



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 17, 2010

9:00 AM Meeting called to Order by Chairman Hunt.

Pledge of Allegiance led by Supervisor Peters.

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

**BOARD MEMBER REPORTS**

**Supervisor Bauer:**

- She passed the baby Bar Exam.
- There is some trails work going on this week, she's been trying to get Forest Service to cut some trail.
- Fireman's BBQ was very successful; attended music festival in Mammoth Saturday night and took lead singer in the band out kayaking.
- Leaving tomorrow morning for son's motorcycle race.

**Supervisor Farnetti:**

- Received call from Mike Curti from Antelope Valley Fire District; will meet with him on Wed. in Mammoth to talk about tax administration fees.
- Received call from Michael Grossblatt; he'll be at Solid Waste workshop today; fees to be discussed.
- Spent weekend looking over budget stuff and getting a better idea of where the County is, where Departments are, etc. Feels we have serious financial problems that we need to address.

**Supervisor Hunt:**

- Attended Eastern Sierra Council meeting; finalized several things.
- Agendizing US Forest Service presentation for 9/7/10.

**Supervisor Peters:**

- Wed. 8/11 Mono Basin RPAC; approved cemetery policy; presentation by Inyo Forest District Ranger; Public Works update on Lee Vining Projects; Traffic safety issue brought up, all relates to speed enforcement and CHP is willing to step up enforcement.

- Thurs. 8/12, telephone conversation with CalTrans regarding Striping issue which will be discussed later today.
- Fri. 8/13 – very productive meeting with Tim Alpers; trying to pin down a management plan/strategy for Conway Ranch. Looking to get a group together to look at ways to manage this property: this would include anyone with an interest in water, etc.
- Lengthy meeting with Sierra Business Council, they have a new project that will deal with the economic strategic plan for our County.
- Fisheries Commission meeting yesterday in Lee Vining; IAG reported on their stocking efforts; Thatcher of Forest Service reported on campground opening; Commission approved retaining Consultant Jenkins.
- IMAAA meeting yesterday, telephone conference from here. Routine meeting which really showed how much overhead is required to do some of these programs.
- Last Thursday, Carson Tahoe Hospital meeting organized by Rose Murray to discuss the possibility of establishing home health and hospice care in Antelope Valley. This need is in many other communities as well but we would need patient load of 5-6 patients per day to support this type of program.
- Conversation with Colonel Chandler regarding Solid Waste Issue.
- Harry Reid has been hard at work in relation to Walker River Irrigation District issues.
- Having a meeting next Monday with Electrum, parent Corporation of Cougar Gold.
- Received letter from PUD today regarding land exchange issue with Tribe.

**Supervisor Hazard:**

- 8/11 meeting with Marshall, Larry Johnston and Scott Burns regarding Secondary Housing.
- 8/12 – Benton office hours; question about channel: was more clearing going to take place?
- 8/13 – left to go to Monterey for family issue, ended up missing IMAAA meeting yesterday.
- Saturday, got a call regarding very loud party at community center. Will follow up on that.
- Has not heard anything from Praxis.
- Floor at Benton Community Center has air bubbles and is peeling – told Jeff Walters.

**COUNTY ADMINISTRATIVE OFFICE**

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

**Mary Booher:**

- Lynn Katusich was elected to appointment of ???
- Community Block Grant (Technical and Assistance) is on hold.

- 2) APPROVAL OF MINUTES

**M10-180 ACTION:** Approve minutes of the Regular Meeting held August 3, 2010.

Hazard/Peters 4-0; 1 abstain: Farnetti

**Closed Session: 9:02 a.m.**  
**Break: 9:37 a.m.**  
**Reconvene: 9:45 a.m.**  
**Lunch: 12:57 p.m.**  
**Reconvene: 1:40 p.m.**  
**Adjourn: 3:32 p.m.**

#### CLOSED SESSION

***The Board had nothing to report from closed session.***

#### BOARD OF SUPERVISORS

- 3a) Closed Session--County Counsel - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: CalPERS administrative appeal, Case No. 8938 (R. G. Barnes).
- 3b) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Dave Wilbrecht, Marshall Rudolph, Brian Muir, Jim Arkens, Rick Scholl, and Mary Booher. 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

(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

##### **Lynda Salcido:**

- Wanted to know if Board has any questions about Hanta Virus death of Bodie State Park employee, 61 year old male Richard L. Johnson who was transported to hospital.
- Bodie is aware it is a high risk area and is generally very proactive with their employees.
- This is the third Hanta Virus case this year.
- Supervisor Farnetti: is there a better chance for recovery if they get to hospital sooner?
- Supervisor Bauer: how long does test take when they are in the hospital?
- Also discussed huge campaign on Pertussis to immunize adults in order to protect children since babies are the ones that get very ill from this.

**Jeff Walters:**

- Handed out photos of Hammil Channel; there has been a lot of debris cleared out except one small pile of debris they will burn once it snows.
- New ambulance delivered last week; waiting for licensing to arrive; medics should have it by next week.

**Stacey Simon:**

- Federal Legislation – language in the appropriations bill; there is some language in S3635 – to be set for discussion on Senate Floor; she has agendized this for full discussion for September 7<sup>th</sup> meeting; principal thing is that it adds language to 2010 appropriations bill that would extend three year leasing period to “three years or longer”; program would go on indefinitely until \$25 million was spent.
- Also provides an additional \$15 million which appears to be for Walker River Restoration Program, to be spent at discretion of the National Fish and Wildlife Foundation, more information needed.
- Also an appropriation for Bureau of Indian Affairs, money for them to pay for lawyers, etc.
- She has been in contact with Senator Boxer’s office.

**Roberta Reed:**

- Last May, Board signed off on repayment of geothermal fund; they just received a note that there is now no payment due.

**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.)

**COMMUNITY DEVELOPMENT - PLANNING DIVISION**

- 4a) Sustainable Communities Planning Grant - Proposed resolution authorizing submittal of an application for a Sustainable Communities Planning Grant to the Strategic Growth Council for funding a targeted general plan update.

**No Action.**

**Action:** None. Instructed to put onto August 23, 2010 meeting.

**Supervisor Hazard:**

- Asked for discussion of this item.
- He sees a number of troubling issues with this.
- Not sure we want to be supporting this (AB32 and SB375).
- He is not going to vote for this grant; they can keep their \$300,000.

**Supervisor Farnetti:**

- Thinks matter should be deferred and researched.

**Supervisor Bauer:**

- Asked when deadline was.
- Agrees somewhat with Hap; she would like clarification.
- Requested additional legal research.

**Scott Burns:**

- Greenhouse gas issue: get ahead of it or react to it? Either way we are going to have to address this.
- It's unheard of to get this type of funding; he thought they could use money for this greenhouse gas issue.
- He feels it's consistent with Mono County General Plan.
- He appreciates the AB32 concerns but if we have to address these issues, we may as well get some funding at the same time.
- We are forced to deal with it one way or the other.

**REGULAR AGENDA**

**CORRESPONDENCE RECEIVED  
(INFORMATIONAL)**

All items listed are available for review and are located in the Office of the Clerk of the Board

**CLERK-RECORDER**

- 5a) Friends of the Inyo - Letter from Stacy Corless, Executive Director, providing Statement of Work Completed under funding agreement for Friends of the Inyo's public lands stewardship activities from July 1, 2009, to June 30, 2010.
- 5b) Mammoth Lakes Jazz Jubilee - Letter from Ken and Flossie Coulter, MLJJ Co-Directors, thanking the Board for past financial support and providing information about the most recent Jazz Jubilee held July 14-18.

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***The Board acknowledged receipt of the correspondence.***

**HUMAN RESOURCES**

- 6a) Human Resources - Social Services (Jim Arkens) - Proposed resolution of The Mono County Board of Supervisors approving an employment agreement with Marlin (Lin) Koester and prescribing the compensation, appointment, and conditions of said employment.

**R10-61** **Action:** Adopt proposed resolution R10-61, approving an employment agreement with Marlin (Lin) Koester and prescribing the compensation, appointment, and conditions of said employment.

**Peters/Hazard 5-0**

**Mary Booher:**

- Contract with Lin Koester. This is an updated contract to the first one.
- Scope: up to 120 hours. She expects the work to be done in less time.
- Purpose: to take a fresh look at Social Services Department to see where

- improvements can be made.
- The contract is specific to Social Services only; it won't deal with Public Works.

**Julie Tiede:**

- She mostly wants to make sure that she is maximizing efforts in her Department not creating anything new but taking what she has and making it work better.
- She feels that having Lin come in would be extremely beneficial to help implement changes that need to be made.

**Supervisor Comments:**

- This should not impact the general fund?
- This is a situation where we are so close to the issue that he's not sure the public would see it the same way which is why he asked for deliverables.
- Shannon to put the actual deliverables into the minutes.
- There has been times in the past where Lin has worked for us for nothing just to help us out.

DELIVERABLES INFORMATION GIVEN TO BOARD:

The goal is to create a structure that is balanced, effective and efficient.

The deliverables are:

- Provide a written report with recommendations for organizational structure of Social Services Department.
- Provide a preliminary implementation plan to achieve recommended structure.

**BOARD OF SUPERVISORS**

- 7a) State Budget (Board Members) - The Board of Supervisors may discuss issues pertaining to the California State budget.

**Action:** None.

**COMMUNITY DEVELOPMENT - PLANNING DIVISION**

**Additional Departments:** County Counsel

- 8a) Integrated Regional Water Management Agenda (Stacey Simon, Tony Dublino) - The agenda for the August 23 meeting of the Inyo-Mono Integrated Regional Water Management Group will be discussed. Staff will receive direction from the Board on agenda action items.

- M10-181** **Action:** Approve County entry into new Memorandum of Understanding setting forth a prospective governance structure of the Group.  
**Bauer/Farnetti 4-0; 1 Abstain: Hazard**

**Stacey Simon (discussion regarding proposed agenda for the Inyo-Mono Integrated Regional Water Management Group meeting – copy kept in meeting**

**folder):**

- Agenda item #3 – Policy pertaining to the Brown Act; drafted by Mark Drew. Provides for a process very similar to the Brown Act. This will be on the table for preliminary discussion next week. She's seeking direction so that staff knows how to comment. Preliminary determination that Brown Act not applicable, but waiting to verify certain facts that relate to analysis.
- It has been proposed that the group incorporate so that it can serve as its own fiscal agent. The county being fiscal agent is not going to allow much in way off substantive decision making, but concurs with Supervisor Bauer's comment that knowledge of grants and expenditures in itself is significant.
- Explained that there would be a separate process and decision for determination of fiscal agent for long term. Proposed MOU merely continues function of Cal Trout as fiscal agent until another agent is selected.
- Funds have been received to pay for staff time, outreach, etc.
- Need financial report, what's going on with other groups, what is exposure, etc? It's hard to weigh in with a definitive recommendation with so many questions unanswered. County could put their name on the table for fiscal agent in order to keep option open, with the understanding that a lot more information is required.
- Recognizes the importance of Supervisor Hazard's recommendation that the same staff person be involved in water issues, etc. She is getting a more comprehensive picture by being involved in various issues. Important to read Planning Act statutes in conjunction with other statutes (such as SB6 and AB3030). Doesn't believe that the Inyo-Mono Group could function as a monitoring entity under SB6 based on statutes.
- Agenda Item #2 – MOU: Replacement to document that Board signed in April. That MOU had been existing MOU for some time prior to April, signed by other parties. This revised MOU was drafted by Holly Gallagher to outline how this group does business – it's an agreement regarding process and governance. Purposely intended to be very simple. There are other issues (such as nature and responsibilities of fiscal agent) which will be dealt with in separate documents/approvals. This MOU was previously reviewed by Board and certain changes were incorporated. Process will be derailed if our Board (or any other entity) has changes. So far Inyo has approved it. Going into effect 11/15/10.

**Tony Dublino:**

- Agenda Item #4 - Fiscal Agent status, feels the Board is not interested in this. (Board response was they are interested and want more information).
- Any concerns about any other fiscal agent?
- Cal Trout would rather not be fiscal agent but will remain there until someone else steps up.
- An organization capable of fronting money needs to be fiscal agent.
- Agenda Item #5 – Strategies/Objectives and Project Ranking Criteria Development: the plan being developed will have a set of criterion to rank projects. It's critical that projects we're interested in promoting fall into this criterion. Hoping to have plan in place by 2011.
- Agenda Item #6 – Planning Grant Application. Does the Board actually want to see the Grant Application itself? (Board: yes.)
- Issue of Process: Does Board want us to vote NO if something comes up that is not on the agenda? What about an item ON the agenda that gets changed? Abstain? Vote no? (Board wants to know what's happening but discretion is needed.)

**Supervisor Hazard:**

- All members should abide by Brown Act.
- Should comply with all Public Records Act requirements.
- Criterion needs to include economic development within the county.
- Thinks that staff should use discretion when voting and that major policy issues should not be made without Board knowledge, etc.
- He can't imagine moving forward with fiscal discussion without having Brian Muir at the table.
- He is still not comfortable with this MOU. He is going to abstain from voting.

**Supervisor Peters:**

- He's concerned about Cal Trout or other non-public interest group as far as fiscal agent.
- What is process going to be?
- What is fiscal responsibility?
- What funds have been paid out?
- Has there been any financial report from Cal Trout thus far?
- He feels this group needs to incorporate as its own entity.

**Supervisor Farnetti:**

- He's comfortable with how it's written; this group was not formed by the Board.
- Maybe the county could be fiscal agent?
- Feels comfortable with MOU.

**Supervisor Bauer:**

- She's comfortable with how it's written.
- If we are so concerned with this group the county might need to be involved fiscally.
- What about ESCOG as fiscal agent?
- How long until criteria in place?
- Is comfortable with MOU.

**Supervisor Hunt:**

- We need a full analysis of this before we can even consider responsibilities as fiscal agent.
- How is this done in other counties?

**Mary Booher:**

- Offered to do more research on fiscal responsibilities if the Board desires it.
- Should Mono County be kept on the table as possible fiscal agent?

**Roberta Reed:**

- Concerned with how loosely the fiscal agent portion of this group has been proposed.
- Who bears the brunt if reporting is off? Audits?
- If fiscal agent is a clearinghouse, how does negative interest get dealt with?

**COUNTY ADMINISTRATIVE OFFICE**

**Additional Departments:** Emergency Medical Services

- 9a) Emergency Medical Services Program Review (Mark Mikulicich and Mary Booher) - Presentation by Mark Mikulicich and Mary Booher regarding EMS Program financial and run statistics.

**Action:** None.

**Mary Booher (powerpoint, copy kept in file folder for today's meeting):**

- Objective (overview of EMS Program)
- Financial Overview
- Run Summary
- Run Summary by Station
- Revenue vs. Runs
- Tri-Valley Support
- Transient Occupancy Tax Trust
- TOT Trust
- Wittman Enterprises Reports
- Possible Service Tiers
- Possible Criteria for determining tier of service for each community

**Discussion:**

- Exploring Contracts for Services is certainly worth looking into as it's been about 15 year since it's been looked into.

**Mark Mikulicich:**

- Talked about Possible Service Tiers and Criteria for Determining Tiers of Service portion of powerpoint.
- His impressions are that Inyo is also having a lot of problems with their service.

**Board Comments:**

- Supervisor Bauer: Asked for clarification on TOT Trust. Income production needs to be part of discussion; Tourism beds need to be part of the equation; doesn't see how building and staffing new stations can be part of the equation today.
- Supervisor Hazard: Tri-Valley numbers. Are they accurate? He gave a history of the EMS program. Feels the Board needs to start making incremental commitments so as not to hit the budget too hard. Contracting has been looked at (\$100,000 per year) but it's not reliable over time. He believes Inyo County has an ordinance prohibiting Paramedics in Inyo County.
- Supervisor Peters: Another element is the Economic Development piece. People moving to Bridgeport, for example, always ask: where's the hospital? There's a significant A87 component to this as well.
- Supervisor Farnetti: alarmed about the increase in revenue and how program has spiraled since he's been on the Board, need to maybe look at ways to contract for services; not sure building another facility is the answer. Maybe Fire Districts can help facilitate these services. We really need to discuss funding sources.
- Supervisor Hunt: Even though it's not state mandated, it's politically mandated.

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**LUNCH**

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## OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

### Tim Fesko:

- The topic of the fish in the entry of the courthouse was brought up again. He suggested just moving it to the lawn.
- Supervisor Peters said that issue was being addressed.

- 9b) Budget Committee Update (Mary Booher) - Presentation by Mary Booher regarding update on work of Budget Committee. In addition to this presentation, the Board may discuss issues pertaining to the California State budget.

**Action:** None. Further discussion at budget meeting.

### Mary Booher (Powerpoint, copy kept in file folder for today):

- Funding Priorities
- Tier 1 Activities – Mandates (each department, whether it's mandated or not)
- Tier 2 – Essential Services
- Tier 3 – Local Priorities
- Tier 4 – Discretionary Service

### Discussion:

- This has been a great learning process.

### Marshall Rudolph:

- His goal is to have all mandate review done by next week's budget.

### Board Comments:

- Will this be brought back at budget discussions?

### PUBLIC WORKS (we heard 10a, then 10e, 10d,

- 10a) Results of Public Auction of Surplus Property (Jeff Walters) - The Department of Public Works, with Board of Supervisor authorization, conducted a live public auction on July 10, 2010. Items sold consisted of vehicles, equipment and other property that was found to be obsolete or no longer serviceable.

**Action:** None.

### Jeff Walters:

- Results were quite favorable, over \$54,000 in revenue.
- He went over the handout showing the surplus sale results.

### Additional Departments: Community Development

- 10b) Final Approvals for Parcel Map 32-58, Adams (Garrett Higerd) - Receive staff report regarding approval of Parcel Map 32-58, which will subdivide

an 156.90-acre parcel (APN 006-100-009-000) on Highway 395 ten miles south of Walker and fourteen miles north of Bridgeport into two parcels of 93.45 and 63.45 acres in size.

**No action.** **Action:** None. Asked to be withdrawn.

**Garrett Higerd:**

- Received word from the Adams; they would like to withdraw this from the agenda.

10c) Final Approvals for Parcel Map 32-60, Garcia (Garrett Higerd) - Receive staff report regarding approval of Parcel Map 32-60, which will subdivide an 43.09-acre parcel (APN 011-040-050-000) 1.8 miles south of Bridgeport on the southeast side of U.S. 395 and Mt. Patterson Drive into two parcels of 1.24 and 1.00 net acres in size, with a remainder parcel of 40.51 acres, and an offer of dedication of 0.34 acres.

**M10-182** **Action:** 1. Reject on behalf of the public the offer of dedication for street, drainage, and public utility purposes that right-of-way for Mt. Patterson Drive as designated on said map; and, 2. Authorize the Public Works Director to file and record a Notice of Development Conditions on Property for the project in the office of the County Recorder.

**Bauer/Peters 5-0**

**Garrett Higerd:**

- This is Kelly and Mike Garcia's parcel map.
- Reason it's before Board today, the surveyor found an error along the northern boundary. They found that they own ½ of Mt. Patterson.

10d) Solid Waste Workshop (Matt Carter) - Present to the Board past, current, and projected operational and financial information regarding the Solid Waste Division with strategy and options to consider moving forward.

**Action:** None.

**Matt Carter (powerpoint, copy kept in file folder for today):**

Balancing Budget for Solid Waste Division

- Overview
- FY 2010/2011 Outlook
- 5 Year Disposal Site Tonnages
- Total Revenue vs. Expenses
- Operating Revenue vs. Expenses
- Recommended Cost Saving Measures
- Recent Changes
- Revenue Sources
- Rural County Survey

- FY 2009/2010 Waste Disposal
- This Year and Moving Forward
- Plan of Action
- Current Deficit \$1.2 Million
- Solid Waste Enterprise Fund – 5 Year Outlook

**Discussion:**

- Waiting for draft report from a consultant.
- At this point, it is his understanding that Inyo is not interested in taking waste outside their own county.
- Privatizing landfill: \$1.5 million in savings, contractor comes in, regulatory and administrative fees would not be able to be paid, program couldn't run.
- If the Board wants an enterprise fund, revenues are going to need to be increased.

**Mary Booher:**

- Brian felt a two to three year repayment plan was necessary.
- Next week the program will ask the General Fund for money to help cover program. Today's goal is to show the current financial trend which cannot continue.
- Just trying to give framework in order to make decisions during budget meetings.

**Roberta Reed:**

- Ramifications of not paying back loan: negative ratings; would affect overall financial status.
- Do not want to be in the situation of technical default.

**Board Comments:**

- What kind of ramifications if loan isn't paid back in a timely fashion?
- Board needs more information.
- What is scheduled amortization? Needs to be addressed prior to budget hearings.
- Concerned about keeping expenditures steady over a four to five year period; there are a lot variables.
- Maybe reach out to Inyo County for a contract?
- What are hours of landfills?
- Supporting program in general is going to lose money. Should look at privatizing. Can't support going with \$96.00 per ton.
- Interested in the specifics on the bond.
- Really wants to avoid any illegal dumping; increasing tipping fees needs to be last resort.

**Michael Grossblatt (Town of Mammoth Lakes):**

- Increasing the tipping fee to \$96.00 per ton = 50% increase in Mammoth. This is a devastating impact in these poor economic times.
- He doesn't think volumes of trash will ever see an upward trend due to recycling, etc.
- Going to \$96.00 per ton is going to cause problems; people will be looking at other ways of disposing their trash (legally or illegally).
- At Solid Waste Taskforce they have talked about other way to reduce costs: 1. Go back to privatizing the landfills; 2. A lot of trash collected in county is being taken out of state with a surcharge, perhaps all trash in county should go to

- Benton Crossing Landfill; 3. A reduction of services – during the week Mammoth could get away with two closed days; 4. Take another look at the parcel fees.
- Subsidy fee should be considered; the final report from the consultant should be taken into account too.

**Michelle (Mammoth Disposal):**

- Long hauling is an option.

## ADDENDUM

### PUBLIC WORKS

Additional Department: County Counsel

10e)

**Cooperative Agreement with CalTrans re Lee Vining Streetscape Project** (Jeff Walters and Marshall Rudolph)—Receive update regarding status of the Cooperative Agreement between CalTrans and the County for Maintenance of Highways and Roads in Mono County, associated with the Lee Vining Streetscape project. Discuss said Agreement and any related issues.

**Action: None**

**Jeff Walters:**

- Gave update on the status of the Cooperative Agreement.
- Late yesterday, heard that CalTrans will be able to do the striping work. He has not seen anything official yet, however.
- Contractor set to start work in early September. He will press to get their signature on agreement. He will report back to Board at the first meeting in September.

**Marshall Rudolph:**

- Explained the history of how this agreement came about. He never worked directly with their legal counsel.
- Hang up with CalTrans is not liability.

**Supervisor Peters:**

- He has never found CalTrans to not live up to their agreements. He got the impression that they were anxious to make it right.

**Tim Hansen:**

- Was concerned about the damaged sidewalks in Lee Vining and who would be liable for damage.

ADJOURN 3:32 p.m.

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**BYNG HUNT**

Chairman

**ATTEST:**

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**SHANNON KENDALL**

Sr. Deputy Clerk of the Board

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