



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

April 2, 2013

9:04 AM Meeting Called to Order by Chairman Hunt.

*Supervisors Present: Alpers, Fesko, Hunt, Johnston and Stump.
Supervisors Absent: None.*

Pledge of Allegiance led by Roberta Reed.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Erinn Wells:

- Small business owner in Bridgeport.
- Gave clarification on Bridgeport PUD Arsenic Plan and rates being paid. Could be a 95% increase.
- She will have to close one business and terminate employment for people if this happens.
- We have to find another way to solve the arsenic issue.

Joe Parrino:

- Said he's on the agenda for 4/16; would like to change his agenda item to end of May (clerk to work with him on this).
- Gave updates/information to demonstrate motocross is still a growing sport.
- OHV discussion.

Closed Session: 9:11 a.m.

Break: 10:39 a.m.

Reconvene: 10:42 a.m.

Lunch: 12:05 p.m.

Break: 3:06 p.m.

Reconvene: 3:14 p.m.

Closed Session: 3:45 p.m.

Adjourn: 3:54 p.m.

CLOSED SESSION

There was nothing to report out of closed session.

BOARD OF SUPERVISORS

- 1a) Closed Session - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: United States v. Walker River Irrigation District, et al.
- 1b) Closed Session - CAO Position - PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer.
- 1c) 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: Inland Aquaculture Group LLC v. Mono County.
- 1d) 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: one. Facts and circumstances: dispute related to Conway Ranch grant compliance.
- 1e) Closed Session - Finance Director Position - PUBLIC EMPLOYMENT. Government Code section 54957. Title: Finance Director.
- 1f) 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.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2) APPROVAL OF MINUTES

M13-64 **Action:** Approve minutes of the Regular Meeting held on March 12, 2013.

Stump moved; Fesko seconded

Vote: 5 yes; 0 no

M13-65 **Action:** Approve minutes of the Regular Meeting held on March 19, 2013.

Johnston moved; Stump seconded

Vote: 4 yes; 0 no; 1 abstain: Alpers

3)

BOARD MEMBER REPORTS

Supervisor Alpers:

- He's been sick for six weeks.
- Couldn't attend Peer Tour Resort; was able to keep his airline ticket intact for future use. Intends to go back this summer to see what activities happen at that time of year.
- Fred Hall show – went for five days. Attendance up 15% from before. Eastern Sierra/Mono County dominated the entrance at the show.
- RPAC meeting – 2nd Wed. in March; relatively quiet. Next week will be busier.
- Meeting with Supervisor Stump and various employees; eye opening and productive.

Supervisor Fesko:

- Attended MCPE Negotiations for the first time.
- Bridgeport RPAC; met Bill Dunkleberger, Forest Supervisor.
- Meetings with various constituents regarding Virginia Lakes road closure; Twin Lakes issue with diversion ditch, etc.
- Meeting with Supervisor Stump and At-Will Employees; need to work on solution to problems.
- CSAC Institute Class last week in Sacramento – History of Revenues, post Prop 13.
- Last Saturday – first ATV ride of the year. Made it up to 8200 feet.
- Fred and Jean Harris – spent Easter with them. Celebrated 62nd wedding anniversary.

Supervisor Hunt:

- 3/20 – LAFCO meeting.
- 3/20 - Biomass meeting with Larry; feasibility study out now.
- 3/22 – Minaret Mall Lease meeting; there is more space available there.
- 3/27 – ESCOG meeting. Mammoth to Bishop Bike ride brought up.
- 3/27 – ESTA meeting.
- Heard from a person in Bridgeport regarding AB1213 (outlaw bobcat trapping in California). Is anyone interested in agendizing this?
- AB350 – Forest Fire Prevention – asking for support; he'll put on an agenda. Supervisor Stump to forward information to Clerk.

Supervisor Johnston:

- ESCOG meeting; working on legislative platform; approved letter.
- ML Housing meeting tonight at 5:00.
- Biomass meeting; proposals out for feasibility study.
- Minaret Mall lease meeting.
- Great Basin meeting with Ted Shady and Matt Kingsley. Cross complaint received from DWP. He'll keep board posted.
- Meeting with commissioners tomorrow; he'll update board.

Supervisor Stump:

- Meeting with Management Staff; got asked blunt questions. They want to continue dialogue.
- Similar meeting with other employees and Supervisor Alpers; have received follow up emails. The employees were appreciative of meeting.
- Last week spent time working on item – letter of support for SB740 (relating to telecommunications) on next week's agenda.
- Attended BLM meeting regarding McGee Creek.

4)

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

Lynda Salcido:

- Continues to work in Bridgeport 1-2 days of week, meetings with staff.
- Worked with CAO staff in getting recruitment together for Assessor.
- 3/27 – MCPE meeting.
- Met with CAO staff regarding annual picnics. Mammoth will be June 10th, Bridgeport will be June 11th. Explained past donations (Board agrees to \$50).
- Email, talking to people, answering questions, etc. She's gone for two weeks, returning Monday 4/22. Marshall will be acting CAO in her absence.

DEPARTMENT REPORTS/EMERGING ISSUES

(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Lynda Roberts:

- Announcements about upcoming planning workshop in papers and on the radio; will run for another week. The word is out there.
- Antique clock update:
 - It's broken; she's been working with facilities department to see what can be done.
 - Clock needs to go to repair shop in Lodi, CA.
 - Need board to weigh in with some direction; will be agendized for discussion at the May 7th meeting.
 - Estimate to repair: actual restoration was \$4600; there were other repairs \$50-100; clock from courtroom involved in some of these. She needs to call clock shop and get more history on it.
 - Supervisor Fesko – doesn't need to come back to the board; we don't need to spend more time and money fixing it.
 - Supervisor Johnston disagrees – clock represents more than just "the clock", it represents how the county takes care of things. We need to maintain what we have, item needs to be agendized.

Tony Dublino:

- Information passed out; franchise waste hauler floor increase in CPI/PPI:
 - He's wondering if this needs to be agendized?
 - Increases to occur in January.
 - Supervisor Stump: Is this a unanimous request?
 - Supervisor Fesko – they can raise it, but the county should not.
 - Do not agendize for now.

Robert Reed:

- She has gotten the ACH payment process working; testing process has worked fine; ready to implement.
- CalPers is looking at getting an audit in July:
 - Regarding dependent's in health care system. They want to make sure only appropriate people are enrolled.
 - People can be dis-enrolled before July 1st without penalty.
 - Finance has a letter prepared (being reviewed by County Counsel) to go out.
 - CalPers is also notifying people.

Lynda Salcido:

- Miles of Smiles (dental) event update: UCLA and the School of Dentistry came to our county last week.
- Local schools visited; 276 children received education about dental care. Lots of kids received actual treatment. 6 were referred for emergency treatment.
- Lively dinner held between dental providers that gave presentation; there was some disagreement. The papers did a great job of balancing the issues, however.
- Mono County will continue to support sealant program in Mono County.

Vianey White:

- Update for School Street Plaza Project in Bridgeport; going forward.
- Cemetery Mapping Ordinance update:
 - Site maps becoming available; will go to local RPACS. Need to determine potential future fees; address changes in ordinance (will be agendized all at same time).
 - She'd suggest markers which would make everything cleaner; this is not required.
 - Supervisor Stump: Are we required to put markers on graves, not just relying on map?

Marshall Rudolph:

- Gateway Monument Sign in Mammoth Lakes
 - Awhile back, we provided land for that.
 - Their proposal would allow landscaping to extend out past parcel onto part we still own. This will be coming to the Board at some point.

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.)

CLERK OF THE BOARD

5a) Reappointment of Dr. Rick Johnson to First 5 - Reappointment of Dr. Rick Johnson to the First 5 Mono County Children and Families Commission. This term will commence on May 1, 2013 and expire on April 30, 2016.

M13-66 **Action:** Reappoint Dr. Rick Johnson to the First 5 Mono County Children and Families Commission. This subsequent three year term will expire on April 30, 2016.

Fesko moved; Johnston seconded

Vote: 5 yes; 0 no

5b) Appointment to Mono County Child Care Council - The Mono County Child Care Council wishes to add a member to its council. Mr. Salvador Montanez has submitted an application for membership to the council. It has been reviewed and the council would like Mr. Montanez to be appointed. His term will begin April 1, 2013 and will expire March 31, 2015.

M13-67 **Action:** Appoint Salvador Montanez to the Mono County Child Care Council. This term will begin April 1, 2013 and will expire March 31, 2015.

Fesko moved; Johnston seconded

Vote: 5 yes; 0 no

BOARD OF SUPERVISORS

6a) Bridgeport Fire Request for Waiver of Building Fees - The Bridgeport Fire Protection District has submitted plans to the Mono County Building Department to renovate the exterior of the fire facility on Main Street in Bridgeport. The District is requesting that all county fees associated with the project be waived. This item is being agendized at the request of Supervisor Fesko.

- M13-68** **Action:** Authorize the Mono County Building Department to waive all fees associated with the Bridgeport Fire Protection's facility renovation project.
Fesko moved; Johnston seconded
Vote: 5 yes; 0 no

COMMUNITY DEVELOPMENT - PLANNING DIVISION

- 7a) Appointment to the Antelope Valley Regional Planning Advisory Committee - Consider the appointment of Ned Welsh to the Antelope Valley Regional Planning Advisory Committee.

- M13-69** **Action:** Appoint Ned Welsh to the Antelope Valley Regional Planning Advisory Committee.
Fesko moved; Johnston seconded
Vote: 5 yes; 0 no

HEALTH DEPARTMENT

- 8a) AIDS Drug Assistance Program (ADAP) Contract, July 1, 2012-June 30, 2015 - Proposed contract with the California Department of Public Health, Center for Infectious Diseases, Office of AIDS (OA) pertaining to the administration of the AIDS Drug Assistance Program (ADAP) enrollment process for contract period of July 1, 2012-June 30, 2015.

- M13-70** **Action:** (1) Approve County entry into proposed contract, and authorize the Chair of the Board of Supervisors to execute said contract on behalf of the County and sign the following documents: (a) 4 copies of Standard Agreement Form 213; (b) Darfur Contracting Act- CCC-307-Contractor Certification; (c) Certification Regarding Lobbying. (2) Authorize the Public Health Director to sign any contract amendments during the 3-year contract period from July 1, 2012, to June 30, 2015.
Fesko moved; Johnston 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

- 9a) CalEMA Letter Regarding Secretarial Disaster Designation Granted by USDA -
Correspondence dated March 11, 2013 regarding a Secretarial disaster designation by the U.S. Department of Agriculture that names Mono County. This is informational only.
- 9b) CalEMA Letter Regarding Declaration by the U.S. Small Business Administration - Correspondence dated March 11, 2013 wherein the U.S. Small Business Administration declared certain counties (Mono County included) as a result of a USDA disaster designation due to drought. This

is informational only.

- 9c) Inland Counties Emergency Medical Agency Letter - Correspondence dated 3/12/13 from Tom Lynch of Inland Counties Emergency Medical Agency, providing further comments on the Fitch & Associates EMS Assessment for Mono County.

Pulled for discussion:

Supervisor Fesko:

- Apparently ICEMA had not been approached; he finds this disturbing.
- He's aware of problem; somebody's feet needs to be held to the fire on this.

Marshall Rudolph:

- He didn't see any reason not to pay them their final invoice; they dealt with the county's designated representatives.

Supervisor Stump:

- Who is responsible?

Lynda Salcido:

- It was originally conveyed that ICEMA was not a major player.
- She attended meetings where representatives of Bridgeport Fire were there.
- The commentary on the draft was the issue.
- Perhaps given a different set of directives from the County, the work would have been different.

- 9d) Tuolumne County River Plan DEIS Letter - Correspondence to Yosemite National Park dated March 5, 2013 from the Tuolumne County Board of Supervisors providing comments on the Tuolumne Wild and Scenic River Draft Comprehensive Management Plan.

Supervisor Stump:

- He likes the Tuolumne County letter; thinks our proposed item 11a might be a bit wordy.
- This can be discussed when the item comes up.

The Board acknowledged receipt of the correspondence.

BOARD OF SUPERVISORS

- 10a) Solarization of County Facilities, Update and Workshop (Dan Modisette) - The Clean Air Project Program Block Grant includes seed money for potentially enabling installation of solar photovoltaic systems on county facilities. This workshop will provide a discussion of options that may be available to the county, and ideas for financing projects that may evolve from the utilization of funding incentives currently available. This item is being sponsored by Supervisor Johnston.

Action: None.

Dad Modisette:

- Handout (will be posted online after the meeting).
- Hoping to interest Board in the merits of renewable energy.
- Some of what he will be talking about will be fairly complicated; he encourages questions.
- Went over his background, work history, qualifications.
- Slide show of photos.

- Detailed discussion regarding efficient energy.
- Local labor and subcontractors have been given high priority when meeting with Lisa Isaacs.
- The major goal is to save money without doing any harm to the county; cost is the important issue.
- Questions?
- He'll have to do research on extremely cold temperatures.
- There have been changes to proposal since he left Arizona yesterday.
- California Legislators need to be emailed to move ideas forward (referencing SB 43).

Board Comments

Supervisor Hunt:

- We have varying snow loads each year.
- What is durability of solar panels these days?
- What is typical lifespan of panels?
- Encouraged Dan to stay in touch with staffers.
- Appreciates him coming; definitely something we need to consider and look at.

Supervisor Johnston:

- MCWD Panels are tracking, how does he feel about those?
- P. 4 of proposal – talking about how this works for Mono County.
- Where do we go next with this? He'd like staff involved as well.
- We need to hammer out the details of how to get there; need to make sure it's legal, etc.
- He's pleased with system proposal.

Supervisor Fesko:

- With this proposal, how much of the county will it run (he showed a diagram).
- Does he see a 56KW on top of Annex I?

Supervisor Stump:

- He spoke about his solar system; how much or little electricity is made.
- According to his inverter, it doesn't appear he's getting a much power as he should be getting.
- Likes the way it will be paid for.

Marshall Rudolph:

- Without the handout, he can't really make any comments.
- He would like a copy of the handout.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Additional Departments: Economic Development

11a) Tuolumne River Plan Comments (Heather deBethizy, Jeff Simpson) - Consider Tuolumne River Plan and Environmental Impact Statement comments.

M13-71 **Action:** Authorize Chair's signature on comment letter, revised as discussed.

Johnston moved; Alpers seconded

Vote: 5 yes; 0 no

Scott Burns:

- Filling in for Heather deBethizy and Jeff Simpson who are otherwise occupied. This is a comprehensive reflection of these two individuals.
- Staff report highlights the importance of this by including the policies.
- Tried to highlight items that Tourism Commission felt was important.

- Outlined/explained the draft letter included in packet.

Supervisor Stump:

- Generally speaking, the longer the letter it seems the less people pay attention. If this is not true, then the proposed letter is great.

Supervisor Johnston:

- Not sure about the word “note” – should be an actual recommendation.
- Add: to keep the Mountaineer School; it’s a small operation. Similar to what Toulumne letter said.

Supervisor Alpers:

- Agrees, needs to be more insistent.
- The attention to detail on this issue is important for us to show we have policies in regards to the park; demonstrates our commitment. Lays it out clearly.
- The policies are right there; we need to be firm.

Alicia Venno:

- Would the Board like to do an official letter regarding the Merced River plan as well? By the 16th?

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

FINANCE

12a) Property Tax Software Maintenance Contract (Roberta Reed) - Proposed contract with Megabyte Systems, Inc. pertaining to annual maintenance and addendum for web services.

M13-72 **Action:** Approve County entry into proposed contract and authorize County Administrative Officer to execute said contract and addendum for web services on behalf of the County.

Alpers moved; Stump seconded

Vote: 4 yes; 1 no: Fesko

Roberta Reed:

- Gave update on Megabyte System.
- This system had capabilities to do what we needed: integrating the Tax Collector, Assessor and Finance Office.
- This is the company that deals with glitches. She explained what the company does, what the contract covers, etc.
- She doesn’t anticipate it costing more than \$114,000 but there is extra in case something comes up. It’s not to exceed \$130,000.
- All of this will be passed on to Property Tax Admin. fees.
- County ends up paying a percentage of the fees that can’t be absorbed.
- This will most likely be the continual upgrade/maintenance fee as we go forward.
- We budgeted \$120,000 last year but didn’t spend it; we are “over a barrel”. This is the amount the company says it costs to maintain system.
- It’s not an option to not have a maintenance agreement. There was one other system when we looked but it wasn’t sufficient to meet our needs. We had too many special assessments.
- Amounts come out of the following budgets: Finance 2/3 of cost; Assessor 1/3 of cost. Major part of original cost was conversion of old records.

- She will work with new Finance Director on Board's concerns; this needs to be renewed between now and June 30th.
- Megabyte was the best for us.

Supervisor Stump:

- How much passed along as Property Tax Admin. Fees?
- Is entire cost of upgrade passed to other entities you collect monies from?
- Is this fee going to be typical or future upgrades?
- Would we need this upgrade even without the special districts?
- Which Department contains the line item to pay for this?
- What is time frame?

Supervisor Fesko:

- The cost keeps jumping up each year; history shows it's going to keep rising each year.
- Have we asked for a reduced maintenance rate, in light of poor economic times?
- If we didn't do the maintenance agreement but asked for help when we needed it, what would happen?

Supervisor Johnston:

- He thought the system was \$800,000 - \$1 million when it was purchased.
- We've gotten into a situation where it looks like we don't have any choices. There are many other counties not using this system.
- We need to find a less costly system in future budget cycles.
- Feels we aren't spending our money wisely; we're trapped in spending over \$100,000 each year.

Supervisor Hunt:

- Would this money buy us an in-house person? Or, is there any alternative for us?
- Agrees with Supervisor Johnston that we need to keep our eyes open for other options.

Supervisor Alpers:

- Where do the dollar amounts come from?

PUBLIC WORKS - SOLID WASTE DIVISION

13a)

Continue Solid Waste Planning Workshop from March 12, 2013 (Tony Dublino) - Continue discussion from the March 12, 2013, Board meeting about the current state of the county's Solid Waste system and related issues, and a look at future alternatives. This item was requested by Supervisor Fesko.

Action: None.

Tony Dublino:

- Handed out alternatives for County Solid Waste System (to be posted on the website).
- Recognizes how important the discussion is. Sounds like potential partial fee increase may be an option.
- As pivotal as what the town is going to do, it all lies down in the disposal category. What the town does, as far as collection, doesn't really affect this board. This is what he was hoping for some direction on.
- He has a whole laundry list of things to bring to Town/County Liaison meeting.
- There is concern about what might happen in the future; he's trying to position the county to minimize potential impacts from town. He may be a bit premature, but some contingency plans would be beneficial. He's not certain he'll come away from any meetings in future months with any set answers.
- Should he continue to work with the town? Or should we create individual

contingencies?

- Maybe after more meetings with the town he can then take additional steps forward with options, etc.

Jeff Walters:

- Solid waste not part of the vehicle replacement plan.

Supervisor Johnston:

- How long will equipment last?
- We don't have vehicle replacement program for the landfill?
- When is meeting with Town? Will we get unit costs/time frame from that discussion?
- There are a lot of unknowns at this point.
- Increase parcel fees for everyone? Thinks we'd need some coordination (MOU) with the Town so that fees are addressed both in the county and in the town.
- We need more information.
- When meeting with the town, regarding MRF, all information about this should be public – all numbers, etc.

Supervisor Hunt:

- We have a lot of work left to do on this.
- Believes the idea of "regionalization" is important and will affect what happens now and later.
- Asked how Board felt about the Enterprise Fund?
- We have toolbox of options; once additional research is done.
- He's heard private vs. public a lot today. Both the town and the county should be looking at this for way down the road.

Supervisor Stump:

- At the moment, not a lot to say without discussion with the Town first.
- Staff needs to investigate what we need to do to level playing field for first and second home owners. Or, recommends small parcel fee increase. Property owners only would get a say on this.
- Need firm answer to who pays for the MRF?
- What is involved in getting rid of partial occupancy waiver?
- He sees a lot of unanswered questions. Staff needs to tell us what will be involved in raising fees? It may not fly.
- If we go with examining parcels that receive partial fee waivers and make any single family home that is capable of supporting year round residents, the fee should be consistent. Would notice only go to those property owners?

Supervisor Fesko:

- Assuming the property owners would agree to an increase, he could agree but it could only be temporary. These monies would need to be dedicated for closure of Benton Crossing.
- In tough economic times, businesses should be involved in discussion. Would be different for businesses/residential.
- We can't increase gate fees even more.
- We need to get out of the garbage business.
- In the long run, what is the goal? Taking into account what will happen with Benton Crossing closure, etc.
- Wants Tony to look again at curbside service.
- Public vs. Private Transfer Station?
- Consolidate Transfer Stations? Not sure that helps.
- Improve Recycling Programs – what does this do?
- Community Dumpsters doesn't work.
- Asked Kevin to work with Tony on getting numbers, etc.

Supervisor Alpers:

- A lot has been brought up; there is still a lot of discussion left to have regarding this issue.

Marshall Rudolph:

- We can't change the Town's fees.
- Stacey Simon would be the person to really research this.
- Does this only relate to an optional thing? Or different types of residences (i.e. condos)?
- All county properties or is there separate vote within jurisdiction on the town?

Stacey Simon:

- Is researching question of response/closure/post-closure costs if Town leaves program?
- Stacey went over procedures for increasing or imposing new Property Related Fees (handout, will be posted on website).
- Went over substantive requirements.
- Final procedural step for most parcel fees is voter approval (following majority protest hearing). Exception to that requirement for refuse collection fees.

Mary Booher:

- She feels the condo issue is an inequity that would need to be addressed.
- She can probably get projections with clean ups (reagarding change in parcel fee) within a month.

Kevin Brown (D&S Waste removal):

- Can't keep raising gate fees; thinks it's wise for the county to get out of the trash business eventually.
- Every time fees are raised, all his customers have to pay for it. He believes in a parcel fee increase.
- If you make it mandatory service, make recycling part of it.
- Mono County's tipping fees are in the middle, not the lowest.
- Don't need the town of Mammoth to run your own system.
- Tony does need direction now; it is urgent. We don't need the town to make this work.

ADJOURNMENT 3:54 p.m.

ATTEST:

BYNG HUNT
CHAIR

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD

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