



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

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified at far right.

Regular Meeting

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

November 15, 2011

9:00 AM

Meeting Called to Order by Supervisor Hazard, Chair

- **Supervisors Present: Bauer, Hansen, Hazard, Johnston**
- **Supervisors Absent: Hunt**

Pledge of Allegiance led by Marshall Rudolph, County Counsel

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Closed Session: 9:02 a.m.
Break: 10:33 a.m.
Reconvened: 10:39 a.m.
Lunch: 1:00 p.m.
Reconvened: 1:33 p.m.
Adjourned: 4:45 p.m.

CLOSED SESSION

The Board had nothing to report from Closed Session.

BOARD OF SUPERVISORS

1a)

Closed Session--CAO Performance Evaluation - PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

1b)

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.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- Stephen Kalish: 1) Update about Verizon's PUC request pertaining to above-ground transmission lines. The resolution that would allow Verizon to not put lines underground was withdrawn by PUC staff last Thursday. This will require a new draft resolution and the process will start over. 2) Airport Update: The Town is moving forward with an expansion proposal that would impact County land. The County needs to stay abreast of this developing situation, and currently there is no County representative on the Airport Commission's email recipient list of agendas and minutes.

2) APPROVAL OF MINUTES

M11-276

A. Approve minutes of the Regular Meeting held on November 1, 2011, as corrected.

Bauer moved; Johnston seconded

Vote: 3 Yes; 1 Abstain (Hansen); 1 Absent (Hunt)

Supervisor Johnston made the following corrections: 1) Johnston's Board Report, bullet point #2, Jim "Leman" should be Jim Quimet. 2) Department Reports/Emerging Issues, Ann Gimpel, bullet point #1, add W&I so sentence reads: "Ongoing problem: ambulance transport for 5150 W&I patients". 3) Item #12a, Vehicle Acquisition Discussion, Supervisor Johnston's comment, bullet point #6, replace "reduce" with "improve" so sentence reads: "County needs to improve their overall fuel economy".

3) BOARD MEMBER REPORTS

Supervisor Bauer

1. Butte County is suing the U.S. Forest Service over the Route Management Plan.
2. The new Superintendent of the National Park Service for Yosemite, made proposals at the Gateway Partnership meeting to help solve traffic problems. Bauer is working with County appointees to the Partnership to help develop a plan before the issue goes to YARTS.
3. Attended the YARTS meeting on Monday; it went well.
4. Attended the Mono Basin RPAC meeting last Wednesday.
5. AB 1387 (Emergency Services bill) has been revived and CSAC is working on it.

Supervisor Hansen

1. November 9: Attended the Mono Basin RPAC meeting.
2. November 11: Attended the Veteran's Day celebration in Mammoth. It was a very good event and moving experience.
3. Attended the YARTS meeting yesterday.

Supervisor Hazard

1. Participated in the Veteran's Day program in Mammoth. The event attracted veterans that had never been acknowledged or thanked, and it gave vets the opportunity to bond. It was a very emotional experience for the vets. Hazard has received feedback about how much this event meant to the participants.
2. November 11: Held office hours in Chalfant. The White Mountain Estates Road is acceptable; the cattle guard will be installed soon.
3. Notified by CSAC that AB 29X1 (SRA fee) has been revived.
4. Dave Harvey, geothermal visitor center, has access to a grant and is asking for County help; Hazard suggested to Harvey that he contact Mary Booher (asked Brian Muir, Finance Director, to follow-up with her). If this grant requires a Board Member sponsor, Hazard said he would do it.
5. Hazard suggested that the annual gift exchange take place on December 20, for those Board Members and Staff Members who want to participate.

Supervisor Hunt

1. Absent.

Supervisor Johnston

1. Nothing to report.

COUNTY ADMINISTRATIVE OFFICE

4)

CAO Report regarding Board Assignments (Jim Arkens)

Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

Jim Arkens

1. Attended a meeting with the Walker Community Center planning group. They will continue to hold meetings.
2. Continuing CAO status meetings with department heads.
3. Held a staff meeting in the CAO's office; discussed the annual holiday potluck parties.
 - a. Supervisor Johnston suggested sending a holiday card to those who serve on boards and commissions, as a way to acknowledge their service.
4. Continuing to deal with personnel issues.

Supervisor Hazard: Asked for a Board resolution to be prepared recognizing Mike Schlafmann's service during his tenure with the U.S. Forest Service.

DEPARTMENT REPORTS/EMERGING ISSUES

- **Tom Perry**, Building Department: Update about the Walker Community Center addition: Last week staff met to discuss the project; they will form a team to move forward on this project. Last Wednesday was the first time his department received building documents; he is currently expediting the plan review and approval process, which should be completed by the end of the week. He outlined the plans that are required for this project and reviewed fire safety requirements. His intent is to issue permits as soon as possible so the project can move forward.
- **Lynda Roberts**, Registrar: Provided information about the special election held on November 8, 2011. The Board does not need to certify this election since the issue is not within the Board's jurisdiction.
- **Scott Burns**, Community Development Department: The Planning Commission considered the General Plan amendments last week; the item was continued to December. They also considered the Negative Declaration prepared for the Crowley Lake cell tower. Burns asked Tony Dublino and Wendy Sugimura to provide updates about various issue.
 - Dublino: 1) Update about his ground water monitoring field work. He anticipates a cost of about \$7,000 for his time, well under the projected \$20,000. Hereafter, the cost should be about \$2,500 per year. 2) IRWMP update: 1) They received \$1.75 million; meetings have focused on administration and funds distribution. 2) Water needs assessments are being conducted throughout the region. 3) IRWMP will hold CEQA workshops in December. 4) DWR will consider changing the process for the next round of funding. 5) County projects will be considered in future rounds of funding. The Board asked Tony to provide an update in January or the early part of next year.
 - Sugimura: Update about work being done by the Eastside Biomass team; they have been meeting regularly since the spring. Utilization of biomass material has been a long-standing topic. The current group sees possibilities for sustainable use of biomass materials, but also understands the complex issues involved. Sugimura outlined the options under consideration; they are looking for funds to do a feasibility study.
- **Brian Muir**, Finance Director: 1) Development Impact Fee refund. A total of 79 individuals and entities were due refunds; the process should be completed shortly. 2) The tax sale was not very successful; only a couple of time share units were sold; 15 of the unsold time shares will be listed for sale on a national website.
- **Dan Lyster**, Economic Development: Update about hunting activities on Conway Ranch; allegedly there are 35 dead ducks on the Ranch. Lyster is in the process of putting a sign in place to inform the public about the ordinance that prohibits hunting and shooting on Conway Ranch.

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.)

PUBLIC WORKS - ROAD DIVISION

- 5a) 2011 Surplus Auction Results - With prior Mono County Board of Supervisors authorization an auction of surplus vehicles and equipment was held on October 15, 2011, by TNT Auction out of Reno Nevada. Fifty items were sold resulting in revenue for the county.

M11-277 **Action:** Receive a staff report summarizing results of the public auction conducted on October 15, 2011, to dispose of excess and/or unneeded County property. Acknowledge receipt of proceeds and authorize Finance Director to post deposits as appropriate.

Bauer moved; Hansen seconded

Vote: 4 Yes; 0 No; 1 Absent (Hunt)

BOARD OF SUPERVISORS

- 6a) Mono County Service Area No. 1 Board of Directors - Reappointment of Kim McCarthy, Bob Matthiessen and Denise Perpall to the Board of Directors of CSA #1 for another 4-year term. The term for these three members will expire November 30, 2011, and all three expressed an interest in remaining on the Board for another 4-year term. Therefore, a motion was made and passed by the CSA Board at their Regular Board Meeting on October 25, 2011, to recommend these reappointments. The Board of Supervisors must officially approve the reappointments. Supervisor Hazard requested this agenda item; CSA #1 is in his district.

M11-278 **Action:** Approve reappointment of Kim McCarthy, Bob Matthiessen, and Denise Perpall to the Board of Directors of CSA #1 for another 4-year term, to expire November 30, 2015.

Bauer moved; Hansen seconded

Vote: 4 Yes; 0 No; 1 Absent (Hunt)

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 Letter Regarding Kelly Garcia - Letter dated November 4, 2011 from the Antelope Valley RPAC acknowledging Kelly Garcia's resignation and voicing their appreciation for all the effort and hard work she provided to their community during her years of service.

The Board acknowledged receipt of correspondence.

PUBLIC WORKS - ROAD DIVISION

8a) Review of Snow Removal Policies and Priorities (Jeff Walters) - Receive a staff report regarding snow removal policies, procedures and priorities on County-maintained roads. Consider and potentially adopt resolution re-establishing snow removal policies, procedures and priorities. Provide any desired direction to staff.

R11-83 **Action:** Adopt Resolution No. R11-83, as revised, "A Resolution of the Mono County Board of Supervisors Re-establishing Snow Removal Policies, Procedures and priorities for County-Maintained Roads."

Johnston moved; Bauer seconded

Vote: 4 Yes; 0 No; 1 Absent (Hunt)

Jeff Walters, Public Works: Distributed copies of the map outlining snow removal priorities. The staff report and exhibits specify the types of roads throughout the County (Class 1, 2, 3, 4, or 5) and the snow removal priorities based on road classification. Once finalized, the information will be posted online so the public can access it. Three roads in Lee Vining (Lundy Lake Road, Goat Ranch Cutoff, and Cemetery Road) need to be changed to Class 1 since they are bus routes. The Airport/Hot Creek Roads are still Class 2, but Walters is working on changing them to Class 1, which will enable The County to receive funds for improvements.

Board Comments

- **Supervisor Johnston:** Supports reclassifying Airport Road since it will get more use this winter due to the increased number of flights. He also requested that road districts be renamed in order to eliminate confusion with supervisorial districts.
- **Supervisor Bauer:** Needs to understand the real costs of plowing Airport Road.
 - Walters: Plans to use staff as necessary to plow roads throughout the County, not just in their specific road districts, so plowing will be done as efficiently as possible.
- **Supervisor Hansen:** Asked to have the area by the parking lot of North Tufa plowed in the future; it can be a low priority.
- **Supervisor Hazard:** Noted that Osage Circle should be listed under Chalfant. Asked about plowing of roads for homes not on a dedicated road.
 - Walters: People would have to pay into a zone of benefit for County snow removal services.

While the drivers are plowing this winter, Hazard would like them to look at Convict Lake Road, and determine a reasonable option for plowing.

COUNTY COUNSEL

9a) Chapter 11.08 Update (John Vallejo) - Proposed Ordinance amending Chapter 11.08 of the Mono County Code pertaining to restrictions on the use of highways by certain vehicles. This ordinance pertains to selling from vehicles (e.g., food trucks) and simply resolves certain conflicts between existing County Code provisions and applicable state law.

M11-279 **Action:** Introduce, read title, and waive further reading of proposed ordinance, as corrected.

Bauer moved; Johnston seconded

Vote: 4 Yes; 0 No; 1 Absent (Hunt)

John Vallejo, Deputy County Counsel: This ordinance will eliminate the outright rejection of businesses being conducted in roadways, but such businesses will still require a license. Vallejo noted that bicycle lanes are considered a lane of traffic. He pointed out two minor

grammatical corrections on page 2 of the proposed ordinance, which will be changed in the final version for Board adoption.

BOARD OF SUPERVISORS

- 10a) Mono County Office of Education (Stacey Adler, Ph.D., Superintendent of Schools) - Presentation on current status of education in Mono County, including assessment information from the school districts and programs being offered by the Mono County Office of Education. This item was sponsored by Supervisor Hunt.

Action: None, informational only.

Stacey Adler, Mono County Superintendent of Schools: Gave an overview about the Office of Education and its responsibilities.

- The Office of Education provides assistance to the school districts.
- They have two statutory functions pertaining to fiscal oversight and text books.
- Mono County is the only county in California where the Office of Education operates the libraries. If state budget triggers take place, libraries will lose state funding. If library funding is cut, the Office of Education has already made plans to cut in areas other than library hours.
- Student enrollment is about 1,800. Enrollment increased this year by about 150 students due to assuming responsibility for a charter school in San Diego, which is authorized by the Education Code. The charter school offers students between 18 and 24 years of age the opportunity to complete high school.
- Regarding assessment, the schools in Mono County are doing well.
- Outlined demographics countywide.
- Read their mission statement. They meet their objectives by providing alternative educational opportunities, such as adult education.
- This year they sponsored about 300 student scholars for a day at the Tri-County Fair; they have also taken over the Kidapalooza event. The Office of Education sponsors a variety of activities such as spelling bee.
- Outlined community outreach efforts.
- The news lately has been running stories comparing the U.S. educational system with other countries; these countries don't have the variety of demographics or systems of measurement. The system in the U.S. is just different. Paying for education is a challenge, but technology may provide answers to some of the problems.

Supervisor Hazard asked for future updates about what is happening with the libraries.

Greg Newbry, Mammoth Unified School District Board Member: The MUSD will have to spend less money, even with recent approval of the parcel tax. Even with its problems, he believes the U.S. educational system is good since it teaches all kids a regular education and doesn't channel them away from core education.

FINANCE

- 11a) Review of County Services (Brian Muir, Finance Director) - Review services that are provided countywide, and review specific services provided to the Town of Mammoth Lakes and special districts. Supervisor Johnston requested this agenda item.

Action: None, informational only.

Brian Muir, Finance Director: Reviewed a list included in the agenda packet that outlines services provided by the County. The list specifies the net cost to the General Fund, and shows

state-funded programs and the significant functions provided at the County level. Service departments don't appear on the list due to A-87 costs. Muir provided specific information about line items on the list; the County provides services for which public agencies and special districts aren't charged. Regarding the Town's argument that they should get more of the property tax money, Muir said when reviewing the Town as a whole (which would include schools, fire districts, etc.), they get a fair share. The Town proper gets a jail facility, paramedic services, probation services, District Attorney services, and social services; jail inmates disproportionately come from the Town. The County also provides curbside junk removal services each spring. The financial distribution is not inequitable; the County can't reduce the level of service because of the types of services provided (i.e. jails). The County also helps the Town where possible, for example, suggesting that they use the County's financial system to help create efficiencies.

Public Comments

- Leigh Gaasch: Asked about services provided to the residents of Mammoth Lakes, such as animal control. The Town doesn't seem to be interested in helping the residents. She's been told that animal control issues are the police department's responsibilities; response time is slow. The people in the Town don't seem to be a priority.

Board Comments

- Regarding animal control, the Town elected not to fill their vacant position. The County has only three animal control officers to patrol approximately 3,200 square miles.
- Typically the County has provided services at a lower cost, but the Town will have to approach the County in order to work on contract arrangements.
- The Town's role is to provide amenities and services; the County's role is to provide a safety net, which makes a difference in running programs and hiring personnel.
- The Town and County have different jurisdictional responsibilities.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- Leigh Gaasch: Showed an example of a card that has been printed for Town visitors listing emergency telephone numbers. She would like to produce a similar card containing County emergency contact numbers so the cards can be available in locations along Highway 395.

11b)

Eastern Sierra Transit Authority (ESTA) (Brian Muir) - Discuss ESTA Roles and Responsibilities Study and Triennial Performance Audit.

Action: None

Supervisor Bauer: Agendized this item for a Board of Supervisors discussion since different Board members sit on the ESTA board and LTC board and can't otherwise discuss issues that pertain to the two boards. She wants to ensure that the members of the LTC have shared values with ESTA, and have the opportunity to provide direction in terms of where ESTA is going. Bauer briefly outlined the following:

- Would like ESTA to be the lead agency for some acquired funding.
- ESTA reviews their routes annually.
- The Town contracts for services.
- The Red Meadows bus has allowed for consistent cash flow.
- Bauer asked for an agenda item as needed on the Board of Supervisors' agenda so LTC and ESTA members can discuss issues.

Board Feedback:

- **Supervisor Hansen:** He is looking forward to the marked bus stops.
- **Supervisor Hazard:** LTC has had discussions about lighted bus stops, but lighting is not yet installed. The boards need to look for opportunities to coordinate the transit system between various communities in the County (e.g., Mammoth to Bridgeport). They should also expand the market in order to get more users. LTC does keep track of ESTA activities.
- **Supervisor Johnston:** LTC decided not to light bus stops because busses don't run at night; lighting was installed at an essential facility. LTC reviewed the ESTA reports; certain non essential routes have been consolidated or cut. The audit was very productive.
 - Scott Burns, Community Development: Funding for bus stop lighting came from Homeland Security and at the time, lighted bus stops was the only project they could find to fund for transit security.
- The Board expressed support for the direction that ESTA is taking.

COUNTY COUNSEL

Additional Departments: Public Works, Community Development

12a) Digital 395 license agreement (Marshall Rudolph) - Proposed resolution approving a license agreement with the California Broadband Cooperative, Inc. for use of County land for node sites, community service cabinet sites, and anchor sites and for use of County rights of way for underground fiber optic transmission lines.

R11-84 **Action:** Adopt Resolution # R11-84 approving a license agreement with the California Broadband Cooperative, Inc. for use of County land for node sites, community service cabinet sites, and anchor sites and for use of County rights of way for underground fiber optic transmission lines.

Hazard moved; Bauer seconded

Vote: 4 Yes; 0 No; 1 Absent (Hunt)

Lisa Louie, Chambers Group Environmental Consultants, participated in the meeting via telephone.

Marshall Rudolph, County Counsel: Many County departments have been involved in moving this project forward. The item before the Board today is approval of the license agreement. Rudolph outlined the following information:

- California Broadband Cooperative (CBC) has the grant money and they are spearheading the project.
- Mono County, along with other counties, is involved with Digital 395; all counties are providing rights-of-way and parcels for nodes and community service cabinets. The agreement is the result of negotiations between legal counsel for the CBC and county counsel offices from Inyo, Kern, and Mono, so the resulting license agreement for each of those counties is substantially similar in form, and provides underlying permission for all the different uses of various counties' properties.
- Described the different components of the system (i.e. node sites, community service cabinets, and anchor sites). The license agreement contains all this information.
- CBC will provide service to commercial companies (the system is open access) that will purchase accessibility at wholesale prices and sell to customers at retail prices.
- This project is the middle mile development.
- The County is waiving the license fees and other fees, per a resolution the Board adopted in 2010.
- The agreement also addresses insurance, bonding, and liability safeguards.

- Maps are included in the license agreement that show the various rights-of-way, etc. Rudolph distributed color copies of the maps to the Board.
- The Board is required to make certain findings in taking this action (the findings are in the resolution).
- Code sections allow for conveying of property for public interest reasons. Because there are public purposes involved, the waiving of fees is not a gift of public funds (also specified in the resolution).
- The company will still have to obtain building permits and encroachment permits; the agreement just gives permission to use the land. The County's General Plan specifies design guidelines with which CBC will have to comply as a requirement of the license agreement.
- Regarding CEQA, the County is a responsible agency but the PUC is the lead agency. The final version of the Environmental Assessment/Initial Study has been prepared to evaluate environmental impacts under NEPA and CEQA. The Board was provided with a link to the website containing that document, and the link was also posted on the Board's website for public information. In addition, a hard copy of the final document (in two bound volumes) is here for reference if needed and has been given to the Clerk to be made a part of the record for this meeting. The project will not have significant impacts; such impacts have been reduced or mitigated.
- The California PUC approved by a 5-0 vote, Resolution T-17347 adopting a final Mitigated Negative Declaration pursuant to the California Environmental Quality Act for the CBC ARRA/CASF funded broadband project. The final document was also on the website link and copies for each Board member have been provided at this meeting. Rudolph then outlined some differences between the final version and the draft version. The responsible agency (County) must use this document. As required, the lead agency consulted with the County as responsible agency, and the County provided comments before the document was released to the public. The responsible agency is required to consider the document and the analysis.

Responses to Board Members' questions:

- Regarding design of the node sites, will the design absolutely follow the guidelines?
 - Rudolph: Following the design guidelines is required.
 - Scott Burns, Community Development: The language in the agreement states that the design will comply; the standard is to make the structure aesthetically appealing.
- In Bridgeport, the node site is located at the old hospital site.
- Are other counties adopting this same resolution?
 - Michael Ort, project representative: The Inyo County Board of Supervisors passed the resolution with a 5-0 vote.
- Regarding waiver of license fees in 2010, the project was identified as being important enough to the public that the County wanted to help ensure approval. In the second review of the grant, commitment to the project at the local level had to be demonstrated. The state waived the match requirement but wanted to know the level of local support (staff time, rights of ways). There was an expectation that public agencies would step up; the spirit of this has been a public/private venture. Because of local contributions, Mono County is being given Class A member status in the cooperative; this carries special rights, such as audit rights.

When asked if she had comments, Lisa Louie said she had no comments at this point.

Michael Ort, project representative: Twenty nine agencies have been involved in this project, and have provided a great deal of scrutiny about environmental issues. Involvement at the state and federal levels has been tremendous; the project has been discussed at the executive level in Washington DC. It's a good project ready to move forward. Regarding the service cabinets, the foot print of the cabinet is relatively small. The route as currently defined has been

reviewed; the route may require modifications, which will require further review (the process allows for modifications). For example, if they discover an archaeological site, they may have to get permission to modify the route in order to work around the site.

Public Comment

- No one spoke.

PUBLIC WORKS - ENGINEERING DIVISION

Additional Departments: Community Development

- 13a) State Transportation Improvement Program (STIP) Road Maintenance and Rehabilitation Project Discussion (Garrett Higerd) - Discuss road maintenance and rehabilitation project priorities for the 2012 State Transportation Improvement Program (STIP) Cycle.

No Motion **Action:** The Board prioritized projects as follows: 1) Pavement Management throughout the County; 2) Rehabilitation of Airport Road and Hot Creek Hatchery Road; 3) Benton Crossing Road Rehabilitation; 4) Sierra Springs Streets Rehabilitation; 4) Owens Gorge Road additional paving. The Board decided to leave the transportation enhancement (TE) money in reserve for now.

Garrett Higerd, Public Works: The 2012 STIP cycle is underway; Higerd outlined the following:

- Reviewed the state document pertaining to street maintenance, which addresses different recommendations in pavement best practices. It takes less funding for road maintenance than it does for road replacement.
- Reviewed information contained in the staff report pertaining to cost effectiveness of regular road maintenance vs. replacement.
- Reviewed the projects currently scheduled; all projects will need to be reviewed by LTC and then referred to Caltrans for funding.
- Reviewed approved funding for non-STIP projects (i.e. Aspen Road and Rock Creek Road).
- For the 2012 STIP cycle, funding may be between \$1.8 million to \$6 million dollars (this would be for the entire LTC that includes both the Town and County). It is wise to set aside money for cost adjustments for existing projects (\$1.8 million will cover cost adjustments but no new projects; \$6 million will allow for new projects).
- Asked the Board to specify their priorities so he can take the information to the LTC.
- Reviewed the proposed new projects: 1) the pavement management system; 2) Airport Road and Hot Creek Hatchery Road; 3) additional paving on Owens Gorge Road; 4) Sierra Springs Streets; 5) Benton Crossing Road rehabilitation.

Gerry LeFrancois, Community Development, reviewed the following:

- Traditionally the LTC receives about \$6 million in funding every two years; the state is estimating \$1.8 million in funding. The Board of Supervisors needs to assume both the low amount and high amount, and prioritize accordingly; otherwise Caltrans will provide the priorities.
- If projects are over the budgeted amount, then projects can be cut.
- The state does not want rehabilitation money to fund maintenance-type projects, so Higerd will have to show how pavement management is a new method of rehab versus maintenance.
- Regarding transportation enhancement money, available funding equals about \$3 million (\$1.45 is Mono County's share). LeFrancois asked the Board if they wanted to leave the money in the TE reserve for now or use it to augment STIP.

Board Comments

- **Supervisor Hazard:** Agreed that all projects should be included in the funding request and removed later if needed. He suggested pursuing funds for the Rock Creek Road bike lanes.
- **Supervisor Johnston:** At the next LTC meeting, plans to propose changing gasoline fees collected from a flat amount to a percentage of the cost per gallon so money collected will increase.

PUBLIC WORKS - SOLID WASTE DIVISION

- 14a) Solid Waste Gate Fee Waivers (Matt Carter) - Presentation by Matt Carter, Superintendent of Solid Waste, regarding the waiver of solid waste tipping fees for various programs, projects, and entities.

No Motion Action: Board directed staff to maintain the status quo, but bring this item back in the future to discuss fee waivers.

Matt Carter, Public Works: This item was brought to the Board at the request of Supervisor Hazard. The County currently waives fees for various programs, projects and entities, such as community cleanup projects, wood waivers to encourage creation of defensible space, and waivers for junk left at thrift stores and disposed of by them. The cost is estimated to be around \$10,000 annually. There is currently no fee waiver for illegal dumping; there have been approximately four illegal dumps since the tipping fee increased (this is typical). Carter recommended that the Board maintain the current policy of not waiving the fee for illegal dumping since a fee waiver may encourage people to do more illegal dumping. Government agencies have budgets for these problems; the cost is only about \$500-\$1,000 per year.

Board Comments

- **Supervisor Hazard:** BLM is cleaning up illegal dumps and they shouldn't have to pay. The County should help agencies that are cleaning up.
- **Supervisor Johnston:** Agreed that BLM shouldn't be charged; a waiver wouldn't amount to very much lost revenue. The Board could put an upper limit on the amount waived to address concerns about increased illegal dumping. The Town currently gets a waiver for Town cleanup day.
- **Supervisor Hansen:** Agreed. Suggested that illegal dumping may be occurring because hours of operation at the dumps have been reduced.
- **Supervisors Bauer:** Asked for an annual report about the fee waivers.

BOARD OF SUPERVISORS

- 15a) Mono Lake Tufa State Natural Reserve (Supervisor Hansen) - Update on the Mono Lake State Tufa Natural Reserve park closure issue after the Mono Basin RPAC Meeting. Additionally, have a discussion regarding the possibility of creating a committee or subcommittee to focus on aspects of the potential park closure. This item is on the agenda at the request of Supervisor Hansen.

No Motion Action: Board directed staff to agendaize this item for the December 20, 2011, meeting, with the understanding that the item may be deferred to a later agenda if necessary.

Board Comments

- **Supervisor Hansen:** Each Board Member was provided with a copy of letter from Jeanne Sisson, Acting Superintendent I, Alpine Mono Sector (State of California Natural Resources Agency). Sisson submitted this letter in advance of the November 9th RPAC meeting in order to explain their position. No one from the Bodie Foundation attended the RPAC meeting. Nor has anyone seen a copy of the application from the Bodie Foundation. The RPAC has formally asked for a copy, but the state is not forthcoming.

There is no need to create a subcommittee at this point, but Hansen would like to agendize this item for the Board's December 20th agenda.

- **Supervisor Bauer:** Believes the state is trying to get Mono Lake off the closed list. The RPAC may have to make a request for the Bodie Foundation application under the Public Records Act. It seems that the opportunity exists for any entity to submit a plan to solve the problem.
- **Supervisor Hazard:** Reiterated Supervisor Bauer's comments. The Sisson letter indicates that the state is working to get the park off the closure list. If someone has an interest in the Bodie Foundation application, they can make a request under the Public Records Act. He suggested monitoring the item and agendize if needed.
- **Supervisor Johnston:** The current situation indicates that Mono Lake Reserve will avoid closure, and State Parks will continue to manage it. The Bodie Foundation agreement is primarily about fee collection. He does not believe there is an underlying strategy or movement towards another group taking over; the Bodie Foundation currently supports the park.

Public Comment

- Geoff McQuilkin, Mono Lake Committee: His office is already fielding calls from people that are planning for summer 2012. It is important to get the park off the closure list so people can make plans.

SOCIAL SERVICES

- 16a) Inyo Mono Area Agency on Aging Program Review and Direction to Staff (Julie M. Tiede) - Review of Inyo Mono Area Agency on Aging (IMAAA). Review IMAAA, and Mono County Senior Services Program including structure, program costs, services and impact. Provide necessary direction to staff.

No Motion **Action:** The Board agreed that the County is not willing to contribute to Inyo County's request for an additional contribution to help defer administrative costs.

Julie Tiede, Social Services: Supervisors who serve on the governing board of IMAAA requested to have this item agendized. Tiede provided the following information:

- Reviewed information provided in the agenda packet: allocation of costs, additional funds request for IMAAA administration, chart showing salary costs applied to services, cost of services, and exact cost of each service.
- The County is not mandated to provide services unless they take the funding.
- There are no directives about the level of service; for example, the County can decide on the number of meals to provide.
- Tiede spoke with one nonprofit about their costs to administer the program; this agency (Passages, which is in area 3), does not take a contribution from the County. Brian Muir (Finance Director) spoke with the auditor in Glenn County, and they don't make a contribution; Trinity County contributes \$5,000.
- The Inyo County Board of Supervisors has asked Mono County for an additional \$165,000 to help defray administrative costs; this is in addition to the state allocation for administration. If Mono County won't agree to this, Inyo County plans to terminate their contract as regional administrator (they would not terminate the JPA at this time). If Inyo County terminates the contract, the IMAAA board will have to determine how to administer the program. If the IMAAA board can't resolve the situation, the state may look for an administrator or assign Mono County to another region.
- The current situation is good through June 30th, so there is time to prepare for the future.

Responses to Board Questions

- Regarding contributions made by other counties, two state representatives from the

program suggested that counties provide substantial contributions; but this is not really the case.

- If both Inyo and Mono Counties pull back from the program, the state is mandated by the federal government to provide a level of service; this is not a mandate to counties.
- The total budget for Mono County's senior program is \$359,000; currently \$159,000 is a contribution from the General Fund.

Board Comments

- Mono County will continue to take care of its seniors. County funds could be used to support the program for the short term.
- The current situation is dysfunctional; there may be an entirely different way to run the program. Mono County should not continue down the same path.
- Tiede should research how other counties operate this program.
- Not willing to spend funding on Inyo County management; seniors need to get the services.
- The Mono County citizen representative needs to be briefed in full prior to Friday's meeting.
- The County should do what it must to change the situation and maintain services.

ADJOURN: 4:45 p.m.

ATTEST:

DUANE "HAP" HAZARD
CHAIR

LYNDA ROBERTS
CLERK OF THE BOARD

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