



**DRAFT 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 Mammoth Lakes BOS Meeting Room, 3rd Fl. Sierra Center Mall, Suite 307, 452 Old Mammoth Rd., Mammoth Lakes, CA 93546

**Regular Meeting
July 15, 2014**

Flash Drive	Portable Recorder
Minute Orders	M14-129 to M14-139
Resolutions	R14-45 NOT USED
Ordinance	Ord14-03 NOT USED

9:00 AM Meeting Called to Order by Chairman Johnston.

*Supervisors present: Alpers, Fesko, Hunt, Johnston and Stump.
Supervisors absent: None.*

*Break: 10:11 a.m.
Reconvene: 10:20 a.m.
Lunch/Closed Session: 1:12 p.m.
Reconvene: 2:03 p.m.
Adjourn: 3:28 p.m.*

Pledge of Allegiance led by Supervisor Hunt.

Due to scheduling conflicts, some items were taken out of order at today's meeting.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Rick Phelps (High Sierra Energy Foundation):

- Spoke about recent accomplishments; update on program.
- Outreach kit – left a sample with CAO Leddy.

Note

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2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Action: Approve Minutes of the Special Meeting held on June 27, 2014.

Alpers moved; Hunt seconded

Vote: 5 yes; 0 no

M14-129

B. Board Minutes

Departments: Clerk of the Board

Action: Approve Minutes of the Regular Meeting held on July 1, 2014.

Hunt moved; Alpers seconded

Vote: 5 yes; 0 no

M14-130

3. PRESENTATIONS – NONE

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- Attended Bridgeport 4th of July parade, it was well organized and the attendance was off the charts.
- Spent last week in Washington, D.C. at the request of MMSA. Did this at his own expense, traveled with Rusty Gregory and Ron Cohen; a variety of issues were addressed. Spoke with legislators. Discussed Land Trade issue; the way Washington works is very frustrating, however he does feel it was productive. Washington D.C. is on edge security-wise right now.

Supervisor Fesko:

- Antelope Valley Lion's Club – board received a thank you for the help on community center; he echoes that.
- Fishing Derby in Antelope Valley is going on now; there have been some nice fish stocked.
- We had large hailstorm yesterday in Bridgeport.
- 7/11 – Mono County Tourism: took ATV's out on a filming gig, interested to see the footage.

Supervisor Hunt:

- The summer has been in full swing; a lot of great activities in the county.
- World Cup – usually not much of soccer fan but really enjoyed watching it.

Supervisor Johnston:

- Attended ARC meeting.
- Did a lot of 4th of July clean-up.

Supervisor Stump:

- Wednesday, attended meeting in June Lake with Fire Safe Council and county staff, would county consider adopting local ordinance relating to reducing hazard of fire in certain areas? Not realistic to do an ordinance at this time.
- Thursday, attended Planning Commission meeting regarding constituent issue. Thanked staff.

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- Conference call with Nate and RACE Communications; areas of grant clarified. Encouraged them to try to work with Public Works while we're rehabilitating the Chalfant Streets in getting conduit placed.
- Mentioned and passed out HERO fliers.

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Jim Leddy:

- Attended MAG meeting.
- Had great turn out at Coffee with CAO.
- Working on reducing Employee Commute costs.
- Tied with another county for highest ribbon winning county in state at the fair; we won three awards. Would like a special presentation at the 8/12/14 meeting.

6. DEPARTMENT/COMMISSION REPORTS

Marshall Rudolph:

- Introduced Alexandra Braverman; interning in office for the summer.

7. 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. Medi-Cal Managed Care Services Agreements

Departments: Public Health and Behavioral Health

Proposed contracts (2) between Blue Cross of California Partnership Plan (BCCPP) and Mono County on behalf of its Public Health Department and between BCCPP and Mono County on behalf of its Behavioral Health Department. Proposed contracts (2) between California Health and Wellness and Mono County on behalf of its Public Health Department California Health and Wellness Plan and Mono County on behalf of its Behavioral Health Department to assure coordination between these Medi-Cal managed care organizations and county agencies. Medi-Cal managed care contractors are required by the California Department of Health Care Services to contract with Local Health Departments and Behavioral Health Services to make available certain services to their Members.

Action: Approve County entry into four proposed contracts and authorize Lynda Salcido, Public Health Director, to execute those two contracts related to the Department of Public Health on behalf of the County, and authorize Robin Roberts, Behavioral Health Director, to execute those two contracts related to the Department of Behavioral Health on behalf of the County.

Fesko moved; Hunt seconded

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Vote: 5 yes; 0 no
M14-131

B. Request to fill position

Departments: Probation

(Karin Humiston) – Requesting approval to recruit for a Deputy Probation Officer I/II position replacing Christine Cauble.

Action: Approve recruitment for a Deputy Probation Officer I/II Position, replacing Christine Cauble.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M14-132

Pulled by Supervisor Fesko:

- Wanted to make sure that the public knew this position was fully funded, not part of general fund.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. Antelope Valley Lions Club

Departments: Clerk of the Board

Thank you letter from Antelope valley Lions Club.

Supervisor Fesko:

- There will be an open house July 26, 2014 for anyone wanting to go; there is an entrance fee.
- Voiced additional thanks for the county's help.

The Board acknowledged receipt of the correspondence.

9. REGULAR AGENDA – MORNING

A. Conway Ranch Conservation Easement

Departments: Board of Supervisors; Public Works, County Counsel

(Tony Dublino, Marshall Rudolph) – Proposed Conservation Easement (and associated management plan) on Conway Ranch and Mattly Ranch.

Action: None.

Tony Dublino:

- This is being brought back to Board again for discussion; not looking for final approval today.
- Specific language in draft is not necessarily reflective of final language.

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The draft does represent staff concepts; their best efforts. He feels it also reflects the opinion of the Board.

- There are some suggested changes that were *not* incorporated.
- Quickly ran through list of proposed changes.

Marshall Rudolph:

- Advised Board that he handed out a different version of what was in the packet.
- Explained that staff is looking for consensus from the Board as they've never formally weighed in.
- Right now, they're looking for comments on two documents.
- Reiterated that it's not possible to incorporate changes of every interested party; there's no sweet spot that makes everybody happy. This is an attempt to compromise and balance interest.
- The Land Trust has really been working closely with the county; it's a definite collaboration.
- Addressed issue of DWP's water rights.
- Leaving the grazing open to livestock might be better.

Supervisor Hunt:

- This whole project has been through a very thorough process; has been going on for a year and a half. We've reached a point of compromise, where we can start to put this into place.
- We're at the point to add and get this thing done.
- Thanked the Eastern Sierra Land Trust; this has been a lengthy and very unique process.

Supervisor Alpers:

- He supports the lengthy process that's been gone through.
- The Board has not taken a stand yet because this is a decision for all time. Once it's adopted, that's it.
- General consensus is that people want a conservation easement on the property.
- He feels this has been a very transparent process.
- Went over some specific points.
- Mattly/groundwater discussion.
- Wants to be able to explain to his constituents what steps are next for people wanting to plan a project.

Supervisor Fesko:

- Asked about the language about endangered aquatic species.
- Feels it has been a very open process; he feels everyone has had a chance to openly comment.
- Has issues with several sections; went over them.
- Discussion about groundwater limits.

Supervisor Stump:

- Referenced water rights/letter from DWP.
- Asked for clarification on Mattly; whether it's included or not?
- Asked about utilization of map.
- Discussion about term "reasonable"; another term we can use?
- Need to leave room for small scale agriculture, potentially.
- His vision was that the conservation easement would be an umbrella to address future concerns: we've strayed into the planning process of a conservation easement.
- Thanked Gaye Mueller for being here too. Wants to make sure everyone knows how much work is being done.

Supervisor Johnston:

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- He feels that the Specific Plan should have been tackled first; he's disappointed that this broader view wasn't conducted.
- He's assuming that the Specific Plan WILL be revised?
- Question about section relating to paving.
- 35 foot height limit; too tall.
- Hunting and snowmobiling are incompatible with property.
- Agrees Mattly Ranch restriction; groundwater issue.
- Livestock grazing; should be restricted to sheep.
- Lighting on motion sensors only.
- Big Horn Sheep.
- Wanted to make sure whatever is constructed out there needs to be camouflaged.

Karen (Eastern Sierra Land Trust):

- Discussion about small scale agriculture; something would need to be drafted.
- Discussion about paving section; limiting it to access road? Within 75 acres?
- Best easements have measurable standards in them; gray areas make it difficult to monitor.

Board Consensus Discussion:

- Water issue: limits? Keep limits as suggested.
- Sheep vs. livestock: include livestock.
- Lighting – remove word emergency and use motion detectors.
- Overnight use: keep as is, clean up wording.
- Mattly Aquatic Species: keep as Marshall described it.
- Building Footprint: height limit 35 feet ok; 6,000 square feet ok.
- Small Scale Agriculture: add? Yes if possible.
- Road Paving in special spots that need it within 75 acres: Yes.
- Hunting: It's ok, leave as is.
- Over snow vehicles: It's ok, leave as is.

Scott Burns:

- Proposing to replace Conway Ranch Specific Plan with "open" area concept.
- Discussion of Specific Plan vs. Use Permit.

B. Caltrans MOU amendment

Departments: Board of Supervisors, County Counsel, Public Works

(Marshall Rudolph, Tony Dublino) - Proposed Fourth Amendment to Memorandum of Understanding between the California Department of Transportation and Mono County pertaining to Conway Ranch. Said amendment would address an issue that has recently arisen between the parties regarding Lot B in the Conway Ranch subdivision.

Action: Approve County entry into proposed Fourth Amendment to Memorandum of Understanding between the California Department of Transportation and Mono County pertaining to Conway Ranch, and authorize Board Chairman to sign said Fourth Amendment on behalf of the County.

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Alpers moved; Fesko seconded

Vote: 5 yes; 0 no

M14-133

Marshall Rudolph:

- Explained item and need for fourth amendment.

C. West-Wide Energy Corridor Workshop

Departments: Community Development

(Michael Sintetos, Renewable Energy Coordinator, BLM California State Office) - Presentation by Michael Sintetos, Renewable Energy Coordinator, BLM California State Office regarding West-wide Energy Corridor (requested by Supervisor Stump).

Action: None.

Michael Sintetos (Renewable Energy Coordinator, BLM):

WEST WIDE ENERGY CORRIDORS POWER POINT:

- Overview.
- Energy Policy Act of 2005.
- Why the need for corridors?
- West Wide Corridors EIS.
- Map – showing Proposed Energy Corridors (there are 20 corridors designated in California).
- Litigation.
- Settlement Agreement.
- Next Steps.
- Opportunities for Engagement.

Additional Comments:

- The Sage Grouse listing issue is something new that needs to be considered. This is the type of information he's looking for.
- As we look at going back and doing regional reviews; all new information needs to be considered.

Public Comments:

Sally Miller:

- Her association was one that filed litigation.
- They'd ultimately like to see corridor de-designated.
- Supervisor Johnston: asked for clarification on which counties joined her for litigation.
- Supervisor Hunt: asked if letter the Board wrote was helpful?

BOARD DISCUSSION

Supervisor Stump:

- Thanked him for coming.
- Has concern that if projects are engaged where sage grouse listing issues are, it will exacerbate the process.
- Does not feel west wide corridor appropriate, feels an alternative route is necessary.
- Feels Board has done what it needs to do at the moment.
- There is another proposed corridor not discussed yet; not able to get information on this, why?
- His constituents are not supportive and he is personally concerned. Doesn't see an upside for the county.

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- Emphasized the need to be a player in this situation.

Supervisor Alpers:

- Agrees with Supervisor Stump's comments.
- This will become a project; the visuals are extremely important.
- Feels there are concerns about this.

Supervisor Johnston:

- There are lots of other places to utilize power (not in our county) that should be used first.
- He's not real happy with what's happened so far; we need to get out in front of this and consider what we're doing.
- Appreciates him coming here; doesn't mean to criticize. We're supposed to be 'Wild by Nature', that's the direction we should be going.

Supervisor Hunt:

- Consensus that this Board is very concerned with what's going on with this corridor; need to be kept informed of developments.

D. Business License Ordinance Amendment

Departments: Finance

(Leslie Chapman) - Proposed ordinance, "An Ordinance of the Mono County Board of Supervisors Adding Section 5.12.030 to the Mono County Code to Create an Exemption from the Payment of Business License Fees for Persons Doing Business in Mono County on Only One Occasion"

Action: Introduce, read title, and waive further reading of proposed ordinance, as amended.

Stump moved; Hunt seconded

Vote: 4 yes; 1 no: Johnston

M14-134

Leslie Chapman:

- Explained item; she's run into several issues over the past year regarding business licenses.
- This seemed like a flaw in the current policy; not everyone needs a business license.

Supervisor Fesko:

- He thinks "one time" wording may be too restrictive. Perhaps make it broader.
- Not sure five days is enough.

Stacey Simon:

- Can take out "one occasion" wording; need to also address it's a one-time entry into the county.
- Change to per fiscal year.
- Doesn't think the board wants to repeal their business license ordinance.

Supervisor Stump:

- Put in wording allowing a turn over period annually.

E. Authorization to Bid for the Topaz Lane Bridge Maintenance Project

Departments: Public Works

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(Vianey White) - This project will repair portions of deteriorated timber railing, replacement of abutment and rock slope protection at the Topaz Lane Bridge No. 47C-0005, 0.1 miles east of State Route 395 in the community of Topaz.

Action: Approve bid package, including the project manual and project plans, for the Topaz Lane Bridge Maintenance Project. Conditioned upon the County's receipt of approval from the Federal Highways Administration and Caltrans to use Bridge Preventative Maintenance Program funds for the work, authorize the Public Works Department to advertise an Invitation for Bids and to issue the project for bid.

Fesko moved; Hunt seconded

Vote: 5 yes; 0 no

M14-135

Vianey White:

- Asked if there were questions about attachments which were out of order on agenda.
- Gave introduction and explanation of item.
- \$8,000 county match has already been funded.

F. Authorization to Bid for the Mountain Gate Phase 2 Fishing Access Project

Departments: Public Works

(Vianey White) - This project consists of constructing a pedestrian path, ADA parking and access, installation of site amenities including picnic tables, timber fishing platform, amphitheater, riparian interaction area, river access, PAR course, and landscaping at the Mountain Gate property located off Highway 395, ½ miles south of Walker.

Action: 1. Approve addendum to previously certified negative declaration for the Mountain Gate Fishing Access Project. 2. Approve bid package, including the project manual and project plans, for the Mountain Gate Fishing Access (Phase 2) Project. Authorize the Public Works Department to advertise an Invitation for Bids and to issue the project for bid.

Fesko moved; Alpers seconded

Vote: 4 yes; 1 no: Stump

M14-136

Vianey White:

- Explained and introduced item.
- No impact to the general fund.
- Maintenance will be done by facilities department; she's been working with Joe Blanchard. It's been scaled way down.

Supervisor Fesko:

- This project has been in the works for 14 years; Thanked staff, Arden Gerbig and Bruce Woodworth.

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Supervisor Johnston:

- Who maintains this, how much does it cost?
- Doesn't grant say that maintenance will be done by Mono County?

Supervisor Stump:

- He's concerned about the maintenance and the fact that we're three employees down in the facilities department; he understands we need to use grant money.

Stacey Simon:

- Spoke about water rights update – wild and scenic river status issue has arisen.
- Water has not yet been decided to be distributed.

G. Authorization to Bid for the June Lake Streets Rehabilitation Project

Departments: Public Works - Engineering Division

(Garrett Higerd) - This project will rehabilitate approximately 8 miles of local streets in June Lake. The project also includes drainage improvements, signage and driveway transitions.

Action: Approve bid package, including the project manual and project plans, for the June Lake Streets Rehabilitation Project. Authorize the Public Works Department to advertise Invitation for Bids and to issue the project for bid.

Alpers moved; Hunt seconded

Vote: 5 yes; 0 no

M14-137

Vianey White:

- Introduced and explained item.

Supervisor Alpers:

- Thanked Garrett and his staff; commended him for getting into the community and getting feedback.

H. State Council on Developmental Disabilities, Area 12 Board of Appointment

Departments: County Administrator's Office

(Jim Leddy) - Requested appointments to the State Council on Developmental Disabilities Appointments for Area 12 Board. The Area 12 Board covers Mono, Inyo, Riverside and San Bernardino Counties.

Action: 1) Appoint Corrina Korpi to the State Council on Developmental Disabilities Area 12 Board. 2) Re-appoint Lori Ciccarelli to the State Council on Developmental Disabilities Area 12 Board.

Hunt moved; Stump seconded

Vote: 5 yes; 0 no

M14-138

Jim Leddy:

- Introduced item.

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- Two people to be appointed to the board.

I. Expansion of California Tax Credit for Film and Television Production (AB 1839)

(Alicia Vennos) - The Mono County Tourism & Film Commission encourages the Board of Supervisors to support Assembly Bill 1839 which will enhance California's existing film and television production tax credit program. The goal is to attract an increased number of productions in California which will thereby create additional potential for Mono County to secure incremental filming opportunities.

Action: Approval of letters to Governor Jerry Brown and to the Senate Committee on Appropriations in support of AB 1839.

Hunt moved; Alpers seconded

Vote: 4 yes; 1 no: Fesko

M14-139

Alicia Vennos:

- Explained item and AB 1839.
- The letter outlines the exodus of the film industry.
- Next action is in August.
- A letter of support has been requested.

Supervisor Fesko:

- Has mixed feelings about this;

Supervisor Stump:

- Asked about which film left the area?

Supervisor Johnston:

- Great letter; very good for businesses in the county.

J. Ordinance regarding Board Chair compensation

Departments: Board of Supervisors

(Marshall Rudolph) - Proposed ordinance amending Section 2.04.030 of the Mono County Code in order to eliminate additional compensation for a member of the Board of Supervisors serving as Board Chair.

Action: Introduce, read title, and waive further reading of proposed ordinance.

Hunt moved; Johnston seconded

Vote: 2 yes; 3 no: Stump, Fesko and Alpers

Motion Fails

Marshall Rudolph:

- This is being brought back at the request of the board.

Supervisor Johnston:

- He doesn't think extra special compensation is needed to serve as board chairman.
- This change is right for the time and is a message to our employees. We are asking for a lot from our employees.
- The public expects the board to be reactive to what's going on in the

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economy.

Supervisor Alpers:

- He feels there is value to the Chairman position; there should be some value added to it.
- He feels this cut should be voluntary, not mandatory to each specific person.
- At this time he can't commit to the ordinance.

Supervisor Fesko:

- He disagrees with Marshall's take on this ordinance.
- The Code is clear that there *shall* be a chairman; it's a mandated position.
- No way he can support this; doesn't feel it's fair to people coming into the position.
- He personally needs the salary provided in order to be able to walk away from his business and serve the people.
- No person's workload is the same.

Supervisor Hunt:

- There has been good reason in the past for Chair's to receive extra salary.
- He has taken all his salary over the past years.
- At this point, he'd agree with a cut in the Chair's salary. The job isn't that much more than a regular member.
- He feels a reduction in salary should be made and addressed across the board.
- He takes offense to the information being discussed about Board member salaries. It's inappropriate. By law we're given a certain salary.

Supervisor Stump:

- He tends to agree with Supervisor Alpers: voluntary reduction.
- He'd like to see salary reductions across the board.

Stacy Corless:

- Appreciates Supervisor Fesko's comments about having a salary related to serving as a board member.
- If it is a lot more work to be Board Chair then it should be recognized.
- She doesn't think that this is the best way to acknowledge employee's sacrifices.

Jim Leddy:

- It is public information what the Supervisors' compensation is.
- The Board did cut its overall budget by 3.5%.

K. Board Member Direction of Staff

Departments: County Administrator's Office

(Jim Leddy) - Board Member Direction of Staff - Review Board of Supervisors adopted Rules of Procedure, specifically Rule 43, and provide direction to staff on future Board member requests for staff work on projects. At the July 8th, 2014 Board of Supervisors meeting, Supervisor Fred Stump requested this item be placed on the next available agenda to help clarify the direction of staff which may occur by Board members during Board of Supervisors meetings.

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Action: None.

Jim Leddy:

- About Board Members assigning staff/resources to projects.
- Discussion about Rule 43 in the Board Policies and Procedures Manual; is it written the way it should be? Does it need revision?
- Concern is about things falling off the plate.
- Projects completely outside of budget discussions, already begun projects, etc. should not be done. We need to focus on most important items.
- He needs to be more diligent about saying "we need to agendize this". Calling out what needs to be put onto future agendas, or not.

Supervisor Stump:

- We need to keep our short staff in mind; giving them flexibility to prioritize.
- No one board member should give a directive that staff will start working on.
- Keeping money in Mono County is a good idea; it shouldn't be a policy if we can get things cheaper elsewhere.
- Staff needs to know that a comment from one board member doesn't mean go do it. Need to be more specific. Staff needs the freedom to be vocal.

Supervisor Alpers:

- We need to make it quantifiable; priorities need to be made.

Supervisor Fesko:

- He agrees with Supervisor Stump's opinion.
- Where do we draw the line between what gets done and what doesn't?

Supervisor Johnston:

- Question about what "significant" is?
- He's happy with the way rule is written.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Duane "Hap" Hazard:

- AB 109 discussion; there was a large media piece.
- Explained his history with AB 109.
- Discussion about the agreement in place between county and Department of Corrections.
- Doesn't like seeing misinformation in the media; as board is in the middle of budget discussions, they need to understand the impact of AB 109 costs.
- If board doesn't voice how much these funds are needed; they will go away.
- Supervisor Stump: correctional side is aware of this. Point well taken.
- Supervisor Fesko: asked about agreement with state; asked for copy of agreement.

11. CLOSED SESSION

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, Bill Van Lente 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)

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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 - Public Employee Performance Evaluation - Government Code section 54957. Title: County Administrator.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

- C. 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 et al.

- 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: County of Mono v. Standard Industrial Minerals.

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

13. REGULAR AGENDA AFTERNOON- NONE

ADJOURN 3:28 p.m.

ATTEST

LARRY K. JOHNSTON
CHAIRMAN

SHANNON KENDALL
SR. DEPUTY CLERK

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