



**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
County Courthouse,
Bridgeport, CA 93517

December 13, 2011

9:00 AM Meeting Called to Order by Chairman Hazard.

Supervisors Present:

- Supervisors Bauer, Hansen, Hazard, Hunt and Johnston.

Supervisors Absent:

- None.

Pledge of Allegiance led by Sr. Deputy Clerk Shannon Kendall.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Closed Session: 9:01 a.m.

Break: 10:28 a.m.

Reconvene: 10:35 a.m.

Lunch: 11:45 a.m.

Reconvene: 1:10 p.m.

Adjourn: 3:47 p.m.

CLOSED SESSION

There was nothing to report out of closed session.

BOARD OF SUPERVISORS

- 1a) **Closed Session - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9. Number of potential cases: One.
- 1b) **Closed Session--CAO Performance Evaluation - PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Government Code section 54957. Title: County Administrative Officer.
- 1c) **Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS.** Government Code Section 54957.6. Agency

designated representative(s): Marshall Rudolph, Brian Muir, and Jim Arkens. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

- 1d) **Conference with Legal 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: claim for damages presented by Carole Flick.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2) APPROVAL OF MINUTES

M11-283 Action: Approve minutes of Regular Meeting held on November 15, 2011.

Johnston moved; Hansen seconded

Vote: 4 Yes, 0 No, 1 abstain: Hunt

3) BOARD MEMBER REPORTS

Supervisor Bauer:

- There is an active fire council in June Lake (Supervisor Johnston was referring to a Forest Service issue in his board report).
- Saturday, hosted breakfast with Santa (she counted 70 kids in June Lake).
- Yesterday her parents moved out of June Lake.
- January 10, 2012 – Peterson Tract Roads item on agenda.
- CAPP Program – discussion about how to approach with YARTS proposal?
- Two updates from state on budget.
- Discussion of CSAC's ballot measure – on agenda? We need this discussion.
- Allen Tenille doesn't work for McKeon anymore; Chris Perry is now there.

Supervisor Hansen:

- 12/7 – attended RCD in Bridgeport.
- 12/9 – attended WRID in Yerington.

Supervisor Hazard:

- Headed to RCRC after last week's board meeting.
- 12/7 – RCRC meeting, lots of good discussion on realignment, SRA fees; had a meeting with Department of Finance, State of California in reference to ERAF monies.
- 12/8 - met with Kristin Olsen and her staff. He hand-carried letter from Larry regarding tax issue, appears to be taken care of.
- Requesting Repeal of Repeal by Senator Cox on deputy residence requirements; also Veteran's affairs discussion.
- Upon returning to the county, met with Planning staff and Forest Service Reps re: land exchange at Tom's Place; going to have to start at square one.
- 12/9 –Chalfant office hours.

- Also received email from Bob Peters regarding propane issue and did follow up inquiries.
- Spoke about letter he had drafted for Congressman McKeon's office regarding land exchange with Mammoth Mountain.

Supervisor Hunt:

- Thanked everyone for working with him in his absence.
- Attended Economic Development Sub-Committee Meeting: corridor management plan is underway right now to help develop economic strategy; Tourism Commission will be leading the process.
- Thanked Bob Peters for email regarding Turner Gas/Amerigas issue.

Supervisor Johnston:

- Attended the Mammoth Nordic season kick-off meeting on December 12th – they have a good program outlined for this winter; will be grooming trails in vicinity of welcome center and other locations; they also have a “snowschool” program with the schools; well attended.
- Attended Planning Commission meeting to see what was happening with track facility use permit – it was approved. Still need to resolve the dark sky lighting issue.
- Noted problems in the Sierra Valley sites in Mammoth – old furniture, litter – asked how/if we can we help that some way through our solid waste division.
- Town promoting ice skating for county employees – reduced rate for ice skating at recently reopened ice skating rink.
- For future: heard that Riverside County was considering charging inmates for incarceration – would like discussion/follow-up at some point.
- Some County staff members would like more opportunities within county offices to separate/recycle – solid waste division to follow-up?
- Some constituents noted the significant insect tree kill/fire hazard at June Mountain and wondered why Forest Service hadn't prioritized clean up there vs. thinning along Hwy 395 for example? Could we have an update from the Forest Service on the process?
- County has staff that goes out and harvests Christmas trees for county offices - maybe we should buy trees from local non-profits?
- Asked status on animal shelter light regarding dark sky complaint?

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:

- Regular monthly management team meeting; Social Services Christmas party was that same day.
- Status meetings ongoing.
- Friday – Rural County CAO meeting; discussed a lot of regional issues.
- Antique phone is installed in phone booth downstairs.
- County Christmas tree installed on lawn and is now decorated.
- He and Brian had phone conference regarding trigger cuts (brief discussion about budget shortfalls).
- Ongoing personnel issues.

DEPARTMENT REPORTS/EMERGING ISSUES

(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Tom Perry:

- Update on Walker Community Center.
- Things are virtually unchanged; still awaiting for approvals, determination from Fire Marshal. Will then be able to get more specific as to what is needed; when project can be completed.

Lynda Roberts:

- Election related announcement: 12/30/11 is the day when forms will be ready for those who want to be candidates and wish to collect signatures in lieu of filing fees.

Dan Lyster:

- Consent agenda item next week, extending term of Environmental Consulting Group contract. They are asking for renewal until June of next year. Just found out there will be a scope of work change and budget change as well.

Garrett Higerd:

- Update on the Rock Creek Road Rehabilitation Project. Construction is still a ways out on this project. Discussion about bike lane. Climbing lane seems adequate.
- He passed on results (to HWA) of Quincy Engineering study; they are keeping this in mind as they work on drainage portion of project.

Matt Carter:

- In January there will be another discussion on waiver of fees. If a grass roots effort comes up, it will be up to Jim Arkens to pass that along.
- Supervisor Hansen: it takes somebody to take initiative to go and pick up somebody's trash.

Stacey Simon:

- Brief update on Walker River Water Leasing Program – Friday Supervisor Hansen attended meeting. New regulations coming. Relates to storage water in Bridgeport and Topaz reservoirs. Would allow use of stored water outside boundaries of district and for non-agricultural purposes. Also, RCD interested in working with WRID/NFWF/County to implement short-term leasing program (storage water only) within Mono.
- Supervisor Hazard – AB 1387, phone conference taking place tomorrow with CSAC representatives. Should he attend? (Call not confirmed yet but she will include him when it is.) He is available after 3:30 if that is a possibility.

Jody Henning:

- Update on Mammoth Mountain appeal – In October of this year, all parties spent two days discussing all appeals. Determined that a downward adjustment was necessary.
- Board asked for a full report; needs to be agendized.
- She brought this to the board now because there have been leaks that the county settled with the Mountain. She wanted to make this public.

Marshall Rudolph:

- FTC Staff teleconference regarding merger of Amerigas and Turner Propane. Been discussed at some RPACS. Marshall, John Vallejo, Bob Peters, two staff attorneys plus economist from FTC, Dave Wilbrecht and others – general comments and feedback. Without lack of competition, you could end up with adverse results. Their next step might be to file litigation; at that point Board

- involvement might be necessary. antitrust@ftc.gov – to email.
- Supervisor Hazard: he also did some follow up on this issue.

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

- 5a) **Mono Basin Regional Planning Advisory Committee Appointment -**
Appointment of Alex Fores as a member of the Mono Basin Regional Planning Advisory Committee, as recommended by Supervisor Bauer.

M11-284 Action: Appoint Alex Flores to the Mono Basin Regional Planning Advisory Committee, to fill the vacancy created by Beth Long; term of appointment will expire December 31, 2011.

Bauer moved; Hunt seconded

Vote: 5 yes; 0 No

COMMUNITY DEVELOPMENT - BUILDING DIVISION

Additional Departments: County Counsel

- 6a) **Ordinance amending section 15.04.120 of the Mono County Code -**
Proposed ordinance amending section 15.04.120 of the Mono County Code, pertaining to the construction board of appeals.

ORD11-15 Action: Adopt proposed ordinance, amending section 15.04.120 of the Mono County Code, pertaining to the construction board of appeals.

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) **Juvenile Hall CSA Inspection Letter -** Letter to the Probation Department (with a copy sent to the Chairman of the Board) detailing the recent Biennial Inspection of the Juvenile Hall, correction plans and outcome of such inspection. This is informational only for the Board.

The Board acknowledged receipt of the correspondence.

BOARD OF SUPERVISORS

- 8a) **Resolution of Appreciation, Kelly Garcia -** Resolution of appreciation

honoring Kelly Garcia upon her retirement from Mono County.

M11-285 **Action:** Approve resolution of appreciation honoring Kelly Garcia upon her retirement from Mono County.
Hunt moved; Bauer seconded
Vote: 5 Yes; 0 No

Supervisor Hansen:

- He read resolution to Kelly Garcia and presented her with it.

INFORMATION TECHNOLOGY

Additional Departments: Finance

9a) **PC Internal Service Fund** (Clay Neely) - This Board has asked us to look into setting up a computer pool service fund similar to the car service fund. We have evaluated an internal service fund and it is not cost effective because of the short useful life of PC's, the complexity of the different software and use requirements. We intend to solve the problem of departments not replacing PCs in a timely manner. IT will provide a list of computers to be replaced and the associated cost as part of each budget preparation cycle. Finance will verify that the cost is included in each department's proposed budget.

Action: None.

Clay Neely:

- Was asked to look into creating an internal service fund; have found this will not be cost effective.
- There is a lot of variation of usage throughout the county; doesn't make sense to set up standard fund.
- Instead, IT proposes to keep track of computers to be replaced and make recommendations as needed.
- The recommendation(s) will be included in each department's budgets every fiscal year.

Supervisor Johnston:

- How do we know computers won't be replaced before it's needed?

Supervisor Hazard:

- Feels that the issue has been looked at and addressed.

PUBLIC WORKS - ROAD DIVISION

10a) **Functional Classification Change** (Jeff Walters) - Proposed resolution authorizing Public Works Department to submit to Caltrans a Functional Classification Change for Hot Creek Hatchery Road and Airport Road in Mono County. The functional classification change is due to the increase in flights and resulting traffic along these two access roads to the Mammoth - Yosemite Airport.

R11-86 **Action:** Adopt Resolution No. 11-86, "A Resolution of the Mono County

Board of Supervisors Authorizing the Public Works Department to Submit a Functional Classification Change for Local Streets and Roads to the State of California, Department of Transportation."

Johnston moved; Hunt seconded

Vote: 5 Yes; 0 No

Jeff Walters:

- Asking to submit a functional classification change for Hot Creek Hatchery Road and Airport Road to Caltrans in order to pursue federal funds for road improvements.
- Once resolution is signed, he'd bring to Local Transportation Commission then to Caltrans with a map/chart. Then it's sent to Caltrans headquarters; hoping to upgrade these to: 'major collector'.
- Chart in package: went over details or airport use, etc. There is a potential for much more usage on these roads in the future.
- There will be more survey data available.
- Also handed out cost to plow roads.
- The number of flights coming in could affect the snow plowing schedule.

Supervisor Johnston:

- Evolved out of LTC discussion.
- He's happy to support this.

Supervisor Bauer:

- Finally seeing a measure of success on our own data.
- Will number of planes coming and going affect this?

Supervisor Hunt:

- Nice to see collaboration of the Town.

Supervisor Hazard:

- What is status of Town and their portion of the road? Still not clear as to what the plan is.

HUMAN RESOURCES

Additional Departments: Mental Health

11a)

Human Resources - Mental Health (Jim Arkens, Ann Gimpel) - Proposed Resolution R11-___, approving an employment agreement with Richard Bonneau and prescribing the compensation, appointment, and conditions of said employment. The position is a part-time, unbenefitted Alcohol and Drug Counselor.

R11-87

Action: Adopt proposed resolution #R11-87, approving an employment agreement with Richard Bonneau and prescribing the compensation, appointment, and conditions of said employment.

Hunt moved; Hansen seconded

Vote: 4 Yes; 1 No: Hazard

Jim Arkens:

- Contract for a part time individual for alcohol/drug counseling.

Supervisor Hazard:

- Will not be supporting this contract.

11b) **Allocation report (Jim Arkens) - Presentation by Jim Arkens regarding County Allocation report.**

R11-88 Action: Approve Resolution # R11-88, approving an Updated List of Allocated Positions for the 2011-2012 Fiscal Year.
Hunt moved; Johnston seconded
Vote: 5 Yes; 0 No

Jim Arkens:

- Went over changes to Allocation List (copy of which is attached to the resolution itself).

Brian Muir:

- Board doesn't approve hires if position isn't previously allocated.
- This list keeps positions updated during the year.

Marshall Rudolph:

- Good way to memorialize the Board's actions on positions, hiring, etc.

Supervisor Johnston:

- Why do we need to do this?

Supervisor Hazard:

- He has been receiving complaints that there are too many Animal Control officers.
- He had invited the individual making the complaints but doesn't see this person at either the Mammoth meeting room or here in the Board room.
- He's asked that Nancy Boardman and Planning agendaize this for community discussion (for Swall Meadows/Paradise area).
- He feels comfortable with the Animal Control staffing levels but is willing to keep communications open.

Supervisor Hunt:

- In regards to Animal Control, was there some discussion about turning it over to police department?

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

FINANCE

12a) **Funding Request from Forest Service Eastern Sierra Avalanche Center (Sue Burak) - Consider funding request from Forest Service Eastern Sierra Avalanche Center.**

ITEM PULLED Action: ITEM PULLED

COMMUNITY DEVELOPMENT - BUILDING DIVISION

13a) **Additional Construction Stimulus Strategies Workshop (Brent Calloway) - Presentation/workshop regarding Additional Construction**

Stimulus Strategies.

Action: None.

Brent Calloway (powerpoint, for complete details, see copy kept with file folder for today's meeting):

- Went over history of construction stimulus program.

Additional Construction Stimulus Strategies:

- Alter Mechanics/Funding of Current Stimulus Program.
- Local Contractor Training.
- Prescribed Designs.
- Code Education.
- Green Building Package.
- Additional County Facility Upgrades.
- No Immediate Additional Action.

Wendy Sugimura:

- Explained details about contractor training.

Tom Perry:

- Gave details about prescribed designs strategy.

Scott Burns:

- Building fees are different than other fees.
- At the end of the day, we're not recovering for our staff time.

Board Comments:

Supervisor Hazard:

- Asked question about Local Contractor Training.
- There will need to be additional information on this at a later date.
- Is it truly cheaper to package it? Are these real savings?

Supervisor Johnston:

- He thinks strategy 5 – Green Building Package is the best choice.
- He's happy with this; it's huge PR; connects to working class people; makes a difference as to how people view our government.
- Pretty much throwing out the stimulus now?

Supervisor Hansen:

- He's for strategy three.

Supervisor Bauer:

- She doesn't support any direct stimulus.
- She's for option #3

Supervisor Hunt:

- He's for continuing with current program; wants more information on other strategies. Doesn't support a major change.

Brian Muir:

- This looks and smells like a gift of public funds.

Marshall Rudolph:

- It's not a gift if there is a public purpose to be served. You probably could find a public purpose if you needed to.

Strategy Discussion:

1. Alter Mechanics/funding of current Stimulus Program – 4 wish to move forward.
2. Local Contractor Training – bring back additional information.
3. Prescribed Designs – Everyone supports. Move forward.

4. Code Education – Everyone supports. Move forward.
5. Green Building Package – 3 no; 1 yes, 1 undecided – drop from follow-up list.
6. Additional County Facility Upgrades – continue with what we're doing
7. No Immediate Additional Action – bring back for further review as part of #1 above.

PUBLIC COMMENTS:

Tim Flynn (texted Supervisor Johnston):

- In favor of continuing stimulus.

Steve Barager (Lee Vining resident):

- If they are able to take advantage of the stimulus, they can build a real home in Mono City and create local jobs for contractors.
- They're in favor of continuing the stimulus; they weren't able to take advantage of it at first, but they would like to.

CLERK OF THE BOARD

14a)

Board of Supervisors' Meetings--location change of third monthly meeting (Lynda Roberts) - Reconsider the change in location of the Board's third regular meeting each month from Bridgeport to Mammoth Lakes. Earlier this year, the Bridgeport RPAC passed a resolution expressing their hope that the Board will continue to hold all regular meetings in Bridgeport. A copy of this resolution is included with this agenda item.

M11-286

Action: Direct staff to prepare resolution that will continue the Board's third regular meeting each month from Bridgeport to the Town of Mammoth Lakes, for another year.

Hunt moved; Johnston seconded

Vote: 3 Yes; 2 No: Hansen and Hazard

Lynda Roberts:

- Explained the history of the third monthly meeting in Mammoth.
- It has been a year so we need to discuss this.
- Comment from Clerk of the Board perspective – the south county room is a very difficult room to work in, sound and lighting are not great; it's not permanent, not good recording, takes time to set up. We find we have issues with powerpoint presentations.
- Not so much a location issue but rather a meeting room issue.

BRIDGEPORT RESIDENTS:

Bob Peters:

- Reminded Board he voted against this when he was on the board.
- Whole issue has been to bring county government to Mammoth Lakes; perceived as a need by Mammoth Lakes constituents, he hasn't found that to be the case.
- He's heard from Mammoth people that they need more attention; that they don't even know who their supervisors are.
- RPACS give communities voices on local issues, Mammoth doesn't have that feature – no RPAC. They aren't perfect but they do work. Mammoth deserves that same opportunity.
- Most important thing to Bridgeport constituents is the perception that piece by

piece county government is moving south. Bridgeport still remains the county seat. Creates an economic engine for the town.

- Meeting in Mammoth has not generated much interest.
- Video conferencing is not a good substitute.
- Moving the third monthly meeting to Mammoth has had a negative impact on Bridgeport.
- Solution: The board should authorize the creation of RPACS or DPACS in Mammoth (each district in Mammoth). Should consider holding quarterly evening meetings in Mammoth to get information from the DPAC meetings in Mammoth.
- Gave out information outlining his points.

Janelle Mills (Chairperson for Bridgeport RPAC):

- She read the RPACs resolution to the Board, for the record.

Board Comments:

Supervisors Johnston:

- Reason he hasn't pursued an RPAC (or DPAC) in Mammoth is economics; it is still on his radar, however.
- He suggests that to ignore 12,000 of the 14,000 in Mono County (not having one meeting per month there) will cause the County seat to be moved to Mammoth.
- He thinks the last year's meeting locations have been an excellent compromise. He feels there has been excellent attendance in Mammoth, even if only by Mammoth staff.
- He's not saying to give up the courthouse or move the county seat; he doesn't think that should occur.
- He's in total favor of one meeting per month to continue in Mammoth.
- Likes the idea of a different venue. Likes the idea of sharing resources with the town.

Supervisor Bauer:

- She has not changed her opinion. A large chunk of our population is in Mammoth and we need to service them.
- Data supports the position of having the Mammoth meeting.
- Mono County doesn't have jurisdiction over planning in Mammoth; we can only reach them through our normal board work.
- She's still in favor of the monthly meeting in Mammoth; she does want Lynda to work with Clay Neely in IT to get technical and other problems resolved.
- The county seat is not going to change; we can give Mammoth one meeting a month.
- We should have the resolution item on the consent agenda so as not to rehash.

Supervisor Hunt:

- He agrees with first two Supervisors.
- He understands the economic reasoning for three meetings in Bridgeport; he's been trying to create other meetings in Bridgeport. He's also committed to maintaining county seat in Bridgeport.
- He has a personal commitment to the constituents in his district; they deserve this meeting in Mammoth.
- In regards to the poor facility, we can come up with ways to address this.
- He has tried office hours in Mammoth, hard thing to do.
- He's in favor of the Mammoth monthly meeting; he suggests we do it for

another year.

- Over next year, make further effort that items on Mammoth meeting agenda are specific to South County.
- We need to look at a different venue down there, maybe Suite "Z"?

Supervisor Hansen:

- Agrees that the room in Mammoth is shoddy; needs improvement.
- He sees a lot of people from Bridgeport driving down to Mammoth for third meeting, makes no sense at all.
- He's open to special meetings.
- He doesn't agree that Mammoth is not being served if a meeting doesn't occur down there; doesn't think data supports the third monthly meeting.

Supervisor Hazard:

- A year ago he thought the third meeting in Mammoth wasn't a good idea; he doesn't think all the technology in the world is going to make the room any better.
- Room and technology is terrible.
- We are talking about video vs. bodies; we're not talking about taking away the videoconferencing option.
- He doesn't think any of the Supervisors have gone to the Council meetings to address any of the Town's questions.
- He doesn't think accessibility issues are valid.
- If we are going to be concerned with citizens in South County, we need to be consistent across the board with what we're concerned with.
- He sees no reason to change is opinion; he does not support the third monthly meeting in Mammoth.

ADJOURNMENT

ATTEST:

DUANE "HAP" HAZARD
CHAIR

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD

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