



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

Special Meeting
January 29, 2013

Mammoth Lakes CAO
Conference Room, 3rd
Floor, Sierra Center Mall,
452 Old Mammoth Rd., Suite
306, Mammoth Lakes, CA
93546

Flash Drive	Portable Recorder
Minute Orders	M13-17 through M13-18
Resolutions	R13-06 NOT USED
Ordinance	Ord13-01 NOT USED

9:0 AM Meeting called to order by Vice Chair Johnston.

*Supervisors Present: Alpers, Fesko, Johnston and Stump.
Supervisors Absent: Hunt.*

Pledge of Allegiance led by Supervisor Stump.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

REGULAR AGENDA

BOARD OF SUPERVISORS

- 1a) Certificate of Appreciation - Present Certificate of Appreciation thanking a departing employee for their service.

Action: None.

Supervisor Johnston:

- Presented Certificate of Appreciation to Jim Arkens, CAO.

INFORMATION TECHNOLOGY

- 2a) Letter to CPUC regarding Verizon deadline extension request (Nate Greenberg) - Request the Board send a Letter to California Public Utility Commission (CPUC) in response to Verizon's request for a deadline extension regarding the Crowley Lake/Swall Meadows Broadband Project.

Note

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M13-17

Action: Approve letter, to be amended as discussed, and authorize signature by Vice Chairman of the Board.

Stump moved; Fesko seconded

Vote: 4 yes; 0 no; 1 absent: Hunt

Nate Greenberg:

- Pertaining to broadband project in Crowley and Swall Meadows; explained history of item.
- Verizon is asking for an extension of the original deadline; there were originally two resolutions associated with this.
- Various letters have been written; county has been told that Verizon was on target to meet deadline; community members were told to expect DSL service by the 28th.
- Purpose of board letter (to be signed today) is to underscore points made in Nate's first letter, which suggested that Verizon make service available to Paradise, perhaps as a penalty.
- Issue of broadband definition – they lost higher speed argument but won time argument. Wasn't raised again in this letter.
- In theory, with or without the grant, they are required to provide service.

Ron Day, Eastern Sierra Connect:

- They also contributed letters; are supportive of Board's letter on today's agenda.

Steven Kalish, Swall Meadows:

- Compliance staff person at CPUC asked if Board could deliver something this week.
- He doesn't know why project has been delayed. There is every reason to believe that additional broadband service to Mammoth has also not been delivered.
- The CPUC needs to deliver service sooner rather than later. It is not clear what they are going to do. Verizon will most likely come back with something else.

Supervisor Stump:

- Sunny slopes already has some service; Paradise does not.
- He did attend the August Board Meetings where this was discussed. He gave Nate his support in writing his first letter.
- Complimented Steven Kalish on work already done.
- To add to new letter: it's unclear why service hasn't been approved.

Supervisor Fesko:

- Asked about the letter already sent by Nate; he has already sort of dictated the Board's direction.
- He is asking for additional information prior to staff making future decisions that maybe the previous board has already weighed in on.
- Are they held to previous definition of broadband?
- Agrees that any penalties should benefit county.

Supervisor Johnston:

- What if they say they don't want the grant?
- Maybe add suggestions to the letter of what they can do; what services they *can* provide? Also, say that they are "reiterating", on first sentence.

Marshall Rudolph:

- There was a need to reply to the CPUC by last Friday; there was no board meeting prior to that time.
- This issue has been discussed many times by previous board and Nate was only reflecting the direction by the previous board.

Additional Departments: Public Works

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- 2b) Praxis request to remove snow on Green Creek and Dunderberg Meadow Roads (Nate Greenberg, Jeff Walters, Michael Ort) - Hear Praxis' request to remove snow on Green Creek and Dunderberg Meadow Roads for the purpose of accessing vaults to install fiber optic cable before February 15, 2013.

M13-18 **Action:** Approve request to remove snow (to be memorialized in an agreement to be reviewed by County Counsel); including language that allows county to recover any associated costs.

Johnston moved; Alpers seconded

4 yes; 0 no; 1 absent: Hunt

Nate Greenberg:

- This is a time constraint issue before Board where there are limitations on work currently being done by Praxis.
- Snow removal needs to be done by 2/15 – needs to be moved for work to continue.
- How do people access areas for recreational purposes?

Dave Arndel, Praxis:

- In next two weeks this snow needs to be moved to progress with project.
- Gave description of type of equipment they are planning to use; crews to be used, etc.
- A surveyor needs to be out front. Maybe blow one lane, then another.
- Cable reels are 5,000 lbs. apiece. Compressor is 4,000 lbs. No way to get good splices.
- You could go back and fix bad splices.
- They are held to these dates by Fish and Game.

Jeff Walters:

- Wants Praxis to finish job as soon as possible.
- Concerns: What is the skill level of people that will clear snow? There are no snow poles, what about damage to vegetation? How will area be cleaned up after plowing?
- They request plowing be done two lanes wide and Mono County will want to inspect what's going on.
- Brett McCurry has been doing all inspections; he would add this to his list. It would be periodic. There is no additional charge for any inspection work.
- We can continue to operate the way we are; don't need another person.

Supervisor Stump:

- Preferred method would be to have Praxis do the work themselves?
- If you know the location of vaults, etc. can't you go over the snow?
- If you had bad splices and had to go back, could you?
- Would this require periodic inspection by the county, how much, overtime, etc?
- Would we need to hire another person to do inspection?
- Does Humboldt-Toiyabe Forest need to be notified?

Supervisor Johnston:

- Any issues with drainage structures?
- Will this affect public access? What are closure options when you are done? Public should be kept out; need a hard closure of some type.
- Make sure Forest Service is contacted.

Supervisor Fesko:

- Do we have bonds with Praxis to protect the county in case of damage?
- What happens next spring if Praxis has already blown cable and is no longer in the area and there are problems?

Marshall Rudolph:

- Under the license agreement with California Broadband Cooperative, we have bonds,

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insurance, and hold harmless provisions with respect to use of our rights of ways and completion of the project.

- In the license agreement, where we have given them permission to use our rights of way, we have a lot of remedies and are well covered.
- The plowing of the road is not in the license agreement; these types of cost issues are not covered by the agreement in place.
- If Board approves this, he would anticipate some paperwork being drawn up.
- If Board is comfortable to have CAO/Public Works deal with paperwork (with review by Count Counsel), it doesn't have to come back to the board.
- You can post a sign saying "not plowed beyond this point, not county's responsibility".
- In Agreement, it's clearly spelled out that other agencies need to be contacted, etc.

BOARD OF SUPERVISORS

Closed Session: 10:00 a.m.

Adjourn: 12:45 p.m.

There was nothing to report out of closed session.

- 3a) Closed Session - CAO Position - PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer.
- 3b) Closed Session - Director of Facilities and Risk Management - PUBLIC EMPLOYMENT. Government Code section 54957. Title: Director of Facilities and Risk Management.
- 3c) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph 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.

ADJOURNMENT 12:45 p.m.

ATTEST:

LARRY JOHNSTON
VICE-CHAIR

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD

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