

# 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 just below.

MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

# Regular Meeting January 6, 2015

9:00 AM Meeting called to Order by Outgoing Chairman Johnston.

Supervisors present: Alpers, Fesko, Johnston, Stump and Supervisor Elect Corless. Supervisors absent: None.

Break: 10:30 a.m. Reconvene: 10:40 a.m. Closed Session/Lunch: 12:28 p.m. Reconvene: 2:03 p.m. Adjourn: 3:03 p.m.

Pledge of Allegiance led by Supervisor Johnston.

**Ceremonial Swearing in of Newly Elected Officials** Judge Eller will administer the oath of office to Assessor Barry Beck, District Attorney Tim Kendall, Sheriff-Coroner Ingrid Braun, District 1 Supervisor Larry Johnston and District 5 Supervisor Stacy Corless.

- 1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD Bishop Commander introduced CHP Commander Jeff Holt:
  - Spoke a few words.

# 2. APPROVAL OF MINUTES

# A. Board Minutes

Departments: Clerk of the Board

**Action:** Approve minutes of the Regular Meeting held on December 9, 2014, as corrected.

Alpers moved; Fesko seconded Vote: 5 yes; 0 no <u>M15-01</u>

#### Supervisor Johnston:

- On p. 2 of draft minutes, under Supervisor Alpers Board report, should be "Dr. Johnson" not Johnston.
- On p. 3 and 4 of draft minutes the words Bio Mass is one word: "biomass".
- On p. 5 of draft minutes, item #7c, Vote should be: Fesko moved, Alpers seconded; Vote: 4 yes; 1 no: Johnston (with Johnston voting NO).
- On. P. 11 of draft minutes, under Opportunity for Public to Address Board delete "(if they do, change this)".

#### Supervisor Stump:

• On p. 11 of draft minutes, Item #9h, under his comments, "Land Management" should be capitalized.

## B. Board Minutes

Departments: Clerk of the Board

**Action:** Approve minutes of the Regular Meeting held on December 16, 2014, as corrected.

## Stump moved; Alpers seconded Vote: 5 yes; 0 no M15-02

## Supervisor Stump:

- On p. 7 of draft minutes, Item #9a, under his comments, second bullet point, should read, ".....we can see a complete list of proposed projects."
- On p. 9 of draft minutes, item #9c, under his comments, last bullet point add, ", and continue to be fiscally cautious."

## Supervisor Johnston:

 On p. 2 of draft minutes, under item 2a (approval of December 2<sup>nd</sup> minutes), his second bullet point, 'neighboring' should be 'neighborhood' (needs to be changed on December 2<sup>nd</sup> minutes as well).

#### **Supervisor Corless:**

• On p. 2 of draft minutes, Item #3a, spelling Dick "Noles", not Knolls (check rest of minutes for additional occurrences of Dick Noles and change where applicable).

# 3. RECOGNITIONS

A. Election of New 2015 Board Chair

Departments: Clerk of the Board

(Outgoing Board Chair) - The outgoing Board Chair will call for nominations to elect the Chair of the Board for 2015.

Action: Elect Supervisor Timothy E. Fesko as the new Chair of the Board for

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2015.

## Alpers nominated Supervisor Fesko for Chairman, then a vote was taken Vote: 5 yes; 0 no M15-03

#### <u>IN 15-05</u> Supervisor Alpers:

Nominated Supervisor Fesko.

B. Election of New 2015 Vice-Chair to the Board

Departments: Clerk of the Board

(Newly Elected Board Chair) - The newly-elected Board Chair will call for nominations to elect the Vice Chair of the Board for 2015.

**Action:** Elect Supervisor Fred Stump as the new Vice-Chair of the Board for 2015.

Alpers moved; Corless seconded Vote: 5 yes; 0 no <u>M15-04</u>

C. Election of New 2015 Chair Pro-tem

Departments: Clerk of the Board

(Board Chair) - The newly-elected Chair will call for nominations to elect the Chair Pro-tem of the Board for 2015.

Action: Elect Supervisor Stacy Corless as the new Chair Pro-tem of the board for 2015.

Stump moved; Alpers seconded Vote: 5 yes; 0 no <u>M15-05</u>

D. Presentation to Outgoing Chairman Johnston

Departments: Clerk of the Board

(Board Chair) - Presentation to Chairman Johnston by newly elected Board Chair honoring Supervisor Johnston's service to the Board in 2014.

# Action: None.

Supervisor Fesko:

• Read and presented outgoing Chairman Johnston with a plaque.

## Supervisor Stump:

- Thanked Supervisor Johnston for putting up with him for a whole year.
- Supervisor Alpers:
  - Expressed gratitude to Supervisor Johnston and thanked him for his service.

# 4. BOARD MEMBER REPORTS

# Supervisor Alpers:

- Spoke with Brian Winzenread of Caltrans, District 9, Highway158 was temporarily closed; asked that County be kept briefed regarding the Alger Creek ice overflow issue. He received calls from constituents regarding this matter.
- Spoke with Carl Williams re: update at June Lake ski area; didn't quite make budget over holidays but they did much better than last year. Ski schools were full.
- Department of Fish and wildlife retired employee, former hatchery manager called in alarm regarding hatchery system in California and the eastern sierra in particular;

stocking size of trout will go from ½ pound to ¼ pound. Requested Jim Leddy call Fish and Game (Mr. Erdman) and maybe have him come do a presentation.

• Bennett Kessler passed away who had been battling cancer. She was an accurate reporter and an asset.

#### Supervisor Corless:

- Successful winter holiday period for Mammoth;
- Activities: attended CSAC new supervisors' institute classes and will continue with ongoing training/earning the supervisors' certification; FPPC ethics training complete; Participating in Eastern Sierra Recreation Collaborative and following Inyo National Forest plan revision process, working with Mammoth Lakes Town Council member John Wentworth; attended broadband consortium board meeting in early December and participating in broadband forum in Ridgecrest on Jan 22.
- Strategy: this was something I emphasized in my campaign; it's the subject of training that fellow board members and I will put into practice following through with the work employees have done on strategic plan; The instructor of the "Thinking Strategically in Trying Times" course at CSAC noted "Successful people in the public sector embrace accountability" and that "strategy creates accountability" and I plan to put these skills and ideas to good use. This effort deserves a considerable amount of time and attention.
- Other Important issues for me:
  - Communication: enabling citizen involvement, facilitating transparency; better inter-agency communication and action – connecting the dots between points that are already there.
  - Recreation: Last week's MT editorial said that "No other area of discussion is more important than recreation. It is interlaced with different policies, all fused by different priorities, promulgated by user groups, federal agencies, state agencies and our own local governing bodies." It's complex and needs to be examined at a strategic level, and Mono County can lead on this issue, working to set policy.
  - Facilities: short and long term plan for our buildings—where and how we are going to work.
  - Technology: this is the biggest economic development opportunity we have and there's still much work to do—I'd like to be involved with the next steps.
  - Education, Arts and Culture: I am on the board of the Mono Council for the Arts and believe that the county plays an important role in fostering arts programs.
  - Request to adjourn the meeting in memory of Benett Kessler.

#### Supervisor Fesko:

- Wished everyone a Happy New Year.
- Dec 17 Attended the County Holiday celebration in Lee Vining. This was well attended and really great to see south and north county employees interacting. Great holiday celebration!
- Dec 18 Attended a Bodie Road mtg. County staff, Calif. Park service, BLM, and others were present. Discussion was on the current road condition, the road has deteriorated somewhat since the last time the county repaired the road. Plan of action from this point forward is to discuss short-term and long-term solutions on the Bodie road.
- Dec 30 Conferenced call with staff on the Agenda Review meeting.
- Asked Board members to work on getting written board reports to Shannon to help ensure accuracy.
- It is with sadness that he reports that long time Antelope Valley resident, Effie Hershey, passed away in December. She has been an active member in the valley for many years. She is well known for her cooking and baking skills. She is survived by her husband Clint, her children and grand children. Asked fellow board members to close meeting today in honor of Effie Hershey.

#### Supervisor Johnston:

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- Attended all employee Christmas party on 12/17.
- Met with new Caltrans director and had lunch with him.
- Attended Town/County Liaison on 12/18.
- Attended ESCOG meeting on 12/19.
- Did a lot of travelling over Christmas.
- Attended Mammoth Lakes Housing meeting last night good organization going there. Town still hasn't fully funded; they are now down to about \$300,000.
- Thanked staff for Christmas decorations at courthouse here it looks really good.

#### Supervisor Stump:

- Attended various holiday events, including all-employee party and others.
- Thanks to Road Department who worked Christmas Day clearing snow; thanked Leslie Chapman and Gerry LeFrancois regarding issue of formalizing a certain lot line adjustment.
- RACE Communications conversation, grant for high speed internet in his district completed their preliminary engineering documents. Good news. Touched base on newly submitted grants. They'd still like support letters for funding.
- Suggested we close meeting in honor of Bennett Kessler.

# 5. COUNTY ADMINISTRATIVE OFFICE

#### CAO Report regarding Board Assignments

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

Jim Leddy:

- All employee holiday party December 17<sup>th</sup>; no county funds used.
- Attended Town/County Liaison meeting, continued solid waste issue discussion.
- Attended ESCOG meeting with former Supervisor Hunt on December 19<sup>th</sup>.
- 12/22 and 12/23, held a couple lunches for employees.
- Participated in Cultural Center discussion, may have someone come and talk to the board.
- Strategic Planning Steering Committee meeting this week; working on draft to come before the board on 1/20. Will take all previous board's comments and ideas and incorporate them. Need to also talk about 2015 Board goals on 1/20.
- In May, there will be an all-employee appreciation BBQ event in Lee Vining.
- Mentioned upcoming Employee Roundtables both in North and South County.
- Reminder that Supervisor Hunt's retirement party will be Friday night at 6:00 p.m. at Snowcreek Athletic Club.
- Fishing Issue spoke with Dana in Bigelow's office: trying to see if legislature can do some oversight; he'll put in the request for a presentation.

# 6. DEPARTMENT/COMMISSION REPORTS Joe Blanchard:

• Old hospital update: water main broke for the third executive year; repaired again. Line is slowly deteriorating. Spoke about inside leaks. They are keeping building held together. At same time working on "campus" concept and hopefully making the old hospital cold storage only.

#### Stacey Simon:

- County was dismissed from litigation relating to the Thermal Project as of December 4<sup>th</sup>.
- Temporary Urgency Change Application filed back in December by Walker River Irrigation District: has been withdrawn but our letter was received.
- 7. CONSENT AGENDA NONE

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

# 8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are located in the Office of the Clerk of the Board, and are available for review.

## A. Devil's Postpile National Monument

Departments: Clerk of the Board

Letter from Deanna M. Dulen, Superintendent of Devil's Postpile, requesting approval to increase campground fees to align the monument's recreation fees with NPS policy for comparable rates in nearby areas as required by FLREA.

# B. Department of Transportation - Caltrans

# Departments: Clerk of the Board

Letter from Bryan Winzenread of Caltrans dated December 22, 2014, regarding a request for a future agenda item recommending truck size restrictions for State Route 108.

## Supervisor Johnston:

- This is something that's been going on with LTC; he wants Board to support this. This letter is a good step in the right direction.
- Disagrees about combining the Highway 6 issue with this issue. One at a time is better. **Supervisor Stump:** 
  - Wants this dovetailed with reducing speed limit on Highway 6 to 45 mph to help with traffic control. Also wants request for CHP for more truck enforcement on Highway 6.
  - He does support the SR 108 proposal as well, just doesn't want the other issues forgotten. If agenda item is created, needs to include all of this.
  - Doesn't mind if they occur separately but wants it done on the same date at least.

#### Supervisor Fesko:

- Doesn't have a problem initially putting these two issues together. Maybe agendize as one and then decide whether to do two separate items.
- His preference is to do agenda item and then decide whether they should be dealt with together or separately.

#### Supervisor Corless:

• Agrees with Supervisor Fesko.

#### Jim Leddy:

- The highway 6 issue has already been brought up.
- Explained how the agenda item is progressing; that it is in the works, the board needs to give it a couple of weeks.

#### \*\*\*\*\*

The Board acknowledged receipt of the correspondence.

# 9. REGULAR AGENDA - MORNING

# A. Reappointment of Mono Basin Regional Planning Advisory Committee Members

Departments: Community Development Department

(Scott Burns) - Consider reappointment of six members to the Mono Basin Regional Planning Advisory Committee.

**Action:** Reappoint Zane Davis, Duncan King, Chris Lizza, Ilene Mandelbaum, and Bartshe Miller to the Mono Basin Regional Planning Advisory Committee. These are two year terms that will expire on 12/31/2016. Direct CDD to advertise for the one vacancy.

#### Alpers moved; Johnston seconded Vote: 5 yes; 0 no M15-06

# Scott Burns:

- This is a routine item; we're asking to reappoint a majority of the members. There are six up for reappointment.
- Supervisor Alpers has been communicating with these individuals.

## Supervisor Alpers:

- Understands that Supervisor Johnston pulled from consent; asked him to explain.
- He does have concerns with the makeup of the RPAC. Gave a bit of history on formation of RPACs.
- Has a potential issue with the reappointment of Katie Bellomo, not to take away from her past involvement.
- In the past he's had sit down meetings with each re-appointee. Has met with all of them including Katie Bellomo.
- At this particular time, based on the meeting and the past year of this RPAC, he feels it's in the RPAC's and Ms. Bellomo's best interests for her NOT be up for reappointment but he supports everyone else. Ms. Bellomo has indicated she'd work as a public member if necessary.

#### Supervisor Johnston:

- Issues involved a lot of the appointees; feels it's time for a change.
- It's about looking out for the other members on the committee.
- Mono Basin has one of the best sets of bylaws of all RPACS.

## Supervisor Fesko:

- He thinks the RPACs are a great idea; defers to the district Supervisor.
- Asked about filling the position Ms. Bellomo will vacate.

## Supervisor Stump:

• Asked about how the chair is appointed.

## Chris Lizza (RPAC member):

- Spoke of Ms. Bellomo and the fact that she's been able to point out a lot of issues that he didn't see.
- Her profession makes her more of an advocate; she can be confrontational which is inappropriate and makes things uncomfortable.

# B. <u>Pumice Valley Landfill Purchase Agreement with Los Angeles Department of</u> <u>Water and Power</u>

Departments: Public Works / Solid Waste Division

(Tony Dublino) - Proposed resolution authorizing the Chairman to enter, on behalf of Mono County, a Purchase Agreement with the Los Angeles Department of Water and Power to Purchase the Pumice Valley Landfill site.

Action: Approve Resolution #R16-5-01, authorizing the Chairman to enter, on behalf of Mono County, a Purchase Agreement with the Los Angeles Department of Water and Power for the purchase of the Pumice Valley Landfill, approving the CEQA Addendum and findings, authorizing the Director of Public

Works to accept Title, and authorizing the Solid Waste Superintendent to sign a declaration relating to the property. Amend the 2014-15 Board Approved Solid Waste budget to decrease appropriation in Operating Transfers out by \$51,500 and increase appropriation in Land and Improvements by \$51,500 with no net effect to total expenditures (4/5ths vote required). Amend the 2014-15 Board Approved Solid Waste budget to decrease appropriation in Operating Transfers out by \$51,500 with no net effect to total expenditures (4/5ths vote required). Amend the 2014-15 Board Approved Solid Waste budget to decrease appropriation in Operating Transfers out by \$51,500 and increase appropriation in Land and Improvements by \$51,500 with no net effect to total expenditures (4/5ths vote required).

# Johnston moved; Alpers seconded

# Vote: 5 yes; 0 no

# <u>R15-01</u>

# Tony Dublino:

- Explained item and requested action.
- This has been discussed at length with the Board previously.

# Supervisor Stump:

- Asked about last minute change previously emailed to the board.
- There's a question of "why is the county buying this?" We need to prepare a press release at some point.

## Stacey Simon:

- Explained changes to resolution; the revised documents weren't ultimately uploaded. These are really only formatting changes.
- The board's approval is first; we will still need DWP approval although there is no reason to think there will be any issues.

## Supervisor Alpers:

- We have been over this issue repeatedly for a long time.
- This is in the best interest of the county and he's in support of it.

## Supervisor Johnston:

• Thanked Staff; this is a rarity that DWP sells property.

# Supervisor Fesko:

• This could help us in the long run.

## Stacy Corless:

- Thanked Tony for his work.
- Thinks this is best for County but that conversations with the Town of Mammoth Lakes and other regional entities still need to take place.

# C. Mono County Board Rules of Procedures Annual Review and Adoption

# Departments: CAO

(Jim Leddy) - Annual review and adoption of Board of Supervisors Rules of Procedures.

Action: None. Discuss Mono County Board Rules of Procedures and provide direction to staff on possible changes and/or additions. If no changes suggested, adopt Mono County Board Rules of Procedures as accurate for 2015.

# Jim Leddy:

- This should look very familiar to the board; they have the existing rules in place.
- Nothing new proposed by staff to be changed.
- We bring this back every year in case the Board has any issues.
- Rule 33 has not yet been utilized.
- Changes will be brought back in the next couple meetings as consent item. It can then be voted on.

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#### Supervisor Fesko:

- Add Chair Pro-Tem to election process on TOC.
- General discussion regarding Rule 7 and Rule 33.

#### Supervisor Alpers:

- He plans to take to Mono Basin RPAC and June Lake CAC as examples of the efforts being made. Wants them to know the leadership example being set.
- Far cry from the days when things were just free flow.
- He's pleased with the document.
- Agrees now we should leave as-is. Willing to look at this every year.

#### Supervisor Corless:

- Commented on the commitment to civility; she's personally very committed to leading civil discourse within the board.
- If standard rules of procedure are up for discussion, why change them?

#### Supervisor Stump:

- Convert Appendix B to laminated cards, that would be very helpful for him.
- Rule 33 discussion.

#### Supervisor Johnston:

- Noted same changes as Supervisor Fesko.
- Discussion regarding Rule 15b, Rule 33, Rule 38, Rule 40, Rule 43, Appendix A. **Marshall Rudolph:** 
  - Commented about Rule 33, Rule 40, Rule 43.

#### D. Supervisors' Appointments to Boards, Commissions and Committees

## Departments: Clerk of the Board

(Board Chair) - Mono County Supervisors serve on various boards,

commissions, and committees for one-year terms that expire on December 31st. Each January, the Board of Supervisors makes appointments for the upcoming year.

Action: Appoint Supervisors to boards, commissions and committees for 2015. Johnston moved; Stump seconded

#### Vote: 5 yes; 0 no

<u>M15-07</u>

#### Scott Burns:

• Explained the Airport Land Use Commission and its purpose.

Stacy Corless:

• Asked about MAG meetings.

Jim Leddy:

• MAG is at the staff level.

#### E. 2015 Mono County Legislative Agenda

Departments: County Administrator's Office

(Jim Leddy) - Review of Mono County 2015 draft Legislative Platform and consideration for adoption.

#### Action: None.

Taken second in afternoon session.

## Jim Leddy:

Power point presentation:

- There has a been a removal of the Land Exchange
- Platform Development Process

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- Platform Elements
- General Guidelines
- State Priorities
- Federal Priorities
- Requested Actions

#### Supervisor Johnston:

- Discussion on various items: Item #3a Sustainable Funding for State Parks, not sure that is as imminent at this time. Maybe need to revise? Doesn't think OHV belongs in this section.
- Item #3c Support Bio-energy Action Plan we have made progress on this; need to add funding for construction to description. Just needs some updating.
- Item #5 Support rehabilitation of the Bodie Road (Highway 270): not sure we are endorsing the paving all the way.
- Item #5b CARB: not sure the dollar amount should be on here, doesn't think we really *know* what that figure is.
- Discussion regarding Items #6c and 6d.

Federal:

- Item #1d Biomass, Solar, Wind and Geothermal Development Block Grant (CDBG); add essence and history of our county wording.
- Item #5a Ensure federal transportation formulas support rural road infrastructure: asked about MAP-21 and whether it's current?
- Item #1g(i) Discussed issue of access to public lands.

#### Stacy Corless:

- What about OHV Grant Funding? We should add this to the State Park section if it's going to be revised.
- Item 1g(i): idea about funding and public lands, maybe as separate bullet?
- Item #2a CEQA Reform, remove some wording? Does it all still apply?
- Item #3d, typo.
- Item #1a needs to be exact copy of general priority.
- Item #2 use wording again in the general priority statement.
- She will get her suggested wording changes and typo corrections to CAO Jim Leddy in reference to general changes discussed.

#### Supervisor Fesko:

- Maybe using "under funding" concept on State Parks section.
- Taking the paving sentence out regarding Bodie Road.
- Maybe do an estimate amount for CARB, reword how it's written.

#### Supervisor Stump:

 Item #3b – Protect our Communities from Forest Fires: Needs to say we don't support the SRA fee.

#### Supervisor Alpers:

- Agrees that CARB amount needs to be in the platform, the wording could be different.
- Protecting the State Hatchery system important and the Lahontan Cutthroat Trout program important.
- Massage access issue.

# 10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD Joe Parrino:

- Update on the off road/motocross industry; last weekend the season for super cross started in Anaheim. Gave some information on the event.
- Informed that there are motocross tracks all the way from Irvine to Corona area.
- Gave information on upcoming events.
- Supervisor Fesko: he'd love to see the Mammoth track open, still on his radar.

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## 11. CLOSED SESSION

There was nothing to report out of closed session

Item #9e moved to afternoon session at request of staff due to other commitments.

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, and Jim Leddy. 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.

B. Closed Session - Conference With Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: 1. Facts and circumstances: Steve Maris claim for damages CL 14-11.

C. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Worker's compensation claim of David O'Hara.

D. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: US v. Walker River Irrigation District, et. al.

E. Closed Session - Conference With Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Mono County v. Schat.net.

# 12. REGULAR AGENDA CONTINUED

A. Claim for Damages (Maris)

Departments: County Counsel, Risk Management

(John-Carl Vallejo) - Claim for damages 14-11 filed by Steve Maris.

Action: Reject claim for damages presented by Steve Maris in its entirety to the

extent it refers to events or occurrences on or after November 25, 2013, and direct county counsel to notify claimant of the Board's action. Take no action and direct county counsel to return said claim to the claimant to the extent it refers to events or occurrences prior to November 25, 2013, because it was not presented within the time required by law.

## Alpers moved; Stump seconded Vote: 5 yes; 0 no <u>M15-09</u> John Vallejo:

 Explained that the recommended action has changed a little and read the changes to the Board.

ADJOURN at 3:03 p.m. in memory of Benett Kessler, Inyo County resident and Effie Hershey, Mono County resident, who both recently passed away.

ATTEST

TIMOTHY E. FESKO CHAIRMAN

SHANNON KENDALL ASSISTANT CLERK OF THE BOARD