



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

Regular Meetings: First, Second, and Third Tuesday of each month. Location of meeting is specified below.

Meeting Location: Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

**Regular Meeting
April 4, 2023**

9:02 AM Meeting called to order by Chair Duggan.

Supervisors Present: Duggan, Gardner, Kreitz, Peters, and Salcido. (All attended in person, teleconference, or via zoom).

Supervisors Absent: Supervisor Salcido left after Item #7i.

The Mono County Board of Supervisors stream most of their meetings live on the internet and archives them afterward. To search for a meeting from June 2, 2015, forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>

Pledge of Allegiance led by Supervisor Salcido.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- No public comment.

2. RECOGNITIONS

A. Proclamation Designating the Month of April 2023 as Child Abuse Prevention Month

Departments: Clerk of the Board

(Kevin Lian, Mono County Child Care Council Program Coordinator) -
Proclamation designating April 2023 as Child Abuse Prevention Month

Action: Approved the Proclamation designating April 2023 as Child Abuse Prevention Month.

Salcido moved; Kreitz seconded

Vote: 5 Yes, 0 No

M23-062

Kevin Lian, Mono County Child Care Council Program Coordinator:

- Presented item.

Michelle Raust, Program Manager, Child, and Adult Services

- Provided background.

3. COUNTY ADMINISTRATIVE OFFICER

Mary Booher, Acting CAO:

- Provided an update on Chief Peoples Officer, Jack Conry.
- Will be attending CSAC Convention next week.

4. DEPARTMENT/COMMISSION REPORTS

Jeff Simpson, Economic Development Director:

- Provided an update on Lactococcus outbreak in 3 hatcheries in Mono County.
- Discussed fish stocking schedule in July.
- Finalized the contract Desert Springs Trout Farm.
- The new Visitor's Guide is out – thanked staff, Liz Grans and Amanda Carlson.
- The new Mono County Events Calendar is out.
- Discussion on disaster loans and how to apply for Mono County businesses.

Janet Dutcher, Finance Director:

- Discussion on tax deadlines and postmark requirements.
- Provided an update on the Fee Study.

Jennifer Burrows, Deputy Director of Covid Operations/Infection Preventionist:

- Provided an update on Wastewater Surveillance.
- Discussed National Public Health Week (this week).

Kathy Peterson, Social Services Director/Interim Director of Public Health:

- Provided an update on Social Services programs.
- Provided an update on the Medi Cal redetermination process.
- Discussion on the recruitment for the Advisory Council for Eastern Sierra Agency on Aging.
- Update on the GIS Workshop Presentation that Brianne Chappell-McGovern and Olivia Hollenhorst presented.

Wendy Sugimura, Community Development Director:

- Provided an update on recent court decision on the Mining Project.

Stacey Simon, County Counsel:

- Suggested that the Mining Project be agendize.
- Discussion on the Mining Ordinance.

5. 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.)

A. Monthly Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 2/28/2023.

Action: Approved the Treasury Transaction Report for the month ending 2/28/2023.

Salcido moved; Peters seconded

Vote: 5 Yes, 0 No

M23-063

B. Mono County Economic Development, Tourism, and Film Commission Reappointments

Departments: Economic Development

Reappoint Erinn Wells and Steve Morrison to four-year terms on the Mono County Economic Development, Tourism, and Film Commission.

Action: Reappointed Erinn Wells and Steve Morrison to the Mono County Economic Development, Tourism, and Film Commission for 4-year terms beginning April 30, 2023, and ending April 30, 2027.

Salcido moved; Peters seconded

Vote: 5 Yes, 0 No

M23-064

C. Correction of Term Expiration Date for Jacinda Croissant's Reappointment to the Mono County Child Care Council

Departments: Clerk of the Board

On February 21, 2022, the Board of Supervisors approved the reappointment of Jacinda Croissant for a two-year term to the Mono County Child Care Council. Unfortunately, the recommended action contained a typo, with the term expiring February 21, 2024, instead of two years from the date of approval, February 21, 2025. This item seeks to correct the term expiration date for this reappointment.

Action: Reappointed Jacinda Croissant to the Mono County Child Care Council, for a two-year term expiring February 21, 2025.

Salcido moved; Peters seconded

Vote: 5 Yes, 0 No

M23-065

6. CORRESPONDENCE RECEIVED

The Board acknowledged receipt of the correspondence.

A. Letter of Support for the Mono Lake Kutzadika'a Tribe Funding Request

Letter of support from the Mono County Board of Supervisors regarding the Mono Lake Kutzadika'a Tribe is seeking funding to purchase a private parcel of 160 acres located ten miles east of Yosemite National Park and five miles west of Mono Lake, California, and bring the parcel back to tribal ownership to manage the buildings and scenic landscape for multiple uses, executed by Chair Duggan.

B. Letter of Support for Mono County Ambulance Replacement

Letter of Support for Mono County Ambulance Replacement on behalf of the Mono County Board of Supervisors to Congressman Kiley, executed by Chair Duggan.

C. Letters Seeking Assistance in Securing Federal Funding for Projects in Mono County

Letters to Senator Padilla, Senator Feinstein and Congressman Kiley requesting federal funding in FY2024 to replace Mono County's Medic 7 Paramedic Station in Bridgeport, executed by Chair Duggan. The letters are consistent with the Board's adopted legislative platform.

D. Letter of Support for G.C. Forest Products' Grant Application

Letter of support for G.C. Forest Products' Application to FY 2022-2023 Business and Workforce Development Grant Program executed by Chair Duggan on behalf of the Mono County Board of Supervisors consistent with the County's legislative platform and policies.

Break 9:59 am

Reconvened: 10:10 am

7. REGULAR AGENDA - MORNING

A. PUBLIC HEARING: Appeal of the Planning Commission's Approval of an Accessory Structure Over 20' in Height

Departments: Community Development

(Wendy Sugimura, Community Development Director) - Appeal of the Planning Commission's approval of Use Permit 23-001/Sherer for a garage over 20' and less than 35' in height at 1273 Swall Meadows Road, APN 064-140-014-000. The appeal was schedule to comply with General Plan timeframes; the appellant has requested the hearing be continued to May 2, 2023.

Action: Adopted Resolution R23-025, denying the appeal of the Planning Commission's approval of Use Permit 23-001/Sherer for a garage/accessory structure greater than 20' in height.

Peters moved; Kreitz seconded

Vote: 5 Yes, 0 No

R23-025

Wendy Sugimura, Community Development Director:

- Provided background and presented item.

Stacey Simon, County Counsel:

- Provided clarity on County policy for correspondence received.

Chair Duggan:

- Disclosed that she was contacted by the appellant late last night and had a discussion with the public.

Alisa Adriani, Appellant:

- Discussion on why she would like this postponed.

Chris and Lindsey Sherer, Applicants:

- Discussion on why the Board should have the Public Hearing today.

Public Comment:

- **Blythe Ousterman**
- **Greta Mettauer**
- **Karen Marshall**
- **Pam Padgett**

Open Public Hearing: 11:09 AM

Board deliberation to hear item today:

Kreitz – Yes

Peters – Yes

Gardner – Yes

Salcido – Yes

Duggan – Yes

Closed Public Hearing: 12:23 PM

Break: 12:50 PM

Reconvened: 1:01 PM

B. Winter Storm Update

Departments: Emergency Management

(Chris Mokracek, Director of Emergency Management) - Presentation by Chris Mokracek providing an update on the impacts of and response to the winter storms impacting Mono County in 2023.

Action: None.

Chris Mokracek, Director of Emergency Management:

- Presented item.

Stacey Simon, County Counsel:

- Provided an update on remote meetings expiring by the next meeting, possibility that a Special Meeting may be needed to continue remote meetings as an option.

Moved to item #7d.

C. Ordinance Amending Mono County Code Section 2.60.090 - Office of Emergency Services

Departments: CAO

(Mary Booher, Acting County Administrative Officer) - Proposed ordinance amending existing section 2.06.090 of the Mono County Code to memorialize the establishment of the Office of Emergency Services within the Office of the County Administrator and designate the County Administrative Officer, or his or her designee, as the Director of Emergency Services, thereby replacing the Mono County Sheriff as the Director of Emergency Services and the Sheriff's Department as the Office of Emergency Services.

Action: Introduced, read title, and waived further reading of proposed ordinance.

Kreitz moved; Gardner seconded

Vote: 4 Yes, 0 No, 1 absent

M23-069

Mary Booher, Acting County Administrative Officer:

- Presented item.

Moved to item #7e.

D. Consolidation of Public Health and Social Services Departments

Departments: CAO

(Mary Booher, Acting County Administrative Officer) - Presentation by Mary Booher regarding consolidation of Public Health and Social Services.

Action: 1.) Directed staff to establish positions for the consolidated agency Director and consolidated agency lead fiscal position; 2.) directed staff to develop the recommended organizational structure for the Consolidated agency; and 3.) directed County Counsel to make the necessary ordinance changes to effectuate the creation of a consolidated agency.

Salcido moved; Peters seconded

Vote: 5 Yes, 0 No

M23-066

Mary Booher, Acting County Administrative Officer:

- Presented item.

Moved to Item #7g.

E. Employment Agreement - Interim County Administrative Officer

Departments: County Counsel

(Stacey Simon, County Counsel) - Proposed resolution approving a contract with Mary Booher as Interim County Administrative Officer, and prescribing the compensation, appointment, and conditions of said employment.

Action: Approved Resolution R23-026, approving a contract with Mary Booher as Interim County Administrative Officer, and prescribing the compensation, appointment, and conditions of said employment. Authorized the Board Chair to execute said contract on behalf of the County.

Fiscal Impact: The estimated cost of this retired annuitant contract for the remainder of the fiscal year is \$78,030, of which \$76,016 is salary and \$2,014 is payroll taxes. The total cost for an entire fiscal year is approximately \$100,012, of which \$97,430 is salary and \$2,582 is payroll taxes. There is enough budget savings in the County Administration FY 2022/23 budget to cover the cost of this contract.

Kreitz moved; Gardner seconded

Vote: 4 Yes, 0 No, 1 absent

R23-026

Chair Duggan:

- Presented item.

Stacey Simon, County Counsel

- Clarification on sick/vacation leave details of Mary's contract.

F. Employment Agreement - Assistant Director of Finance - Auditor/Controller

Departments: Finance

(Janet Dutcher, Director of Finance) - Proposed resolution approving a contract with Kim Bunn as Assistant Director of Finance - Auditor/Controller, and prescribing the compensation, appointment, and conditions of said employment.

Action: Approved Resolution, R23-027, approving an employee agreement with Kim Bunn and prescribing the compensation, appointment, and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Fiscal Impact: Estimated cost of this position for the remainder of the fiscal year is \$39,228, of which \$28,482 is salary and \$10,746 is benefits. The full cost of salary and benefits for an entire fiscal year is approximately \$169,990, of which \$123,424 is salary and \$46,566 is benefits. This is included in the Finance FY 2022/23 budget.

Kreitz moved; Gardner seconded

Vote: 4 Yes, 0 No, 1 absent

R23-027

Janet Dutcher, Director of Finance:

- Presented item.

Moved to item #7h.

G. Board Ad Hoc Committees

Departments: CAO

(Mary Booher, Acting County Administrative Officer) - Establishment of Board ad hoc committees on the following topics: (1) evaluation of potential locations for county-supported housing development ("Housing Ad Hoc Committee"); (2) negotiation of a tax-sharing agreement related to an annexation of property by the Mammoth Community Water District ("Tax Sharing Ad Hoc Committee"); and (3) negotiation of an Educational Revenue Augmentation Fund (ERAF) calculation adjustment with the Long Valley Fire Protection District (LVFPD) ("ERAF Committee").

Action: Appointed two Board of Supervisors to each committee:

Housing Ad Hoc Committee:

1. Supervisor Gardner
2. Supervisor Kreitz

Tax Sharing Ad Hoc Committee:

1. Supervisor Salcido
2. Supervisor Gardner

ERAF Ad Hoc Committee:

1. Chair Duggan
2. Supervisor Peters

Kreitz moved; Salcido seconded

Vote: 5 Yes, 0 No

M23-067

Mary Booher, Acting County Administrative Officer:

- Presented item.

Public Comment:

- **Fred Stump**

Item #7i.

H. Contract with Municipal Resource Group, LLC

Departments: CAO

(Mary Booher, Acting County Administrative Officer) - Proposed contract with Municipal Resource Group, LLC (MRG) pertaining to the provision of

consulting support and project services. This contract supersedes and replaces two prior agreements between the County and MRG.

Action: Approved, and authorized the County Administrative Officer to sign, contract with Municipal Resource Group, LLC for consulting support and project services for the period February 1, 2023, through December 31, 2023, and a not-to-exceed amount of \$210,000.

Peters moved; Gardner seconded

Vote: 4 Yes, 0 No, 1 absent

M23-070

Mary Booher, Acting County Administrative Officer:

- Presented item.

Break: 2:23 PM

Reconvened: 2:30 PM

Moved to Closed Session

I. County Contribution to the National Center for Public Lands Counties

Departments: CAO

(Mary Booher, Acting County Administrative Officer) - Presentation by Mary Booher regarding the National Center for Public Lands Counties which was recently established by the National Association of Counties (NACo), Western Interstate Region (WIR) for the purpose of pursuing programs of interest to counties with significant areas of public land.

Action: Defer further discussion to the year-end Budget.

Salcido moved; Peters seconded

Vote: 3 Yes, 2 No

M23-068

Mary Booher, Acting County Administrative Officer

- Introduced item.

Supervisor Peters:

- Provided background and presented item.

Stacey Simon, County Counsel:

- Discussion on "Motion to reconsider item".

Action: Board approve a contribution of \$55,887 to the National Center for Public Lands Counties, using Local Assistance and Tribal Consistency Funds and direct staff to include appropriations in the final budget adjustments for the FY 2022-23 budget.

Peters moved; no one seconded

Supervisor Salcido left after this item.

Moved to item #7c.

8. CLOSED SESSION

Closed Session: 2:30 PM

Reconvened: 3:09 PM

Nothing to report out of Closed Session.

A. Closed Session - Labor Negotiations

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Mary Booher, Stacey Simon, Janet Dutcher, Jack Conry, and Oliver Yee. 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 Correctional Deputy Sheriffs' Association. Unrepresented employees: All.

B. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: County of Mono v. Amerisourcebergen Drug Corporation; Cardinal Health, Inc.; McKesson Corporation; Purdue Pharma L.P.; Purdue Pharma, Inc., et al., United States District Court, Eastern District of California, Case No. 2:18-cv-01149-MCE-KJN

C. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of cases: *SCE v. State Board of Equalization* (Orange County Superior Court Case Nos.: 30-2022-01258057-CU-MC-CJC and 30-2022-01258109-CU-MC-CJC).

D. Closed Session - Exposure to Litigation

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: one.

E. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer recruitment.

F. Closed Session - Public Employee Evaluation

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: (1) Interim Assistant County Administrative Officer; (2) County Counsel.

9. BOARD MEMBER REPORTS

Chair Duggan:

- 3/23 - I attended the via zoom the Patsiata Cultural Resource Task Force meeting. This group of local tribal leaders came together to discuss their concerns over dust mitigation efforts with representatives from LADWP and GBUAPCD. Lively discussion regarding the effects of the recent storms on Owens Dry Lake, aqueduct failings, and future mitigations. This group has not met in a few years but is determined to keep communicating, hoping to better align efforts to protect the Lake and cultural resources.
- 3/28 - I attended the monthly meeting for CSA 1. We discussed upcoming budget issues, working with Mammoth Unified School District on naming and dedication of the Crowley Lake Ball Field, and upcoming summer and trail options in the area with all the snow on trails and surrounding high-country lakes.
- 3/30 - I participated in a Women's Leadership Panel for the Institute for Local Government. With a
- 4-person panel lead by ED Erica Manuel, our Q&A interacted with over 150 participants discussing leadership challenges, career opportunities, equity and diversity, and mentorship.
- 4/2 - I met with State Senator (D4) Maria Alvarado-Gil and her staff in Mammoth, along with TOML Manager Dan Holler, Mammoth Lakes Fire Chief Ales Tomaier, MUSD Board President Alonso Escobar, and others. This was Sen. Alvarado-Gil's second visit to Mono County, first in the winter, and she started her remarks by noting that she was "not prepared for what she saw" and that she had a new appreciation for all of us up here and what we have been going through. We all stressed the continued importance of assistance needed from all agencies - local, State, and Federal, as we begin our long recovery from too much of a good thing. I and the Board will be following up with her and staff on specific items when we are in Sacramento for CSAC/CLOC conference next week. I want to thank Joyce Kaufmann of June Lake for organizing a last-minute event and thanks to all those that rearranged their weekend to meet with the Senator and her staff.

Supervisor Gardner:

- Last Saturday night April 1 I attended the annual Cattlemen's Dinner in Bishop. It was a good opportunity to meet with several ranchers in the Eastern Sierra, both in Inyo and Mono Counties, and to hear their concerns. Obviously, they are anxious to see how the anticipated runoff affects their operations this spring and summer.
- Yesterday I participated with Supervisor Salcido in the monthly meeting of the Eastern Sierra Sustainable Recreation Partnership. We had an interesting presentation from staff at the State Office of Emergency Services about their role in our area, and updates from all of the partners about impacts of the recent storms.
- Finally, yesterday I attended a Sustainability Fair at the June Lake Community Center sponsored by the High Sierra Energy Foundation and the Mono County Library System. This was the first of several events these groups are sponsoring this month as a part of Earth Month. There was much information and demonstrations about how residents can conserve energy through simple efforts in our own homes.

Supervisor Kreitz:

- No report.

Supervisor Peters:

- No report.

Supervisor Salcido:

- No report.

ADJOURNED at 3:10 PM.

ATTEST

**RHONDA DUGGAN
CHAIR OF THE BOARD**

**DANIELLE PATRICK
SENIOR DEPUTY CLERK OF THE BOARD**