



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

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

Regular Meeting

Mammoth Lakes BOS
Meeting Room, 3rd Fl. Sierra
Center Mall, 452 Old
Mammoth Rd., Mammoth
Lakes, CA 93546

September 20, 2011

9:00 AM Meeting Called to Order by Supervisor Hazard, Chair

Pledge of Allegiance led by Lynda Roberts, Clerk of the Board

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- Joe Parrino, Mammoth Motocross.org and Mammoth Motorcycle Club: Update about recent events and public interest in using Mammoth motocross track for more weeks during the year. Other tracks in the state are doing well; he would like to see more motocross business come to Mono County. Expressed concern about trail closures made by the Forest Service. Would like local government attendance at meetings pertaining to motocross issues.
 - Board Members said they have been involved in this issue, but meetings often conflict with other Board priorities.
- Dan Brady, Southern California Edison Public Affairs, update about projects: 1) Saddlebag Lake reservoir upgrade; 2) steam generator transport through Mono County within the next 7-10 days; 3) free weatherization and lighting upgrade programs.

Closed Session: 9:20 a.m.

Break: 10:35 a.m.

Reconvened: 10:40 a.m.

Lunch: 12:33 p.m.

Reconvened: 1:25 p.m.

Adjourned: 4:06 p.m.

CLOSED SESSION

The Board had nothing to report from Closed Session.

BOARD OF SUPERVISORS

- 1a) 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: state agency allegations of non-compliance with certain Conway Ranch grant conditions.
- 1b) 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: three.

1c) 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.

1d) 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

M11-234 Approve Minutes of the Regular Meeting held on September 6, 2011, as corrected.

Hunt moved; Hansen seconded

Vote: 5 Yes; 0 No

- Corrections made by Supervisor Hazard: 1) Hazard's Board Member Report, Bullet Point #2 dated 8/19, the correct date of the ceremony is 11/11/11; 2) Hazard's comments under Agenda Item #16d (Update re Verizon), Bullet Point #4, "...want to see it **completed** in 18 months".
- Corrections made by Supervisor Bauer: 1) Bauer's Board Member Report, Bullet Point #1, "Going to be **next year** after elections..."; 2) Bauer's Board Member Report, Bullet Point #6, regarding complaints about Peterson tract roads, add "... but Public Works is addressing them".

Supervisor Johnston: When talking about assembly bills and senate bills, asked Board Members to specify what the bill refers to so the public is more informed.

3) **BOARD MEMBER REPORTS**

Supervisor Bauer

1. Attended the ESTA meeting. Discussed information about the Town and its growth. Also, the number of airline passengers flying into Mammoth-Yosemite Airport increased during the summer.
2. Attended the YARTS meeting yesterday. Bauer introduced herself to the new superintendent, who is working to get more funding; road rage in Yosemite this summer is prompting the need for more public transportation.
3. Participated in a conference call with CSAC and RCRC regarding the future caucus meeting; they will consider holding the 2013 meeting in Mono County.
4. The June Lake Community Center has been reserved for the Board's special meeting scheduled for October 6th.

Supervisor Hansen

1. Attended the Antelope Valley Chamber of Commerce meeting last Tuesday. Recycling efforts help bring revenue into the community.
2. Attended the Lee Vining RPAC meeting last Wednesday.
3. Attended the Bridgeport RPAC meeting. Discussed trails and concerns about the economy.

4. Attended the Great Basin Air Pollution Control District meeting. Discussed problems with air quality during controlled burns and during times when wild fires are allowed to burn.
5. Attended the IMAAA meeting yesterday.
6. Spoke with Assemblywoman Kristin Olsen last evening.
7. Ted Gaines will be in Bridgeport this coming Monday.
 - a. Supervisor Hazard said Gaines will also tour the Mono Lake area and be at the Whoa Nellie Deli at 1:00 p.m.

Supervisor Hazard

1. A Jeep commercial was filmed recently in Mono County. Hazard asked the Economic Development Office to notify the Board in the future about this type of activity; he would like to know the economic impact to the County.
2. September 15: Participated in the County's free hearing test. This is a good service.
3. September 15: Met with staff members about Digital 395.
4. September 16: Attended the 11/11/11 Veteran's ceremony planning meeting.
5. September 19: Attended the DSA negotiations; they are making progress.
6. Attended the IMAAA meeting yesterday.
7. Attended the Chalfant RPAC meeting last night. Tony Dublino provided a General Plan update.
8. Will be leaving for RCRC after today's Board meeting.
9. Received a phone message yesterday from a concerned citizen about the Everest Challenge road race. This year the County put the promoter's mitigation conditions, as proposed last year, in the permit process; but people are concerned that the event is being jeopardized. Hazard wanted the Board to have this information in case people contact them.

Supervisor Hunt

1. Attended the Eastern Sierra Council of Governments meeting in Mammoth last Friday. There was barely a quorum so they deferred most discussions, but did talk about film permits and the difficulty people encounter when obtaining a permit (i.e. it is time consuming and expensive). They want to find ways to make it easier for film crews.
2. Referred the Board to a website that provides information about the new districts and maps created as a result of the California redistricting. Some redistricting decisions are being challenged in court.
3. Attended the ESTA board meeting. They reviewed financial reports and approved the final budget, which includes fare changes.
4. Met with Rick Phelps and the High Sierra Energy group yesterday to talk about ways the County can save money. Phelps will make a presentation to the Board next month.

Supervisor Johnston

1. Attended the DSA negotiations yesterday.
2. Attended the Great Basin Air Pollution Control District meeting. They hired someone to start the process of dividing the approximately \$6 million fine paid by DWP. Most of it will probably go to the Owens Lake area, but Johnston is pushing for a block grant so Mono County receives some of the money.
3. Recently rode his bike on the Lakes Basin trail; it is a very nice addition.
4. Attended a CSAC course pertaining to water; he will provide the Board with a basic primer on water law.
5. Attended Fiesta Caliente in Mammoth last weekend; about 200 people attended.
6. Regarding the October 18th agenda, asked to have the item pertaining to County services moved to the last meeting in November.

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. Attended the IMAAA meeting yesterday.
2. Attended the Eastern Sierra Council of Governments meeting in Mammoth last Friday.
3. Attended DSA negotiations yesterday; addressed this with the Board in closed session.
4. The CAO Department held its staff and safety meetings last week.
5. Continuing to hold status meetings with department heads.
6. Will be leaving tomorrow to attend a CPACC conference in Lodi.

DEPARTMENT REPORTS/EMERGING ISSUES

- **Lynda Roberts**, Clerk-Recorder-Registrar: 1) Update about an issue pertaining to misprinted voter registration cards, and steps taken to mitigate the problem. 2) Has started working on necessary changes to voting precincts now that the redistricting has been completed.
- **Julie Tiede**, Social Services: Update about a meeting with IMAAA yesterday regarding a request for funding from Mono County in the amount of \$165,000. Members of the Inyo County Board of Supervisors are working to distinguish between program funding and administrative funding. The IMAA board discussed the administrative contract with Inyo County, and the possibility of terminating it and making new arrangements. Inyo County received a grant that can possibly be used to backfill their administrative funds.
 - Supervisor Hazard: During this meeting, Mono County indicated they would not contribute funds to solve Inyo County's administrative cost problems.

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 item 5a.

ECONOMIC DEVELOPMENT

5a) Revision of Budget for CEQA Consulting Services for MP-I Replacement Project
The initial amount of the consulting contract for CEQA documentation for the MP-I Geothermal Power Plant Replacement project is \$55,000, and the term is December 1, 2010, to September 30, 2011. Due to the decision to prepare an EIR rather than a Mitigated Negative Declaration, and due to an unexpected and voluminous submittal of comments on the Draft EIR, it is now necessary to extend the term and increase the amount of the consulting contract.

M11-235 **Action:** Approve the agreement and first amendment to the agreement between County of Mono and CAJA Environmental Services, LLC and Environmental Management Associates, Inc. for the provision of environmental consulting/ CEQA services for the Mammoth Pacific (MP-I) Plant Repowering Project.

Bauer moved; Hunt seconded

Vote: 5 Yes; 0 No

Supervisor Johnston asked for clarification about the fee schedule and scope of work.

- Dan Lyster, Economic Development: The scope of work and original cost were based on preparation of a mitigated negative declaration. The new scope of work requires a draft EIR, which costs more, hence the increase in the amount of the contract. The company (Ormat) has been notified about the increased cost and they approve.
- Stacey Simon, Assistant County Counsel: The amounts listed are not-to-exceed amounts. The existing contract specifies the scope of work; the change encompasses only the new tasks and extends the time of the contract.

COUNTY ADMINISTRATIVE OFFICE

Additional Departments: Economic Development, County Counsel

- 6a) Sarah McCahill employment agreement - Resolution R11-___, approving an employment agreement with Sarah McCahill and prescribing the compensation, appointment, and conditions of said employment.

R11-64 Action: Adopt Resolution R11-64 approving an employment agreement with Sarah McCahill, and prescribing the compensation, appointment, and conditions of said employment.

Bauer moved; Hunt 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

- 7a) Antelope Valley RPAC - August 4, 2011, letter from Antelope Valley RPAC (received in the Clerk's Office on September 9, 2011) regarding Mountain Gate Project and the RPAC's position on it.

The Board acknowledged receipt of correspondence.

BOARD OF SUPERVISORS

- 8a) Resolution of Appreciation for Mark Mikulicich - Resolution of appreciation honoring Mark Mikulicich upon his retirement from Mono County.

No Motion Action: Board presented the Resolution of Appreciation to Mr. Mikulicich.

Supervisor Bauer read the resolution.

- Mark Mikulicich: Thanked the Board for this recognition and for their support over the years. As a citizen, he thanked the Board for their support of the EMS program during these difficult economic times.

- 8b) Forest Service Update (Ed Armenta and Jon Regelbrugge) - Receive a Forest Service update from Forest Supervisor Ed Armenta and Mammoth/Mono Lake District Ranger Jon Regelbrugge on a variety of Inyo National Forest projects, planning efforts, budget and staffing issues. This item is being sponsored by Supervisor Hazard.

Action: None.

Ed Armenta, Forest Supervisor: Provided the following update about various issues.

- Travel management rule and a minimal, sustainable road system. Sub-part A is an overarching plan that discusses options. The process will include public meetings, and the outcome will provide a guidance tool.
- Budget issues necessitating cuts in seasonal employees and reducing operating hours of visitor centers. Continued reliance on partnerships in FY 2012 since his budget may face additional cuts of 15-20%.

- Land management planning vision. A new planning rule should be completed late fall or early winter.
- Land exchange with Mammoth Mountain; enactment will require legislation. Scoping work is in progress.
- County coordination issues and memorandum of agreement. Currently working through this issue; planning to present counties with the memorandum in November.

Board Comments

- **Supervisor Hunt:** Would like to be informed about land exchanges at the beginning of the process since this could impact the County's tax base. Also, the public needs to know which lands are involved.
- **Supervisor Johnston:** Appreciates their stewardship of the forest. It is important from an economic standpoint for the Board to support the local Forest Service. Johnston suggested there may be potential savings by eliminating overlap if Devil's Postpile is expanded into the forest
- **Supervisor Hazard:** Wants to work with Armenta on issues pertaining to motorized use, but some of their meetings conflict with other Board priorities. Hazard asked for coordination of schedules whenever possible so Board Members can participate; he would also like local issues included as part of the big-picture discussions. He believes Mono County has a good working relationship with the Inyo National Forest.

John Regelbrugge, Mammoth/Mono Lake District Ranger: Provided the following update about various issues.

- The Collaborative Planning Team (CPT) is a good way to keep local officials informed.
- Travel management implementation: About 1,000 miles of routes were added, and about 800 miles were not added. They provide on-going maintenance on less-developed routes and are working on improved signage. They would like the public to provide documentation about routes so they can review potential errors between what is in the system and what is actually on the ground.
- Currently working on routes in Mono Basin and Shady Rest Park.
- The fuels reduction projects are near completion. They partnered with Mammoth Lakes Fire Department for fuels reduction on private land.
- Public field trips are scheduled for September 26, 3:00 p.m., to review planning and interpretation projects for Hot Creek, and September 27 to discuss OHV and snow vehicles staging areas in Shady Rest Park (press release forthcoming).

Board Comments

- **Supervisor Bauer:** Thanked Regelbrugge for the ongoing communication and for meeting with the June Lake trails group. She asked for follow-up about the dead trees along Highway 158, and asked if he would attend a meeting of the June Lake Citizens' Advisory Committee on October 4 to talk about the travel management plan; the maps are confusing and require explanation.
- **Supervisor Hunt:** Thanked Regelbrugge for the quarterly (mailed) updates. They are doing a good job with the transportation program in the (Mammoth) Lakes Basin. He asked about grooming this winter for cross-country skiing in Shady Rest, and asked about mining.
 - Regelbrugge: 1) They are trying to work out a plan for grooming of cross-country trails this winter. 2) Small owners have below-ground mining claims in the Lakes Basin, and are currently working through the process to scale-up operations. Most of the Inyo National Forest is open to minerals exploration, but the Forest Service only has authority to regulate surface use.
- **Supervisor Hansen:** Raised an issue about management of the State Tufa Reserve at Mono Lake, and the threat of closure. He suggested the possibility of the Forest Service managing this reserve, and asked for a future meeting in order to review options for keeping it open. Hansen also suggested that members of the public should be involved with the MOA (memorandum of agreement) process.

- **Supervisor Johnston:** Thanked Regelbrugge for participating in the meetings of the Eastside Biomass Group; there is a meeting tomorrow to address various issues about diseased wood, burning and air quality, and jobs creation.

The Board scheduled a special meeting (Tufa Reserve stakeholders meeting) for Thursday, October 6, 2011, 9:00 a.m., June Lake Community Center.

FINANCE

- 9a) Fiscal Year 2011-2012 County Budget (Brian Muir) - Proposed resolution adopting the final Mono County budget for fiscal year 2011-2012. The 2011-2012 Budget is available on the Auditor-Controller's website at: <http://www.monocounty.ca.gov/departments/auditor/auditor.html>.
- R11-65** **Action:** Adopt Resolution R11-65 adopting the final Mono County budget for fiscal year 2011-2012
Hunt moved; Bauer seconded
Vote: 5 Yes; 0 No
Brian Muir, Finance Director: This action reflects Board decisions made during the budget hearings.
- Supervisor Hunt: The budget can be amended throughout the year, and the Board has a mid-year budget review. The Board went through a strong process to make these budget decisions.
- 9b) Private Placement to Refund PERS Side Funds (Brian Muir) - Receive report on possible refunding of PERS side funds.
- No Motion** **Action:** A majority of the Board expressed a conceptual interest in this action.
- Brian Muir, Finance Director: This issue was discussed during the Board's last meeting. Years ago PERS created three side funds without consulting the County. The proposed action would refund the side funds for private placement, which means the County would incur debt to pay off the side funds. However, the side funds are an existing debt, but with this action, it would show on the County's balance sheet and amount to a savings of over \$500,000. Most of the debt would be paid off in the first 7 years of the 12 year notes. Muir outlined the advantages and disadvantages as listed in his staff report, including:
- The effect of this decision would be two-years away (the County wouldn't see a significant drop in the PERS rate for two years).
 - This action may impact the interest rate if the County borrows money; but it is unlikely that the County will borrow.
 - He believes this will benefit the taxpayer.
- Prior to formal action, Muir will get an opinion from bond counsel and County Counsel will review this from a legal perspective.
- Supervisor Hazard: Was not comfortable making a change at this time due to uncertainties about PERS; plus savings over 12 years does not seem to be significant.
- 9c) Two Years Additional PERS Retirement Service Credit (Brian Muir) - Proposed resolution to grant another designated period for two years additional service credit. Said service credit would be available only to eligible Lieutenants in the Sheriff's Department Management Unit.
- R11-66** **Action:** Adopt Resolution R11-66 granting another designated period for two years additional service credit, available only to eligible Lieutenants in the Sheriff's Department Management Unit. By adopting this resolution under Government Code Section 20903, the County is 1) certifying that the Board

determined that because of an impending curtailment of, or change in the manner of performing service, the best interests of the agency would be served by granting such additional service credit; 2) certifying that there are impending mandatory transfers, demotions, and layoffs that constitute at least 1% of the designated job classification, department, or organizational unit resulting from the curtailment of, or change in the manner of performing its services; 3) certifying that any vacancies created by retirements under this section or at least one vacancy in any position in any department or other organizational unit shall remain permanently unfilled thereby resulting in an overall reduction in the work force of such department or organizational unit; 4) designating employees with the position of lieutenant in the Sheriff's Office Management Unit as eligible for the additional service credit; and 5) establishing designated period during which eligible members may retire as of September 20 through December 31, 2011.

Bauer moved; Johnston seconded

Vote: 5 Yes; 0 No

Brian Muir, Finance Director: The County's PERS contract allows for this two-years of additional PERS retirement service credit. This action would grant a designated period of time for giving the two-years service credit to an employee in the Sheriff's Department. The action would increase the annual employer contribution by approximately \$7,840, but would provide \$209,887 estimated savings in salary and benefits.

Supervisor Hazard asked about keeping the position permanently unfilled (as indicated in item #3 in the motion).

- Marshall Rudolph, County Counsel: This is statutory language (the finding is required), and refers to the Board's intention at this time.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

COUNTY COUNSEL

10a) Sierra Center Mall Lease Agreement (Tara McKenzie) - Proposed contract with DOHENY V LLC pertaining to the lease of additional office space at the Sierra Center Mall for use as a Wellness Center.

M11-236 Action: Approve County entry into proposed contract and authorize Board Chair to execute said contract on behalf of the County.

Hunt moved; Hansen seconded

Vote: 5 Yes; 0 No

Tara McKenzie, Deputy County Counsel: On behalf of the Department of Mental Health, she asked the Board to authorize execution of this contract for lease of space for the Wellness Center. In response to a question raised by Supervisor Johnston, McKenzie said the Director of Finance asked for a lease based on the master lease for fiscal accounting purposes, hence the number of pages in this document.

10b) Emergency Standby Officials (John-Carl Vallejo) - Presentation by John-Carl

Vallejo regarding updating the County's list of standby officials to serve as members of the Board of Supervisors or to serve in key county positions in the event of an emergency or disaster where a board member or key county officer is unavailable. Authorize Sheriff, as Director of the Office of Emergency Services, to aid in the investigation of the nominees.

Action: None.

John-Carl Vallejo, Deputy County Counsel: The Board needs to update the list of appointments for standby officials; it was last updated in June of 2004. The purpose of this list is to have designated representatives who can be called upon to fill in during emergencies if Board Members or Department Heads are unavailable to perform their regular functions. Vallejo's staff report lists the positions requiring appointments. After Vallejo gathers nominations, the intent is to have people come before the Board so the Board can speak with the nominees, and then schedule an agenda item to make the appointments. The process will require a simple background check upon consent of the nominees; up to three standbys can be appointed for each position. Vallejo asked the Board to forward their nominations to him; he will ask the various departments for their nominations.

- Supervisor Bauer: Asked about nominating one's spouse. Both Vallejo and Marshall Rudolph, County Counsel, found no restriction against doing this.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Additional Departments: Finance

11a) Housing Choice Voucher Program (Mary Booher, Scott Burns) - Proposed resolution incorporating the Mono County Section 8 Housing Choice Voucher Program (HCV) into the Stanislaus County Housing Authority (SCHA) HCV Program.

R11-67 **Action:** Adopt Resolution R11-67 incorporating the Mono County Section 8 Housing Choice Voucher Program (HCV) into the Stanislaus County Housing Authority (SCHA) HCV Program.

Hunt moved; Johnston seconded

Vote: 5 Yes; 0 No

Mary Booher, Finance Department: Referred to a copy of a letter from the State, dated August 16, 2011, stating that they will no longer administer the housing choice vouchers. Stanislaus County will administer the program and will allow Mono County to use all 18 of its allotted vouchers. Booher recommend approval of the resolution.

11b) Annual Report on General Plan (Scott Burns) - General Plan Annual Report workshop.

No Motion **Action:** The Board received and accepted the Annual Report on the General Plan, and provided feedback.

Scott Burns, Community Development: Provided an overview of the General Plan and status of continuing efforts. He discussed recent amendments and updates, and asked the Board for direction on priorities. Burns reviewed his PowerPoint presentation:

- The General Plan follows seven requirements (elements) mandated by state law: Land Use, Housing, Noise, Conservation, Open Space, Safety, and Circulation. The Community Development Department (CDD) added a vision statement in 1997.
- Reviewed the elements contained in the General Plan—safety, circulation, housing (which is one element that must be approved by the State), noise, conservation and open space, land use.

- The Local Transportation Commission provides funding for updates. The regional transportation plan is due to be updated in 2012; CDD recently completed a highway corridor plan, and has a new grant for a national scenic byway management plan, which will help deal with main street issues.
- CDD continues to meet with communities about the land use element.
- Reviewed current General Plan updates (circulation, land use, open space/conservation, safety, noise).
- Provided a brief summary of the area plans—Antelope Valley, Swauger Creek, Bridgeport Valley, Bodie Hills, Mono Basin, June Lake, Upper Owens, Mammoth Vicinity, Long Valley, Wheeler Crest, Benton, Hammil & Chalfant Valleys (Tri-Valley), Oasis.
- Outlined information pertaining to special General Plan considerations, regional transportation plan, airport land use plans, CEQA and the General Plan, federal lands, tribal lands, and local government lands.
- Reviewed implementation tools, specific plans, proposed specific plans, and repealed/abandoned specific plans.
- Outlined planning permit activity in 2010-11 (number of units permitted, value permitted, permits issued by type).
- Reviewed work pertaining to building codes and housing element implementation; reviewed monitoring and compliance activities.
- Outlined the list of commissions/committees with planning involvement; reviewed the State's role in planning and State planning direction.
- Nearing completion of corridor, blueprint and land tenure planning; reviewed County planning issues and priorities.
- Asked for Board feedback and authorization to file the report with the State.

Board Feedback

- **Supervisor Johnston:** Believes it is a good idea to have the zoning code combined with the General Plan, as is the case in Mono County. Spoke with Assemblywoman Kristin Olsen about the housing element and the burden it puts on counties; he suggested they should coordinate the timing of the update with the 10-year census. Believes the County's approach of keeping the General Plan updated continuously is beneficial, rather than waiting to do a comprehensive update. Regarding AB 32 (global warming) and SB 375 (which implements AB 32), the County is currently doing a lot of this work. Johnston asked for a future agenda item to update the Board about the stimulus measures.
- **Supervisor Hunt:** Would like to see a visioning statement in the introduction that specifies the legacy Mono County wishes to maintain and carry forward (i.e. who we are, and what we expect to be in perpetuity).
- **Supervisor Bauer:** The Board needs to give flexibility to staff to interpret policies in order to help move projects forward that will be economically beneficial to the County.
- **Supervisor Hazard:** Would like to see the focus on accomplishing projects rather than continuous planning.
 - Burns: CDD is required to plan and maintain updates in order to avoid legal challenges and problems. If the Board directs staff to integrate the needs assessment into the General Plan, this will facilitate moving forward on projects.

COMMUNITY DEVELOPMENT - BUILDING DIVISION

12a) Limited Density Owner Built Rural Dwelling Workshop (Brent Calloway) - Limited Density Owner Built Rural Dwelling, workshop.

No Motion **Action:** Based on Board feedback refine the concept and bring it back to the Board for further discussion.

Brent Calloway, Community Development Department, reviewed his PowerPoint presentation:

- Introduction of concepts and framework for limited density type ordinance.
- Outlined history of limited density ordinance (concept started in Mendocino County). Relies on judgment of enforcing agency rather than uniform codes; counties can adopt an ordinance (Class K building code).
- Map of counties with limited density ordinances.
- Highlighted the regulations that allow for a reduced building standard in rural locations. Counties have modified the framework to fit local circumstances.
- Issues that surface when discussing development of an ordinance: Conflicts with General Plan, environmental health regulations, fire/access regulations, required findings.
- Objective of ordinance: allowing less restrictive development standards on remote properties.
- Four potential scenarios: utilize existing codes with slight modifications for Mono County; develop a more prescribed type of code based on a specific development model; create a simple framework allowing the code to develop over time driven by project proposals; develop a code specific to certain issues.
- Potential geographic scenarios: Use GIS capabilities to develop a model to define "rural", such as parcel size, distance from communities and roads; target to specific locations with off-grid developments in place.
- Reviewed geographic scenarios of land that would potentially be included depending on criteria used: 1) private land and major roads; land zoned Resource Management and Agriculture; 2) land with a 5 mile radius; 3) Resource land only in private hands; 4) private land outside of planning areas; 5) land with a 5-mile buffer from state highways (mainly includes mountainous areas); 6) in-holdings, three parcels or less, surrounded by public land; 7) single parcel in-holding; 8) single parcel in-holding with five-mile buffer.

Tom Perry, Building Official: Current building codes can be restrictive for simple seasonal-use, remote cabins. An ordinance as suggested would allow more latitude to work with people who want to build this type of structure. Some safety standards, such as fire suppression systems, could be eliminated; but other features, such as safe engineering practices, need to be considered. The limited density ordinance would be based on Title 25 and would provide more flexibility.

Board Comments and Feedback:

- **Supervisor Bauer:** Can support the concept with proper limitations. Concerned about unintended consequences.
- **Supervisor Johnston:** Small projects built with less restrictive codes seem justifiable in remote parts of the County. Structures should be of limited size. Supported geographic scenario # 8, single parcel in-holding with five-mile buffer.
- **Supervisor Hansen:** Concerned with having limited regulations for some while others follow stricter regulations.
- **Supervisor Hunt:** There is a place for these types of small, seasonal cabins, but appropriate areas need to be specified. This should go before the Planning Commission. Criteria need to be carefully defined.
- **Supervisor Hazard:** Small huts are already constructed in remote locations, and can provide a safety element for people caught in the back country during bad weather. Believes qualifying properties should be deed restricted so potential buyers understand the limitations of the property. Concerned with cargo container houses being installed on remote properties. Restrictive building standards, such as fire suppression systems, don't make sense for small, seasonal cabins with limited duration of occupancy. Supports having a buffer of either 1, 3, or 5 miles between the property and roads
- **Board Members** agreed that cabins should be of limited size, such as 500-600 square feet, and parameters need to be established in order to mitigate potential problems.

BOARD OF SUPERVISORS

- 13a) 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: Will get an update at the RCRC meeting he is attending this week.

ADJOURN: 4:06 p.m.

ATTEST:

DUANE "HAP" HAZARD
CHAIR

LYNDA ROBERTS
CLERK OF THE BOARD

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