



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

August 9, 2011

- 9:03 AM Meeting Called to Order by Supervisor Hazard.
- Supervisor Hazard asked for a moment of silence for all of the military troops recently killed.

Pledge of Allegiance led by Supervisor Hansen.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Closed Session: 9:04 a.m.
Break: 10:44 a.m.
Reconvened: 10:50 a.m.
Closed Session: 12:02 p.m.
Lunch: 12:33 p.m.
Reconvened: 1:26 p.m.
Adjourned: 3:19 p.m.

CLOSED SESSION

There was nothing to report out of either closed session.

BOARD OF SUPERVISORS

- 1a) Closed Session--County Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9. Number of potential cases: two.
- 1b) Closed Session--County Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: Implementation of Mountain Gate Fishing Access Project.
- 1c) 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.

1d) **ADDENDUM** Closed Session—County Counsel - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: Parcel #035-010-062. Agency negotiators: Jim Arkens and Tara McKenzie. Negotiating parties: Mono County, a political subdivision of the State of California, and the State of California's Administrative Office of the Courts. Under negotiation: price and terms.

2) **APPROVAL OF MINUTES**
None

3) **BOARD MEMBER REPORTS**

Supervisor Bauer:

- County picnic Thursday.
- Yesterday a lot of research/discussion regarding AB 210.
- June Lake fire Chief did not work out; has moved on.
- Yosemite Canyon – big meeting next week, she would like to potentially leave the Board meeting early.
- IMAAA letter; do we need to agendaize this for future meeting?

Supervisor Hansen:

- 8/3 – met with members of Gun Club, Bernadette Lovato regarding closing down one of the gun ranges.
- 8/3 evening, Antelope Valley RPAC.
- 8/4 – met with Art Sam of the Indian Colony and the PUD regarding land they want to acquire. There are still issues.
- High school reunion over the weekend.
- To Yerington yesterday regarding water issues.

Supervisor Hazard:

- Digital 395 meeting in Bishop – next morning got a call from Praxis expressing gratitude that meeting was as civil as it was. Mike Ort indicated that there has been a difference in relationships between counties.
- 8/3 - attended CCP meeting with Bev Bryant and the Sheriff's Dept, etc. regarding redistribution of parolees into Mono County.
- 8/4 – county picnic in Mammoth.
- 8/4 – working group meeting, Mono County staff with Praxis staff.
- 8/5 – office hours in Benton. Floor not repaired out there yet.
- 8/8 – LTC meeting. Agenda light and non-technical but there were three alternates sitting at the table.
- He sent a letter to CalTrans with copies to legislators on his letterhead with pictures attached expressing concern about project.
- Have been working on issues concerning AB 210 and AB 1245.
- May be losing a paramedic in Tri-Valley.

Supervisor Hunt:

- Bluesapalooza was awesome this weekend.
- Spring festival on Sunday was well attended.
- Tennis tourney in Mammoth, hope to have more locals next year.

Supervisor Johnston:

- Went on vacation to Yellowstone with his family.

Jim Arkens:

Spoke about IMAAA issue:

- Is skeptical about how they are calculating their administrative costs.
- Doesn't make sense for Mono County to contribute more money to program.
- Meeting has been rescheduled.
- It would be better for the state to run it.

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:

- Bishop – Digital 395 meeting.
- Met with Superior Court re: sign issue in Mammoth.
- Status meetings continuing.
- Agendized approval of MCPEA and Local 39/Deputy Probation Officers Unit MOUs for next week.
- C-4 tomorrow in Lee Vining.
- County picnic in Mammoth, well attended.
- Next IMAAA meeting is 8/29/11. He'll see about getting it rescheduled.

DEPARTMENT REPORTS/EMERGING ISSUES

Sheriff Scholl:

- Read a commendation from Sgt. Mike Booher to the Sheriff's Department regarding laundry services within the jail. They have ended their contract with Mission Linen, could potentially save the county lots of dollars.

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.)

PROBATION

5a)

Resolution designating Mono County Probation as the supervising agency for Postrelease Community Supervision offenders - Proposed Resolution # R11-____ designating the Mono County Probation Department as the Mono County agency responsible for Postrelease Community Supervision (PRCS) of the adult offender population identified by California's Public Safety realignment pursuant to AB 109.

R11-53

Action: Adopt Resolution #R11-53, designating the Mono County Probation Department as the Mono County agency responsible for Post-release Community Supervision (PRCS) of the adult offender population identified by California's Public Safety realignment pursuant to AB 109.

Hansen moved; Bauer seconded.

Vote: 5 Yes, 0 No

CLERK OF THE BOARD

- 6a) Veteran Services - Annual Certificates of Compliance for Veteran Services. This is a standard renewal of the Certificates of Compliance as filed in the past by the County. They certify to the State that in fact a Veterans Service Officer has been appointed and the duties of the VSO are in compliance with code.

M11-194 **Action:** Approve and authorize the Chair to sign the Subvention and Medi-Cal Certificates of Compliance for 2011-2012 fiscal year.

Hansen moved; Bauer seconded

Vote: 5 Yes, 0 No

ELECTIONS

- 7a) Special Election - A resolution authorizing the Mono County Registrar to conduct a special election as requested by Mammoth Unified School District, and approving consolidation of the election with any and all other elections to be held on November 8, 2011.

R11-54 **Action:** Adopt Resolution R11-54, a resolution of the Mono County Board of Supervisors authorizing the Mono County Registrar to conduct a special election as requested by Mammoth Unified School District in their Resolution 10-10, and approving consolidation of the election with any and all other elections to be held on November 8, 2011, and within the District.

Hansen 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

- 8a) Update on 4-H Science Camp - Information from the Inyo-Mono County 4-H Council giving an update/report on the successful 4-H Summer Science Camp that was held June 14-16, 2011 in Lee Vining, CA.

The Board acknowledged receipt of the correspondence.

COUNTY COUNSEL

- 9a) Redistricting Public Hearing II (John-Carl Vallejo) - Public hearing regarding proposed supervisorial district line adjustments based off of the 2010 Census

data. Proposed ordinance of the Mono County Board of Supervisors revising Mono County Code Chapter 2.08 to establish new supervisorial district lines based off of the 2010 census data.

M11-195

Action: Introduce, read title, and waive further reading of proposed ordinance revising Mono County Code Chapter 2.08 to establish new supervisorial district lines based off of the 2010 census data.

Bauer moved; Hunt seconded

Vote: 3 Yes: Bauer, Hazard and Hunt; 2 No: Hansen and Johnston

John Vallejo:

- Final maps will be on file in the clerk's office and online.

Supervisor Hazard:

- Asked for a clarification on the proposed option, etc.
- Codes will need to be reflected in GIS, etc.
- Can we get a map for each district?

Supervisor Bauer:

- Changes in red will be reflected on final maps before next week?

Nate Greenberg:

- The maps now do not reflect the small changes in red, but they can be changed by next week.
- A map for each district will not be a problem.

PUBLIC HEARING OPEN: 10:57 a.m.

PUBLIC HEARING CLOSED: 10:57 p.m.

Supervisor Hunt:

- He is satisfied with B-1 even though it's a compromise.
- Mammoth is well represented with this option. He thinks this might create opportunities for north and south county to have better communication. In the end, this option is going to be beneficial.

Supervisor Johnston:

- He doesn't think any action should be taken today; this should be continued until next week's meeting in Mammoth.
- He thinks Option B-1 has fatal flaws; doesn't represent redistricting; he disagrees with B-1.
- If we had sent direct emails (notifying people of this public hearing) to the individuals that live in the affected areas of Mammoth, he would think that the majority of these people would not want to be represented by a supervisor in Bridgeport.

Supervisor Bauer:

- She hasn't heard complaints with anything.

Supervisor Hazard:

- Believes this is an imperfect system; B-1 is a compromise.
- He sees this again as a difference between the Town of Mammoth Lakes and the County. He doesn't feel that the Board has not outreached to everyone.

Supervisor Hansen:

- He understands there is one more meeting before the vote.

- He agrees with Larry, wants that on the record.

Marshall Rudolph:

- Checked the statute, only need a majority vote to waive reading.

ASSESSOR

- 10a) Approval for recruitment of Appraisal Operation's Manager (Jody Henning) - Approval to recruit for a vital position that has been vacant for 9 months. The Administrative Operation's Manager oversees the administrative and support functions of the Assessor's Office. Primarily, supervising a staff of (3) who perform the administrative and support functions consisting of the Megabyte, Transfer Analyst (legal documents), Mapping and Customer Service/Administrative duties.

M11-196 Action: Authorize filling the Assessor's Office vacant Administrative Operations Manager position.

Hunt moved; Johnston seconded

Vote: 3 Yes: Hansen, Hunt and Johnston; 2 No: Hazard and Bauer

Supervisor Hazard:

- Long Valley Fire and Town Manager have sent emails. LVFPD would like this item to be held over due to the fear of having additional monies passed down to the special districts (in taxes) if this position is filled.

Supervisor Henning:

- She is speechless that the filling of this position is causing issues. The email she has seen is filled with incorrect information.
- She now has yet another opening in her department as of last Friday – she plans to combine those duties with this new position she's trying to recruit for.
- She isn't sure which direction to go in light of current emails, etc. Should she give presentation or are we back to square one again?
- The issue is in reference to the charges applied to the special districts due to the work her office does.
- She has no intentions to retire, not sure where this came from.
- She is not able to do these types of tasks. She is not a mapper. She doesn't have time to look at deeds, etc.
- She handed out a document to board.

Supervisor Johnston:

- He didn't see Wilbrecht's letter; surprised he is commenting at all.
- It's a critical position; he wants to see it done correctly. Jody has done what was asked of her. He supports position.
- With respect to Special Districts he feels there are options; related to A87 costs.

Supervisor Hansen:

- He didn't realize this job was funded out of special districts?
- He feels we need to support Jody and get her the help she needs.
- Is it true that this position is finally approved by the Union, HR and the CAO?
- He thinks it's unfair that Dave Wilbrecht's email comes right before the meeting and now we are tabling it.
- He supports this position.

Supervisor Bauer:

- The special districts have been in the board room various times; she hasn't drawn the line between these districts and this proposed position.
- It's her job to represent special district's concerns and the county budget.
- We're back to minus 0 with this position in her opinion. We are going to have to try to solve the mapping issue some other way.
- If Jody is not retiring, she should be concerned about getting votes from the special districts.
- Every time we get the opportunity to lessen the top end of the load in departments, we are doing it. Why should this be any different?
- She doesn't support it right now.

Supervisor Hunt:

- We need to do whatever it takes to make this department most efficient; that's his primary concern.
- How do we structure this?
- Asked Assessor if she is actually in trouble in her office with work load, etc. right now? Can she get by several more months? What is status? How efficient can we make this office?
- This office is unique because it's a revenue position; at this point he would support this one position.

Brian Muir:

- Pursuant to Revenue and Taxation Code, he's mandated to compute tax rates, do the distribution, and all costs associated and bill accordingly.
- Once he has total cost, it is billed to entities.
- 1/3 of the cost of operating this position will get billed to the special districts next fiscal year. It's all part of the Assessor's budget. This is done statewide and required.
- We are talking about Tax Administration Fees, not A87 – it's quite different. You can appropriate money (as Supervisor Johnston stated) to the special districts to offset these if that's the board's desire.
- Filling this position will not increase Assessor's budget much, his office gets much more involved in the supplemental role. If this is NOT approved, the tax administration fee will go down.

Jim Arkens:

- He is not a huge fan of this proposal, but this isn't all about the "mapping position".
- The board should focus on whether or not Jody needs an additional manager. It's not about the mapping position which IS needed.
- He was opposed to this but at the board's direction to go forward with getting information on it, he backed down. If board decides to fill it, it would be an "at-will" position.
- Wilbrecht has been opposed to this from the beginning.
- If Board approved, we have issues about the changing of contract. This will be an at-will contract.

Supervisor Hazard:

- This started off as a discussion about a mapper; now it's moved to reorganizing the department and now involves a manager. How is a manager going to increase or sustain a revenue source for the county?
- He thinks the organization structure is what needs to be discussed; he thinks a mapper position needs to be identified – what roles this person would play. Should this person be in the Assessor's office or maybe in the I.T. Department?
- He's not willing to commit to any position at this point.

- Individuals in special districts want a chance to weigh in on this.
- He still doesn't have a sense of where we are with this; he thinks entire department needs to be restructured. He is not comfortable supporting position today.
- Asked that the Special Districts receive a letter from Brian regarding the tax issue, etc.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

COUNTY COUNSEL

Additional Departments: Economic Development

- 11a) Amendment to Conway Ranch Aquaculture Agreement (Marshall Rudolph, Dan Lyster) - Proposed ordinance authorizing County entry into a first amendment to the Conway Ranch Aquaculture Agreement.

M11-197 **Action:** Introduce, read title, and waive further reading of proposed ordinance.
Bauer moved; Hunt seconded
Vote: 5 Yes; 0 No

Marshall Rudolph:

- This is an amendment to existing agreement that is relatively minor but we still have to take the same steps as the first time around.
- Public hearing has been scheduled for next week at 1:00 p.m.
- Went through changes.

BOARD OF SUPERVISORS

- 12a) 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 Bauer:

- Should we take this off as a regular agenda item?

Supervisor Hunt:

- He thinks we should keep it on as this is an ongoing issue.

Supervisor Hazard:

- Keep on, but put on as the last item for each agenda.

12b) Assembly Bill No. 1245 re Emergency Medical Services (Supervisor Bauer) - Inform the Board about status of AB 1245 and potential impacts should it pass.

M11-199 **Action:** Move that the Mono County Board of Supervisors is opposed to AB 1245.

Bauer moved; Hunt seconded

Vote: 5 Yes; 0 No

Supervisor Bauer:

- This has been taken over by AB210 which seriously affects our paramedic program.

**URGENCY
ITEM
M11-198**

Action: Move that the Board determine that there is a need to take immediate action with respect to the proposed agenda item, (AB 210), that the need for action came to the County's attention subsequent to the agenda being posted and therefore, that the Board add this item onto the agenda as part of agenda item 12b, AB 1245 discussion.

Bauer moved; Hunt seconded

Vote: 5 Yes 0 No

M11-200

Action: Approve letter written by County Counsel, to be signed by the Board Chair, to address concerns about the language in AB 210 with all proposed amendments.

Bauer moved; Johnston seconded

Vote: 5 Yes; 0 No

AB 1245 discussion:

Supervisor Bauer:

- Will disallow our ski patrol to administrator oxygen, there is a gap between basic care and EMS training.
- Is not going to be effective for her to go to Sacramento for the meeting.
- There will have to be background checks for everyone; barrier to volunteerism.
- Need a letter opposing the bill.

Supervisor Hazard:

- He has not seen an indication that the support is lopsided. More like 50/50.
- This bill does not go to the level of service provided but to the trainer and his/her skill set.
- This bill would shine the light on the lack of regulation.
- Because we have a trainer program in place as of January of this year, it appears as if we are covered.
- Private Industry/Ski Patrol issue is not addressed with our current system.

AB 210 discussion:

Stacey Simon:

- There is some concern as to the language in AB 210; this proposed letter indicates same and proposes solutions.
- Paramedics get the call and the opportunity to respond first.
- Not sure if this is a problem unique to Mono County.
- There is a meeting tomorrow: a coalition of groups that have been working on the draft legislation.

- Idea is to get something in writing to the appropriate legislators and for individuals to take with them to meeting tomorrow. Letter explains Mono County's problems and offers some suggestions to modifications to language.
- To send back to the Assembly, she'd add another bullet point to drafted letter.
- This only applies to cities and fire protection districts.

Alternatives:

- Limiting the applicability of the problematic provisions to counties having a population of over 50,000 or 200,000.
- Modifying the proposed language to authorize cities and fire districts that have provided services since June 1, 1980, and meet the other specified conditions, to continue to provide only the same level and type of services they have historically provided.

Supervisor Bauer:

- Should this go back to the Assembly at this point?
- This new wording is the concern.
- The reason we got to an EOA is because the courts have protected the rights to protect their own ambulance services.

Supervisor Hazard:

- If either Supervisor Bauer or Hazard are needed in Sacramento, they can go.
- Thinks a second letter of opposition is needed (what Stacey drafted).
- CAA is in support and is at the table.

Supervisor Johnson:

- First page, towards bottom, should say "With very limited revenue generated", instead of no revenue generated.

12c)

(Supervisor Hazard) - Discuss the process of agendizing items requested by Board Members, citizens or entities outside of the County.

Action: None.

Supervisor Hazard:

- Is concerned with the way potential agenda items come to supervisors and then get onto the agenda.
- Last week he was receiving emails and voice messages on the Bodie Hills issues before I knew this was on the agenda.
- He feels that the "opportunity for the public to address the board" is a place for people to bring something up to the board initially.
- He wants Supervisors to be able to put whatever they want on the agenda, but he feels there needs to be some guidelines.

Lynda Roberts:

- Current policy: if an outside individual contacts us and wants something on the agenda we will refer them to a supervisor to sponsor it. If it's department related then we forward that individual to the department head.
- Lynda found some past minute orders outlining these types of policies (handed out copies to the Board); it's pretty much what we're doing today.
- It has also been the Board's policy that every Board member has the right to put whatever they want onto the agenda.
- She can add each supervisor to the ARC list so that they get all drafts.

Marshall Rudolph:

- If you wanted to have a written policy you could do that in the “procedural rules”.
- 2000 Resolution – says the board won’t act on something requested by a person or group outside of County government when it’s presented that same day.
- You can access Novus from a home computer via Citrix. I.T. can install it on your computers.
- Retool Rules of Procedure? Might open up more issues than we know of.

Supervisor Hunt:

- He thinks the policy we are working under is appropriate.
- He brought up an old Council policy about items brought to the board and when they can be reintroduced and how.

Supervisor Hansen:

- He apologized if the Bodie Hills item, recently on the agenda, upset supervisors.
- This wasn’t old business, it was a new issue brought to his attention by the RPAC.
- He felt he was within the rights of representing his district.

Supervisor Bauer:

- Our job is to represent our constituents; there should not be hurdles to get something onto the agenda.
- She thinks the clerk is handling things properly; doesn’t want anymore barriers.
- She wanted to have a head’s up earlier than six days out as to what’s on upcoming agendas.

Supervisor Johnston:

- Should incorporate the agenda rules into the Rules of Procedure.
- Didn’t think Tim Hansen had any choice but to put the Bodie Hills onto the agenda.

Supervisor Hazard:

- Supervisor Hansen could have come to the Board in a Board Report with the RPAC’s request prior to putting the Bodie Hills issue onto the agenda.
- It’s just a matter of communication; he doesn’t want to restrict anyone from putting anything on either.

ADJOURNMENT 3:19 p.m.

ATTEST:

DUANE “HAP” HAZARD, CHAIR

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD

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