Yesterday attended a meeting about air service. After viewing promotional materials, felt confident that the County's \$45,000 subsidy was well spent.
7. The County's booth at the state fair is spectacular. It has a life-size photo of a building in Bodie, and a life-size photo from the perspective of standing in front of a Tufa looking at Mono Lake. The booth is up for two awards this year.

Supervisor Hunt

1. On June 16 attended the First 5 Commission meeting. Funds continue to diminish but the program is still able to provide service and make future plans.
2. Yesterday attended the air service subcommittee meeting. Discussed County participation, and learned that a payout doesn't have to be made until January 2012. Talked about pros and cons of participation, and criteria for the subsidy; the request remains at 1/3 share of the May/June and October/November service (\$215,000). Currently waiting for factual evidence that the County benefits from expanded air service; a consultant is working on a survey to find out what people do when they come to Mono County. The question is, what role does the County want to play?
3. Last Thursday attended a presentation about the Devil's Postpile. On Friday and Saturday attended the Blue Sky Festival, which was a successful fundraiser for the college; also participated in the June Lake triathlon. So far this summer, visitation to Mammoth is good. Jazz Jubilee is coming up next weekend.

Supervisor Johnston

1. Attended a luncheon and presentation about the Devil's Postpile.
2. Spoke with Bob Haueter about redistricting.
3. Yesterday attended the Local Transportation Commission meeting.

COUNTY ADMINISTRATIVE OFFICE

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

Jim Arkens

1. Last week was busy with budgets and meetings with department heads, status meetings, and working on filling vacant department head positions.

DEPARTMENT REPORTS/EMERGING ISSUES

- **Dan Lyster, Economic Development:** 1) The draft DIR MP1 relocation at Casa Diablo is now being reviewed by the State. 2) Yosemite is crowded and overwhelmed with traffic, so they are encouraging gateway communities to ask visitors to stagger their visits by arriving early or late in the day, and by taking the bus rather than driving.
- **Beverlee Bryant, Probation Department:** 1) Attended a chief's meeting at which they discussed AB109 realignment. By August 1, the California Department of Corrections needs the Board to designate the agency that will supervise the new parolee population. Sheriff Scholl is comfortable with the Probation Department being the designated agency. The first parolee will be released in October and the agency needs 60 days to start planning. The Board made a motion to add this as an urgent agenda item.

**URGENCY
ITEM
M11-157**

Action: The Board determines 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.

Bauer moved; Hunt seconded

Vote: 4 Yes, 1 No (Johnston)

The Board is being asked to send an email by August 1 to designate the Probation Department as the lead agency; Board Members suggested the Board also take formal action.

M11-158

Action: Send an email from the Board of Supervisors to the California Department of Corrections designating the Probation Department as the agency that will supervise the new parolee population, and agendize this item for formal action.

Hunt moved; Bauer seconded

Vote: 5 Yes, 0 No

- **Bryant continued her comments:** 2) The Board needs to appoint someone to serve on a committee of the Community Corrections Partnership in order to prepare a plan for Board approval describing how a new population of offenders will be handled (certain offenders will be sentenced to local time vs. state prison). Bryant hopes to convene the first meeting on July 25, and suggested that Julie Tiede, Social Services Director, would be a good choice.
 - The Board suggested that Bryant put this item on the July 19 consent agenda for Board action.
- **Brian Muir, Finance Director:** The Finance Department took over paramedic fee collections a year and a half ago, and at that time the Board authorized the Department to write off uncollectable accounts. The Department made a vigorous effort to collect on 343 accounts dating back to 1989, but many people have no fixed address, and a number of them live outside the country. The Department will write off \$251,000 in old accounts, but under the new collection system, the County will see a big jump in recent collections.
- **Matt Carter, Public Works:** 1) Public Works received two bids for the transfer station contract: one from DNS (based in Mono City), and one from Mammoth Waste (based in

Mammoth Lakes). DNS won the bid in the amount of \$314,385; the Mammoth bid was \$320,800. The new contract (with a fee schedule rather than lump-sum payment) will save about \$13,000 per month and will provide employment opportunities. 2) The Walker disposal site was closed at Noon last Saturday in order to avoid injury to the public created by the presence of a bear. Initially some constituents were upset until they learned the reason for the closure. Carter will install white boards at the sites so the reason for closures can be posted, and he will distribute flyers at the Walker site specifying the reason for the recent closure. Fish and Game suggested methods to scare bears away. 3) Regarding the solid waste JPA agreement with the Town, Carter has created a draft agreement.

- Supervisor Johnston asked about feedback regarding reduced hours of operation at the transfer stations. Carter: Has received more positive feedback than negative feedback.
- Supervisor Hazard: Asked Carter to bring the JPA back to the Board for further discussion. Regarding bear issues, he suggested that Carter work with the Sheriff and possibly Steve Searles on bear behavior modification if the problem persists.
- **Mark Mikulicich, Paramedics:** Along with two members of the Board of Supervisors, Mikulicich attended a recent meeting of the Emergency Medical Care Committee. The Committee discussed Mikulicich's position that will be vacant soon due to his retirement. Mikulicich will work with the CAO to delegate critical duties before he leaves. Until a replacement is hired, Mikulicich recommended that Kevin Douda attend the EMCC meetings in his place; he will bring this recommendation to the Board for approval.
- **Scott Burns, Community Development:** Responded to two questions asked by Supervisor Johnston: 1) Is the DNS site at their Mono Lake headquarters permitted, and, 2) what is the status of the limited density development ordinance?
 - Burns said he will have to check on the DNS question before he can answer. Regarding the ordinance, Burns has been waiting for the outcome of legislation pertaining to the sprinkler requirements so he can present a more complete ordinance, but can bring the ordinance to the Board prior to the outcome. Johnston prefers to see the ordinance sooner than later.

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

Supervisor Johnston pulled Items #6a and #8a
Supervisor Hazard pulled Item #7a

COUNTY COUNSEL

5a) DIF Ordinance repeal - Proposed ordinance repealing chapter 3.60 of the Mono County Code pertaining to public facilities fees (aka "development impact fees).

ORD11-09 Action: Adopt ordinance #ORD11-09 repealing chapter 3.60 of the Mono County Code pertaining to public facilities fees (aka "development impact fees).
Hunt moved; Bauer seconded
Vote: 5 Yes, 0 No

ECONOMIC DEVELOPMENT

6a) Letter of Support for Proposed Change to Fishing Regulation for Lower Rush Creek - Consider draft language for letter of support for a proposed change in

the California Department of Fish & Game fishing regulation for Lower Rush Creek in Mono County. The proposed change to the regulation would allow for a two-fish limit take from the stream. The current limit is zero, i.e. "catch-and-release".

M11-159 **Action:** Authorize the Chair to sign a letter of support for a proposed change in the California Department of Fish & Game fishing regulation for Lower Rush Creek in Mono County to allow for a two-fish limit take from the stream.

Bauer moved; Hunt seconded

Vote: 5 Yes, 0 No

Supervisor Johnston: Asked if someone had contacted the Mono Lake Committee about this. Dan Lyster, Economic Development: Dick Noles said he would contact them. Later in the meeting Lyster verified that Noles had attended a field meeting last fall and he was aware of the mandated restoration efforts. Lyster pointed out that the proposed letter specified support contingent upon the continuation of restoration efforts.

FINANCE

7a) Tax-Defaulted Property - Consider request to approve sale of tax-defaulted property.

M11-160 **Action:** Approve sale of tax-defaulted property.

Hunt moved; Bauer seconded

Vote: 4 Yes, 0 No, 1 Abstain (Johnston)

Supervisor Hazard: Asked if the County could purchase the Forest Meadows unit to be used for County purposes.

- Marshall Rudolph, County Counsel: There is a process that allows for this.
- Brian Muir, Finance Director: Usually taxes are paid prior to the sale so many properties are not available for purchase.

Supervisor Johnston: Asked if he had a conflict of interest since he leaves within 300 feet of one of the properties listed.

- Marshall Rudolph, County Counsel: Board's approval is a ministerial act so he did not believe there would be a conflict. Muir agreed.

Johnston chose to leave the meeting room and abstain from voting on this issue. At the conclusion of this agenda item, Johnston returned to the meeting.

PUBLIC WORKS

8a) Tioga Pass Letter of Appreciation - During the spring of 2011 the Public Works Department of Mono County assisted Yosemite National Park and Mammoth Mountain crews with snow removal on Tioga Pass. A letter of appreciation has been drafted for each agency that recognizes them and their staff for playing an important role in opening the road.

M11-164 **Action:** Approve and sign letters of appreciation for each agency that participated in the opening of Tioga Pass.

Johnston moved; Hansen seconded

Vote: 5 Yes, 0 No

Supervisor Hansen thanked Jeff Walters for writing these letters.

Supervisor Johnston: Concurred with Hansen, but said the letter to County staff should be

more personalized.

- Walters returned after lunch with a revised letter to staff.

SOCIAL SERVICES

- 9a) Training Services Agreements between University of California at Davis and Mono County for Eligibility Services Staff Training and Child Welfare Services Staff Training - Proposed contracts with University of California at Davis (UCD) and Mono County pertaining to providing major skills staff training in Eligibility Services and Child Welfare for Fiscal Year 2011-2012.

M11-161 **Action:** Approve County entry into proposed contracts and authorize Director Julie M. Tiede to execute said contracts for training on behalf of the County.
Hunt moved; Bauer seconded
Vote: 5 Yes, 0 No

BOARD OF SUPERVISORS

Additional Departments: Community Development

- 10a) Comment Letter regarding CPUC Deviation for Verizon - Consider comment letter regarding proposed deviation of California Public Utilities Code Section 320 along Highway 395.

M11-162 **Action:** Authorize comment letter supporting CPUC deviation for Verizon, conditioned upon requirement to extend broadband to Crowley and Swall Meadows.
Hunt moved; Bauer seconded
Vote: 5 Yes, 0 No

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

- 11a) Opposition to Wind Energy Generation Projects in the Eastern Sierra - Letter addressed to Bernadette Lovato at BLM from Liz O'Sullivan dated June 20, 2011 voicing her opposition to wind energy generation projects of any kind in the Eastern Sierra.
- 11b) Verizon Wireless Notification Letter for Conway Summit, Cello Partnership - Notification letter from David A. Chervin of Verizon Wireless dated 6/20/11 regarding Conway Summit, Cellco Partnership project.

The Board acknowledged receipt of the correspondence.

BOARD OF SUPERVISORS

- 12a) Tioga Vacation Trailer Rentals T.O.T. Matter (Kerry and Penny Kellogg) - Board appearance by Kerry and Penny Kellogg concerning Tax Collector decision regarding responsibility for certain delinquent Transient Occupancy Taxes (T.O.T.), including interest and penalties owed by Tioga Vacation Trailer Rentals and/or associated individuals. Said taxes, interest, and penalties have been paid under protest by the Kelloggs; however, the Kelloggs have no right of appeal under the County's T.O.T. ordinance. (This item was requested by Supervisor Tim Hansen.)

M11-163 **Action:** Approve settlement of Kelloggs' claim/dispute in an amount equal to penalties and interest, conditioned on entry into a settlement agreement approved as to form by County Counsel.

Hunt moved; Hansen seconded

Vote: 5 Yes, 0 No

Brian Muir, Finance Director: This agenda item is not an appeal since no appeal process is specified in the ordinance; the issue was initially handled by the Finance Department in a meeting with the Kelloggs and Supervisor Hansen. The TOT taxes follow the assets and because the previous owner did not pay, the Kelloggs became liable after they re-acquired the business.

Marshall Rudolph, County Counsel: Reaffirmed that there is no appeal process specified in the ordinance; the perceived inequities caught Supervisor Hansen's attention. The Board has authority to settle claims and disputes, so can waive interest and penalties, but will have to find a public purpose so such waiver is not a gift of public funds. If the Board approves a waiver, Rudolph recommended having the Kelloggs sign an agreement regarding the settlement of this claim/dispute.

Kerry Kellogg: Read a statement outlining the circumstances leading up to this point; he and Mrs. Kellogg were out of the country when the tax assessment occurred. He paid the tax, penalties and interest under protest; he asked the Supervisors to refund the penalties and interest. He believes the penalties were unjust since the prior owner should have paid the tax. Kellogg tried to pay the tax prior to leaving the country on November 8 but the audit had not yet been done and the tax office didn't know the amount due.

Supervisor Hansen: Mr. Kellogg in good faith went to the tax collector to find out the status of the business, but information was not available at that time. The business was sold twice before the Kelloggs re-acquired it, and the last owner never picked up mail or paid the TOT. This situation does not seem fair to the Kelloggs; also, the Board has granted waivers in the past. Supervisors Hunt and Hazard agreed.

Supervisor Hazard: Regarding reimbursement of interest and penalties, it is in the public's interest to make this business viable.

AMBULANCE PARAMEDICS

- 13a) Mutual Aid Agreement/MOU for EMS between Mono County, Marine Corp Fire Department and ICEMA (Mark Mikulicich) - Proposed Mutual Aid Plan and MOU between MWTC Fire Department, ICEMA and Mono County, pertaining to the provision of pre-hospital emergency medical services and ambulance transportation by MWTC Fire pursuant to the County's mutual aid request.

M11-165 **Action:** Approve County entry into Mutual Aid Plan and MOU between MWTC Fire Department, ICEMA and Mono County, pertaining to the provision of pre-hospital emergency medical services and ambulance transportation by MWTC Fire pursuant to the County's mutual aid request, and authorize the Chair of the Board to execute said agreement on behalf of the County.

Hunt moved; Hansen seconded

Vote: 5 Yes, 0 No

Mark Mikulicich, Paramedics Chief: The paramedics provide advanced and basic life support services for communities in Mono County. Mutual aid is provided by other agencies and the agreements have to be updated periodically. If the County reorganizes the EMS system, the agreement can be modified.

Supervisor Hansen: Acknowledged the value of this program.

Supervisor Johnston: Asked for information about the size of the MWTC fire department.

- MWTC Chief: It is a single engine company with 18 employees; they are a civilian support agency for the Marine Corps under the Department of Defense. The company works on a request basis to assist with first response calls and wild land fires.

HUMAN RESOURCES

14a) Human Resources - District Attorney (Jim Arkens, George Booth) - Proposed contract with Frank Smith pertaining to employment contract.

R11-47 **Action:** Approve Resolution R11-47, approving an employment agreement with Frank Smith, and approving the compensation, appointment, and conditions of said employment.

Hansen moved; Bauer seconded

Vote: 4 Yes, 1 No (Johnston)

Jim Arkens, Human Resources: This is a contract renewal for an Assistant DA; there is no pay increase.

Brian Muir, Finance Director: Regarding the fiscal impact, Mr. Smith's maximum base salary is \$8,700 per month but the amount listed on the agenda reflects the employer's PERS obligation that includes retirees in this group of employees.

Supervisor Johnston: Cannot support this contract due to current economic conditions. Cannot support contracts that don't allow for pay decreases, and cannot support merit pay or auto allowance; plus the retirement package is not appropriate.

- Arkens: By law, the pension cannot be changed.

14b) Human Resources - Finance (Jim Arkens and Brian Muir) - Stacey Westerlund has served Mono County as Payroll & Benefits Manager since April, 1998. The approval of this contract allows for the continuance of Ms. Westerlund's employment in that capacity through July 15, 2013.

R11-48 **Action:** Approve Resolution R11-48, approving an employment agreement with Stacey Westerlund, and prescribing the compensation, appointment, and conditions of said employment.

Bauer moved; Hunt seconded

Vote: 4 Yes, 1 No (Johnston)

Jim Arkens, Human Resources: This is a 2-year contract for the Payroll and Benefits Manager;

there is no pay increase or car allowance. Westerlund is an excellent employee.

Supervisor Johnston: Opposed the contract since it does not allow for a pay decrease and includes merit pay.

14c) Human Resources - Risk Management (Jim Arkens) - Rita Sherman has worked for Mono County since March, 1996 and has served Mono County as Director of Risk Management & Training since July, 2005. The approval of this contract allows for the continuance of Ms. Sherman's employment in that capacity through July 15, 2013.

R11-49 **Action:** Approve Resolution R11-49, approving an employment agreement with Rita Sherman, and prescribing the compensation, appointment, and conditions of said employment.

Hunt moved; Bauer seconded

Vote: 4 Yes, 1 No (Johnston)

Jim Arkens, Human Resources: This contract is for the Director of Risk Management/Training and Head of Facilities; there is no pay increase. The contract includes a car allowance and merit pay.

Supervisor Johnston: Opposed the contract due to economic conditions. Also, the contract does not allow for a potential to decrease pay, and includes merit pay and a car allowance, which could be used to pay for commuting. If employees need to drive for County business, they should use a pool car.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

PUBLIC WORKS

15a) Agreement for County Surveyor Functions (Kelly Garcia) - Proposed contract with Tri State Surveying pertaining to County Surveyor Services.

M11-166 **Action:** Authorize the County Administrative Officer (in consultation with County Counsel) to execute and administer a five-year professional services agreement with Tri State Surveying of Sparks, Nevada, to perform County Surveyor functions in an amount not to exceed \$50,000 per fiscal year, up to a maximum of \$250,000. This authorization shall include making minor amendments to said agreement from time to time as the CAO 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.

Hunt moved; Hansen seconded

Vote: 5 Yes, 0 No

Kelly Garcia, Public Works: Received two statements in response to a Request for Qualifications for a new agreement to provide surveyor services, which consist mostly of office work (received statements from a company in Sparks and a company in Carson). Typically, the cost has been between \$45,000 and \$49,000 annually. Garcia sent requests to all local firms

but they didn't respond, possibly because this would create a conflict of interest when they do land development in the County.

15b) Airport Road Discussion (Jeff Walters and Kelly Garcia) - Continued discussion regarding current status, condition, and costs associated with potential repair or rehabilitation of Hot Creek Hatchery and Airport Roads which provide access to the Mammoth-Yosemite Airport.

M11-167 Action: Direct staff to agendize for approval on July 19, 2011, Option 1as outlined in the staff report; cost of said Option 1 is \$37,000 and includes crack seal and skin patch as well as fog seal and stripe.

Bauer moved; Hunt seconded

Vote: 5 Yes, 0 No

Jeff Walters, Public Works: At their June 7 meeting, the Board requested additional information about this issue. The roads are considered to be in good condition based on assessment criteria. Walters outlined the options for improvement as specified in the staff report.

- Option 1: Would use existing staff and materials except for sealant and striping, which would cost approximately \$10,400 and \$5,100 respectively.
- Option 2: This upgrade would cost just under \$600,000, and would include crack seal and base repair, thin overlay, striping and new snow poles. This is a band aid approach and won't last very long.
- Option 3: Is a complete overhaul of the roads similar to Owens Gorge, which would include a complete grind, thick overlay, replacement of the cattle guard, striping and new snow poles. The cost is just over \$700,000.
- Additional information: 1) FAA funds are not available at this time; 2) the Airport Director is not aware of an agreement regarding parking or County plowing; 3) traffic counts have been about 350 maximum; counts may be higher in fall/winter; 4) the Town is working on an airport master plan; 5) the County does not have an excess of State Highway Users Tax money that can be used for the project.

The Board discussed the issue at length and shared many ideas that are summarized below.

- Some people don't consider the cracks to be a problem but others do, so it is a matter of perception.
- The Town of Mammoth may be interested in taking ownership of the road if they could get FAA funds for improvements.
- This issue was raised at a meeting of the Local Transportation Commission; the Town Council representatives said they would like to see the road improved and Supervisor Johnston concurred. The LTC board did not take action knowing this would require action by the Board of Supervisors.
- Since the County is responsible for the road, it should provide the upkeep. The Airport Road serves an important economic engine; the road is used by both visitors and local residents. It is important to serve the Town's taxpayers, who pay 80% of the property tax. This project should be put in the queue as soon as possible.
- Would rather maintain the road than subsidize flights.
- Obtaining FAA funds would be a good option; would like information about how to obtain funding.
- This is not a critical issue; the road has been in place for over 30 years, it is in a seismically active area and will continue to crack.
- This is a policy discussion that should be considered with the budget. This road project should not be put ahead of other projects that have been delayed for 10 years. The process of prioritizing is important for planning purposes.
- HUTA funding is not a windfall but took a great deal of effort to obtain for basic road department funding.

- Mammoth may be receiving a windfall that will free up money for other projects such as the Airport Road.
- Perhaps the mine reclamation project can include funding for this road rehabilitation project.
- The airport could consider implementing a surcharge on tickets and landing fees in order to help with maintenance.
- The County could use this project as a way to negotiate and address other issues, such as airport subsidies. There is a need and this is an important road. Having it in good condition promotes the overall quality of the area.
- Perhaps surplus funding from the Lee Vining Airport project could be used.
- Suggestions: 1) continue to look for funding sources; 2) consider the \$37,000 repair option during the budget hearings.

15c) Public Works, Staff Vacancies in Road Division (Jeff Walters) - A Public Works Equipment Mechanic III has submitted in writing his plans to retire in August. Another Equipment Mechanic III is currently on military leave and is not expected back until February. Hiring a temporary mechanic promptly would allow county equipment to be maintained appropriately.

M11-168 Action: Approve filling an upcoming Mechanic III vacancy with a temporary Mechanic II, in the Road Division of the Public Works Department.

Johnston moved; Bauer seconded

Vote: 5 Yes, 0 No

Jeff Walters, Public Works: The Department normally operates with 5 mechanics; one is currently on military leave and one plans to retire in August. Walters would like to hire a temporary employee as soon as possible to fill the retiree vacancy. Works slows down and causes delays with fewer than four or five mechanics.

Board Members expressed support for Walters' staffing needs.

15d) Federal Highway Administration - Retroreflectivity Requirements (Jeff Walters and Brett McCurry) - Receive report on Federal standards to improve nighttime visibility of the signs on all public streets and highways as set by the Federal Highway Administration (FHWA). The FHWA standard, which is contained in the Manual on Uniform Traffic Control Devices (MUTCD), establishes minimum levels of sign retroreflectivity.

NO MOTION Action: Direct staff to retain \$10,000 in the FY 2011-12 budget, replace damaged signs, and wait until the mandate is clarified before proceeding with the new standards.

Jeff Walters, Public Works: This sign upgrade is an unfunded mandate. The FHWA standards begin in January of 2012, and will require signs to be replaced starting in 2015. Estimated cost for the upgrades is \$10,000 per year for five years. The regulation is currently being reconsidered, but Walters budgeted money for next year in anticipation of moving forward.

Supervisor Bauer: NACo has been addressing this issue for two years.

Supervisor Johnston: Would like to put the money in the budget, but hold off spending until there is more clarification about the mandate. Perhaps damaged signs could be replaced with the new signs.

15e) Authorization to Bid for the White Mountain Estates Road Rehabilitation Project (Garrett Higerd) - Consider and potentially approve bid documents for the White Mountain Estates Road Rehabilitation project and authorize Public Works to advertise and issue the project for bid.

M11-169 **Action:** Approve bid package, including the project manual and project plans, for the White Mountain Estates Road Rehabilitation Project. Authorize the Public Works Department to advertise an Invitation for Bids and to issue the project for bid.

Hunt moved; Hansen seconded

Vote: 5 Yes, 0 No

Garrett Higerd, Community Development: The Board has previously discussed this project, which is an access road to White Mountain Estates (a community north of Bishop on Highway 6); the road is about a mile long. County Counsel has reviewed the bid package. The developer previously negotiated a contribution of in-lieu fees for the project, and knows he must produce funds by a certain time. Regarding the turn pocket, CalTrans plans to widen the shoulder area and could possibly create this improvement at the same time; this idea needs more discussion with CalTrans.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Additional Departments: Finance

16a) Homebuyer Program Guidelines Exception Request (Scott Burns, Mary Booher) - Consider requested exception to Homebuyer Program Guidelines for an individual who has not lived or worked in Mono County during the past six months.

M11-170 **Action:** Approve requested exception to the Mono County Homebuyer Program Guidelines for an individual who has not lived or worked in Mono County during the past six months, noting that this action does not set a precedent.

Hunt moved; Johnston seconded

Vote: 4 Yes, 1 No (Hazard)

Scott Burns, Community Development: Since the applicant does not meet the guidelines, the Board must approve the request for an exception. Preference is given to households with one member having worked in Mono County 30 hours a week for 6 months, but this is a preference, not an absolute. The program has \$1.2 million available and not very many requests.

Mary Booher, Finance Department: The person currently works for the City of Bishop and has a housing program, but this person wants to live in Chalfant because the size house needed for the family is more affordable. This exception would not change mandates as outlined in the agreement, and future requests would require approval on a case-by-case basis, per the guidelines. This exception qualifies for the program, and the granting agency has approved the size of the house. Both Burns and Booher said this was a good exception.

Brian Muir, Finance Director: The County's ability to get funding for this program depends on providing funding to the public.

Board Discussion

Board Members expressed mixed feelings about making this exception since the person works in Bishop.

- Supervisor Johnston: Even though the intent of the program is to provide assistance for people working in Mono County, many people who live in Chalfant work in Bishop, so this is similar. He can support the request as long as it doesn't set a precedent.
- Supervisor Bauer: This person could eventually be a strong community member for Mono County.
- Supervisor Hunt: Money is available and not being utilized so he can support this exception, knowing that funds must be used in order to obtain future funds.
- Supervisor Hansen: Agreed that the funding should be utilized.
- Supervisor Hazard: Expressed concern about opening the door to a flood of requests, and expressed concern about the default potential. Hazard suggested a lease for six months with the option to buy until the person meets Mono County's criteria.

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.

Action: None

Supervisor Hazard: Received an email from RCRC indicating that additional funding may be available under AB109; he will forward the email to the Finance Director.

- 17b) YARTS (Vikki Bauer) - Presentation by Supervisor Bauer regarding the YARTS Board.

NO
MOTION

Action: The Board supports increasing the size of the YARTS board from three members to six members, with two representatives from each jurisdiction.

Supervisor Bauer: Having only a three-member board is becoming a problem for YARTS. The short-range transit plan suggests either increasing the size of the board to six members, with two representatives from each jurisdiction, or waiting for more counties to join so the board size will increase. Waiting for additional county members could take many years, and YARTS needs a bigger board now. YARTS will have to amend its bylaws before increasing the size of the board. At this time, Bauer needs feedback from the Board of Supervisors about whether or not they support a six-member board with two members from each jurisdiction.

ADJOURN: 3:17 p.m.

ATTEST:

DUANE "HAP" HAZARD
CHAIR

LYNDA ROBERTS
CLERK OF THE BOARD

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