



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

February 12, 2013

9:02 AM Meeting Called to Order by Chairman Hunt.

Pledge of Allegiance led by Supervisor Johnston.

*Supervisors present: Alpers, Fesko, Hunt, Johnston and Stump.*

*Supervisors Absent: None.*

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

**Lisa Isaacs:**

- As Clean Air Administrator, providing county with grant seed money for a solar project.
- She encourages that the CAPP block grant seed money gets spent soon; it has to be spent (\$35,000 for seed money).
- Energy Audits need to be done in conjunction with renewable energy.
- Marshall Rudolph: there was an energy audit done in the past.
- Introduced Dan Modisette (Efficient Energy, LLC)
- Discussion about legislative bill (SB 43). She'll come back later with a letter that she hopes the Board will support.

**Dan Modisette (Efficient Energy, LLC):**

- Various opportunities existing in Mono County regarding Solar, etc.
- He's just trying to get to know everybody and see what solar opportunities there are here. Look at projects that have an existing load that can possibly be installed this year to take advantage of grant monies available.
- Supervisor Stump: asked for definition of existing load.
- Supervisor Hunt: He's interested in pursuing projects like this; would be beneficial to the county. Need to get an item agendaized for March or early April; he will work with Lisa and Dan Lyster on this item.
- Supervisor Fesko: Lisa: there's an existing block grant we have?

*Closed Session: 9:16 a.m.*

*Break: 10:31 a.m.*

*Reconvene: 10:35 a.m.*

*Lunch/Closed Session: 12:10 p.m.*

*Reconvene: 1:33 p.m.*

*Closed Session: 2:46 p.m.*

*Adjourn: 5:15 p.m.*

## CLOSED SESSION

### **Supervisor Hunt:**

- Jeff Walters will be the acting Public Works Director.

## BOARD OF SUPERVISORS

- 1a) Closed Session - CAO Position - PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer.
- 1b) Closed Session - Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Luman v. Mono County.
- 1c) Closed Session - Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph and Lynda Salcido. 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) Closed Session - Public employment - PUBLIC EMPLOYMENT. Government Code section 54957. Title: Interim/Acting Public Works Director.
- 1e) Closed Session - Real Property Negotiations - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: Sierra Center Mall (452 Old Mammoth Road, Mammoth Lakes, CA). Agency negotiators: Marshall Rudolph, Lynda Salcido, and Vianey White. Negotiating parties: Mono County and 452 OM Rd. LLC and Highmark Mammoth Investments LLC. Under negotiation: price and terms of lease.

## **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

*No one spoke.*

- 2) APPROVAL OF MINUTES

**M13-24 Action:** Approve minutes of the Special Meeting held on January 29, 2013.

**Fesko moved; Johnston seconded**

**4 yes; 0 no; 1 abstain: Hunt**

- 3) **BOARD MEMBER REPORTS**

### **Supervisor Alpers:**

- Attended Fisheries Commission meeting; ongoing discussions regarding Conway Ranch.

- Past Saturday, service for Beth Strelneck; very highly attended in Lee Vining.
- At Rotary Winterfest, there was great representation of county management.
- Received call from Bart Hall: he's been invited to be a roving Ambassador for our county.

**Supervisor Fesko:**

- Continued to meet with county staff; there's so much hope right now.
- Antelope Valley RPAC; discussed area plan updates.
- LTC meeting yesterday.
- Met with District Ranger for Inyo Forest.

**Supervisor Hunt:**

- Last week, Tim, Marshall and himself went through list of candidates for Financial Officer.
- Rotary had Winterfest celebration on Saturday.
- Attended Miracle Worker play Sunday afternoon.

**Supervisor Johnston:**

- Mono County Local Transportation Commission – Supervisors Fesko and Stump also there; moving forward setting goals, etc.
- Met with Dan Modisette regarding solarization projects.
- Met with Chief Probation Officer Karin Humiston.
- Great Basin Air Pollution Control District: continues to be successful in court actions. Next meeting March 7<sup>th</sup>.

**Supervisor Stump:**

- Attended LTC meeting; potential funding mechanism changes being considered in Sacramento. One would be devastating to the amount of money our county receives.
- Met with Karen from Eastern Sierra Land Trust; discussed Conway Ranch; she brought him up to speed on various projects.

## COUNTY ADMINISTRATIVE OFFICE

4)

### CAO Report regarding Board Assignments

**Action:** Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

**Lynda Salcido:**

- Continued former meetings set up by Jim Arkens.

## DEPARTMENT REPORTS/EMERGING ISSUES

(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

**Lynda Roberts:**

- Just for information, SB991 authorizes a County Supervisor to solemnize marriage while in office, in case any Supervisors wish to do this.

**Sheriff Obenberger:**

- Two new deputies hired yesterday; came from Mammoth Lakes Police Department. MLPD now down to ten bodies.
- Supervisor Fesko: Asked about training required for new officers.
- Taft Community Correctional facility – Fesko gave him some info.

**Garrett Higerd:**

- Mono LTC update: proposed change to the FHWA's Urban Boundary designated around Town of Mammoth Lakes. Purpose: to apply for future federal funding. Next Tuesday, Board can review that boundary and potentially adopt it.
- Upper Rock Creek Project is a very successful road project, a portion of it in Inyo. There's been a shuffle in the federal level.

**Karin Humiston:**

- Introduced two employees.
- Orlando Mejia – been with probation six months; Deputy Probation Officer who supervises the Banked Caseload (Low Risk) and the Juvenile Interstate and Residential Treatment kids.
- Erin Knight – Probation Aide: She has been with Probation for 5 years. Handles juvenile transports; a lot from Inyo. A lot of time on the road. Working on new outreach to Girl's Circle.

### 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.)

### ELECTIONS

- 5a) Election Costs--School Districts - School Districts' share of costs associated with the November 6, 2012, General Election, pursuant to Elections Code section 10002, Education Code section 5420, and Education Code section 5421.

**M13-25** **Action:** Approve the invoices addressed to Mammoth Unified School District in the amount of \$3,020.99, and Eastern Sierra Unified School District in the amount of \$2,869.65, for their share of costs associated with the November 6, 2012, General Election.

**Johnston moved; Fesko seconded**

**Vote: 5 yes; 0 no**

### BOARD OF SUPERVISORS

- 6a) Local Transportation Commission--Alternate Appointments - Supervisors Fesko, Johnston, and Stump were appointed by the Board of Supervisors on January 8, 2013, to serve on the Local Transportation Commission for 2013. These appointees have recommended persons to be appointed by the Board of Supervisors as alternates. Supervisor Fesko is requesting the Board appoint Tim Hansen as his alternate; Supervisor Johnston is requesting the Board appoint Tom Farnetti as his alternate; and Supervisor Stump is requesting the Board appoint Lynda Salcido as his alternate.

**M13-26** **Action:** Appoint Tim Hansen, Lynda Salcido, and Tom Farnetti to serve as alternates on the Local Transportation Commission for 2013.

**Johnston moved; Fesko seconded**

**Vote: 5 yes; 0 no**

### SHERIFF CORONER

- 7a) Off-Highway Vehicle (OHV) Grant Program Participation - The Mono County Sheriff's Office has operated a winter Off-Highway Vehicle (OHV) program for more than fifteen (15) years. The OHV program has provided monies for over the snow vehicles, trailers, and a town vehicle. The grant covers equipment purchases, maintenance, and salary costs to conduct enforcement and safety patrols in Mono County.

The proposed Grant Program for 2012-2013 will provide funding for Off-Highway Vehicle (OHV) enforcement, wilderness intrusion abatement, and a level of safety for visitors and residents.

- R13-07**      **Action:** Adopt proposed Resolution R13-07, approving the application for state off-highway vehicle grant. Among other things, the resolution would authorize the participation in the 2012-2013 Off-Highway Vehicle Grant Program and name Sheriff Ralph Obenberger as the authorized representative of the Mono County Sheriff's Office and Sergeant Jeff Beard as the Grant Administrator for the Mono County Sheriff's Office.  
**Johnston moved; Fesko seconded**  
**Vote: 5 yes; 0 no**

- 7b)      Sheriff's Department Boating and Waterways Grant for FY 2013-2014 - The Mono County Sheriff's Department has received its annual Grant Contract from the California Department of Boating and Waterways in the amount of \$131,065.00 for fiscal year 2013-2014. This grant funds boating safety programs and law enforcement on the waterways of Mono County.

- M13-27**      **Action:** 1. Authorize the Sheriff's Department to participate and renew the contract with the California Department of Boating and Waterways for fiscal year 2013-2014. 2. Authorize the Board of Supervisors to sign the contract via Minute Order with the California Department of Boating and Waterways for fiscal year 2013-2014. 3. Authorize Sheriff Ralph Obenberger to sign the contract and all reimbursement forms for said contract.  
**Johnston moved; Fesko 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

- 8a)      No Correspondence -  
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### INFORMATION TECHNOLOGY

#### **Additional Departments:** Praxis

- 9a)      Digital 395 Construction Status Update (Michael Ort) - Provide an update on Digital 395 construction.

**Action:** None.

**Michael Ort, Praxis (powerpoint, handed out will be posted to web):**

Digital 395 - Project Overview:

- Project Status.

- Rights-of-Way and Permits.
- Historical and Cultural Monitoring.
- Segment Maps – 84 PA Segments.
- Construction.
- Conduit Construction.
- Fiber Placing Underway.
- Construction Progress.
- Node Construction.
- Node Status.
- Anchor Status.
- Mono County Issues.
- Restoration Assurances.

Further discussion:

- Cities and counties are well covered by the protection that Praxis has in place.
- Mentioned website: [www.digital395.com](http://www.digital395.com).

**Supervisor Stump:**

- Fire Districts – receiving free service or free installation (Ort: Installation).
- Round Valley Service? (Ort: will be extended there.)
- Private water company needs restitution as soon as possible.

**Supervisor Johnston:**

- Asked about how many miles are actually completed? (Ort: approximately 600.)
- Mammoth issue: coming up Hwy 203? (Ort: decided to look at going directly out 203 to 395; it's the work done right in Town that's an issue.)

**Supervisor Fesko:**

- 350 miles to go? How are they looking on time? (Ort: mostly completed by April; comfortable that for the most part, timeframes will be met.)
- Inquired about new contractors.

**Supervisor Alpers:**

- Asked for a business card.

**Supervisor Hunt:**

- Thanked him for the update.

9b) Digital 395 - Planning for the Last Mile (Nate Greenberg) - Provide a status update to the Board on Digital 395, including general direction and next steps associated with the development of the County's Last Mile Provider Plan.

**Action:** None.

**Nate Greenberg (Powerpoint, copy to be kept in today's agenda folder):**

Digital 395: Planning for the Last Mile

- His intention is to bring new Supervisors up to speed; appreciates the engagement of everyone. Thanked Ron Day and county staff as well.
- Topics: Getting Digital 395 to the people; Last Mile Provider Plan next steps.
- Digital 395 Background.
- Mono County: Last Mile Provider Plan.
- Draft Policy Development.
- Eastern Sierra Connect: Background.
- ESCRBC Organizational Structure.
- ESC's Broadband Survey.
- The Work ESC Does For.....
- RPAC Outreach.

- RPAC Feedback: Internet Service, Service Distribution.
- General Themes.
- Technical Advisory Committee.
- Next Steps: Internal Products, External Products.
- Other Items.
- Questions?
- Recommendation #1: Conduit in Streets.

Further Discussion:

- RPAC mailing lists; standard distribution channels, etc.
- Small business outreach: will it work? Use a timeline to measure success once they have web presence; a case study.

**Ron Day:**

- They have same questions as Supervisors as to whether various outreach/ideas will work.
- We need to try projects, see what happens.
- Free vs. not free internet service. He thinks it should ultimately be free.

**Supervisor Fesko:**

- Underground vs. existing poles – when the price point was discussed, most people were o.k. with poles.
- As far as economic development, he'd love to see Bridgeport, Lee Vining, Mammoth actually become internet friendly towns, with easy access. Should be free.

**Supervisor Johnston:**

- Number #1 problem is utility problems when disasters occur. If the lines were underground, service would not be disrupted as much IF we have disasters.
- Not convinced that underground policy should be tweaked much right now.

**Supervisor Alpers:**

- How will information be distributed? Where?
- Public Outreach: asked about small business outreach, what kind of detail? Need to get from potential to reality as soon as possible.

**Supervisor Stump:**

- Pointed out Ron Day is not getting rich doing this; he thanked him for all his time.

**Supervisor Hunt:**

- Seconds Stump's recognition.

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**LUNCH**

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**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

*No one spoke.*

**FINANCE**

- 10a) Discuss Possibility of Establishing a Treasury Oversight Committee (Rose Glazier) - Discussion about the possibility of establishing a Treasury Oversight Committee.

**Action: None.**

**Rose Glazier:**

- Mentioned code section applicable to item; Marshall passed out past applicable resolutions (from 1996 and 1997).
- This committee would meet quarterly; would report back to board after quarterly

meetings.

- Auditors audit all of the Treasurer's investments. Everything is in accordance with the investment policy.
- Handed out proposal from PFM Asset Management LLC. Wanted to make sure that Board has all the options available.
- She's currently watching all the investments carefully; some are getting called.
- She has been trying to connect with Mammoth regarding investing with them; she had person in Tracy look at our portfolio.

**Marshall Rudolph:**

- Audit required in statute is the policy itself; Marshall did it in house. To do now voluntarily, he suggests hiring someone outside his office.
- Role of committee: make sure investments made by Treasurer are within the boundaries of the policy.
- The committee was abolished some time ago.

**Supervisor Hunt;**

- Feels this discussion is premature due to the fact that we are in the process of hiring a new Finance Director.
- Should be reviewed again after that happens, does think it's important.
- How will it be structured?

**Supervisor Johnston:**

- Feels that there should be an oversight committee; millions of dollars should not be in the hands of one person. A lot of money, a lot of risk.
- This needs to be done sooner rather than later; from public transparency point of view. Maybe a month or two, at least get in motion?
- Future agenda – maybe Rose could come up with specific recommendations? Would like to see this handled within six months.

**Supervisor Fesko:**

- He agrees that we can wait awhile but that we need one.

**Supervisor Stump:**

- We need an oversight committee; we can begin looking at structure.
- We need to think about who we would want on committee, move towards that.

**Supervisor Alpers:**

- We definitely need the Finance Director on board; agrees with the need for the committee however.
- Asked what the trend is with investments?

## SOCIAL SERVICES

### **Additional Departments: HR**

- 11a) Proposed Resolution Approving a Limited Term Appointment under 170.F.5 of the Mono County Personnel System (Kathy Peterson) - Proposed resolution approving a Limited Term Appointment with Cathleen Young as Social Services Program Manager, and prescribing the compensation, appointment and conditions of said employment.

- R13-08** **Action:** Approve Resolution #R13-08, approving a contract with Cathleen Young as Social services Program Manager, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

**Alpers moved; Johnston seconded**

**Vote: 5 yes; 0 no**

**Kathy Peterson:**

- She wants to keep programs going. Explained the need for this contract.
- Cathleen Young would be eligible to apply for permanent position.

**Supervisor Stump:**

- Is Cathleen Young currently a Mono County employee?

**Supervisor Fesko:**

- Will she be eligible for the permanent position at a later time?

11b) Amendment to Contract with Eastern Sierra Area Agency on Aging for Additional Funds (Kathy Peterson) - Proposed contract amendment with Eastern Sierra Area Agency on Aging pertaining to additional one time funding increase for Fiscal Year 2012-2013.

**M13-28 Action:** Approve County entry into proposed contract amendment and authorize the Mono County CAO to execute said contract amendment on behalf of the County.

**Fesko moved; Alpers seconded**

**Vote: 5 yes; 0 no**

**Kathy Peterson:**

- Any federal dollars left at the end of last fiscal year are redistributed this fiscal year; this is our portion of that redistribution.
- This action would amend the contract already in place for these services.
- This is a one-time increase.

**PUBLIC WORKS - ROAD DIVISION**

12a) Supplemental Agreement - Topaz Lane Bridge Preliminary Engineering (Jeff Walters) - The Topaz Lane Bridge over the Walker River in Northern Mono County requires repair. Funding is available through the State for preliminary engineering. Authorization in the form of a resolution from the Board of Supervisors is required.

**R13-09 Action:** Adopt proposed resolution #R13-09, "A Resolution of the Mono County Board of Supervisors, State of California, Approving Program Supplement Agreement No. 017-N for Topaz Lane Bridge Preliminary Engineering."

**Fesko moved; Alpers seconded**

**Vote: 5 yes; 0 no**

**Jeff Walters:**

- This is an engineering estimate and a resolution is necessary; project already approved previously.
- Would like to get all repairs done this Fall.
- Will go out to bid depending on what happens with actual engineering.

**Supervisor Johnston:**

- Asked about Cunningham Lane bridge (Jeff: that's a different project).

**Supervisor Stump:**

- Swallows are considered protected?

**Supervisor Fesko:**

- Mentioned that the historic nature needs to be preserved.
- Why is Caltrans involved? (Jeff: It's listed on the federal bridge system.)

- If this goes over recommended amount, it comes back to the board, right?

## BOARD OF SUPERVISORS

- 13a) Travel Authorization for Board Members and Staff to Attend East Coast Peer Resort Tour (Supervisor Tim Alpers) - This item is to receive travel authorization to allow and fund a designated Supervisor(s) and two staff members to attend an east coast Peer Resort Tour being sponsored by JMSA/MMSA from February 24-March 1, 2013. This item is being put on the agenda at the request of Supervisors Alpers and Johnston. See Staff report for additional details.

**M13-29 Action:** Authorize Supervisor Johnston and one staff person from Tourism (person to be determined within the Department) to attend the Peer Resort Tour with entire cost to be paid from the Board of Supervisor's budget.

**Stump moved; Alpers seconded**

**Vote: 4 yes; 1 no: Fesko**

### Supervisor Alpers:

- Explained the history of the item.
- This tour will be to explore a particular "niche" of younger families, etc. to apply to running June Mountain and to the sustainability of June Lake in general.
- He is planning on attending and paying out of his own pocket; he feels it's important for Supervisor Johnston to attend.
- He looks at this as a working trip; he will bring a written plan back with him. He could use additional help from County as there are four resorts to visit.
- He doesn't view the socializing portion as a negative thing.
- The sooner that June is on a sustainable basis, the better.

### Supervisor Johnston:

- He is pleased to be invited.
- Explained that \$2,100 would come out of tourism budget; \$2,500 out of Board of Supervisor's budget.
- He's been involved a long time with the Rodeo project; he feels that he is as objective as he can be.
- If the Board thinks it's too much money, he's ok with that too.
- He feels there is a certain amount of momentum going that we shouldn't overlook. We need to take steps toward the Mountain and collaboration.

### Supervisor Hunt:

- He has been on these tours before; they can be meaningful if tools are picked up and utilized. But, sometimes these tours are not a good use of time and perceived as junkets by the public.
- He's torn on this; not sure that we should be spending money on this. Maybe just the staffers should go?
- On the fence as to whether or not the Board should pay for any Supervisors to go.
- Mammoth Mountain has a lot to gain by going back there. Representation from Mono County is important too but the Mountain is going to do what it's going to do.
- He hopes if they do go that we are able to keep our own perspective and not be driven by the Mountain.

### Supervisor Fesko:

- He's on the fence as well; wonders if we are supporting private industry.
- He doesn't think four individuals need to go.
- What's really going to come out of this? He can see Mammoth Mountain people going, not sure about the value of our people going.

**Supervisor Stump:**

- Supervisor Alpers is going on his own dime; there is nothing to discuss about that.
- He has feelings similar to Supervisor Fesko's; would like to hear a bit more from two Supervisors that are proposing to go.
- He's comfortable with two Board members and two staff members going, keeping Board travel budget in mind.

ADJOURNMENT 5:15 p.m.

ATTEST:

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BYNG HUNT  
CHAIR

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SHANNON KENDALL  
SR. DEPUTY CLERK OF THE BOARD

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