



**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 Suite Z, 237 Old Mammoth Rd, Suite Z, Mammoth Lakes, CA 93546

**Regular Meeting  
October 17, 2017**

9:07 AM Meeting called to order by Chair Corless.

Pledge of Allegiance led by Chair Corless.

**1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**  
*No one spoke.*

**2. RECOGNITIONS**

**A. Resolution of Appreciation for Dick Whittington**

Departments: Clerk of the Board

(Stacy Corless) - Resolution of Appreciation for Dick Whittington, Yosemite Area Regional Transportation System Transit Manager.

**ACTION:** Approve resolution.

**Gardner moved; Stump seconded**

**4 yes; 0 no; 1 absent: Johnston**

**M17-203**

**Supervisor Corless:**

- Read resolution to public. She will be giving this resolution to him at the next YARTS meeting.

**3. COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments

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

**Leslie Chapman, CAO:**

- Working on several projects including getting the working group together to answer some questions.

- South County Building – 11/26 – deadline for request for qualifications, will update board soon.
- New Mono County Banner behind dias. She welcomes comments and/or suggestions about it. Supervisor Stump thanked Becky for her work on this.
- Continues to move forward different projects.

#### 4. DEPARTMENT/COMMISSION REPORTS

##### Kathy Peterson:

- Update regarding open enrollment – various health insurance plans.
- Wildfire response/California Dept. of Social Services: Some people have lost access to their benefits cards due to fire; we may see some people that come here; CDSS has set up system that if they do come here, we are not going to be asking for usual identification.
- Fire at Walker Trailer park on 10/7 – Social services is assisting families in various ways.
- Stump asked for updates as time goes on.

##### Alicia Vennos:

- Attended Eastern Sierra Capital Summit on 9/22 at Westin in Mammoth Lakes. It went very well; thanked organizer Kelly Beardon (Exec. Dir. of the Small Business Dev. Center through CSU Bakersfield).
- Just got back from Paris; asked by High Sierra Visitor's Council to attend show.
- Fall color season wrapping up: drive the June Lake loop today if possible. New addition of Fall Color map available; she handed out.

#### 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. Board Minutes

Departments: Clerk of the Board

Approve minutes of Board meeting.

**Action:** Approve Board minutes of October 3, 2017 Regular Meeting.

**Stump moved; Peters seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

**M17-204**

##### B. Facilities Staff Promotion to Craftworker, Step C

Departments: Public Works/Facilities

Eric Eilts is being recommended for promotion from a Maintenance Worker III; Step AA to a Craftworker, Step C.

**Action:** Authorize the promotion of existing employee Eric Eilts from Maintenance Worker III step AA to Craftworker, Step C.

**Stump moved; Peters seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

**M17-205**

**Supervisor Stump:**

- Thanked Facilities staff for information provided.

**Leslie Chapman:**

- Thanked Dave Butters for his work on educating people so that Board has best information.

**C. Proposed resolution adding one new Staff Services Analyst I/II position in the Social Services Department**

Departments: Social Services

Allocate an additional permanent Staff Services Analyst I/II position to the Social Services Department to conduct federally required child welfare case record reviews (Child and Family Services Reviews) and other quality assurance processes.

**Action:** Adopt Resolution R17-79, authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to add one Staff Services Analyst I/II.

**Stump moved; Peters seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

**R17-79**

**D. Assessor's Office New Hire at Step B**

Departments: Assessor

Request to hire candidate for the Cadastral Mapper/Transfer Analyst position in the Assessor's office at a B Step.

**Action:** Authorize the hiring of a Cadastral Mapper/Transfer Analyst in the Assessor's office at B step.

**Stump moved; Peter seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

**M17-206**

**6. CORRESPONDENCE RECEIVED**

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

**A. Antelope Valley Cannabis Association**

Departments: Clerk of the Board

Letter from Antelope Valley Cannabis Association to the Board of Supervisors to reconsider staff direction provided during the October 3, 2017 meeting.

**B. Tilith Letter**

Departments: Clerk of the Board

Letter from Eric Edgerton of Tilth, LLC following up on his public comment at the Board of Supervisors meeting related to the regulation of commercial cannabis in Mono County.

**Pulled by John Peters (for both pieces of correspondence):**

- Working group meeting later to organize a coordinated response.
- In these letters and in public comment – idea of interim ordinance where cost would go to the applicants is a different concept than originally presented.
- Would like further discussion/work by staff to determine what this looks like/what it means.

**Supervisor Stump:**

- If people in the Antelope Valley wish more local control around Cannabis regulations, then they can pursue incorporation as a town.

**Supervisor Gardner:**

- Doesn't think entire cost should be paid by the general taxpayer. We've already expended so much time.
- No need to rush; need to learn from others.

**Supervisor Corless:**

- Agrees with Supervisor Peters to explore interim ordinance idea.
- If there's a way to support industry while developing longer term regulations with tax measure, that's what she'd like.

**Leslie Chapman:**

- Happy to bring back to board for further discussion; can get into more specific issues that have been raised since workshop.

**Sally Rosen:**

- Thanked board for putting letters on the agenda; would hate to see regulations delayed; could miss opportunities.

**Citizen (didn't state name):**

- Believes this could be a win/win. Now is the time to act.

## 7. REGULAR AGENDA - MORNING

### A. Emergency Road Repairs – Upper Summers Meadow Road Bridge

(Garrett Higerd) - Update on emergency road repairs.

**Action:** 1. Receive update on Upper Summers Meadow Road emergency bridge project. 2. As established by Public Contract Code Division 2, Part 3, Chapter 2.5 "Emergency Contracting Procedures," review the emergency action taken on August 1, 2017 and make a finding, based on substantial evidence set forth in the meeting, that the emergency continues to exist as to Upper Summers Meadow Road, and that continuation of the action to replace the washed-out bridge on that road is necessary to respond to the emergency (A 4/5 vote is required). 3. Direct the County Engineer to continue procuring the necessary equipment, services, and supplies to make emergency repairs to Upper Summers Meadow Road, without giving notice for bids to let contracts.

**Stump moved; Peters seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

**M17-207**

**Garrett Higerd:**

- Gave update; received revised design from manufacturer; currently working with vendors on how project will proceed.

### B. Innovation Partnership with Los Angeles County Mental Health

Departments: Behavioral

(Robin Roberts, Amanda Greenberg) - Approve Mono County Behavioral Health partnership in the Los Angeles County Mental Health Services Act Innovation Plan for Fiscal Year 2017-2018.

**Action:** Adopt proposed plan.

**Stump moved; Gardner seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

**M17-208**

**Robin Roberts:**

- Innovation project separate from other project previously discussed; invited by LA County.
- 3 year plan; technologically based; feels we will benefit a great deal.
- Outcomes: policy level (big wide project issues); should have a variety of applications that can be easily used by everyone; will provide social services access.
- Meeting with all counties Thursday in L.A.

**Supervisor Gardner:**

- Access to technology and data we wouldn't otherwise have access to; will benefit working with large county; asked about outcomes.

**Supervisor Stump:**

- Asked that Robin extend condolences in Sonoma due to fires.
- Important for group to reach beyond social services venue.

**Supervisor Peters:**

- Asked about AB 109 requirements (prisoner realignment).

**Supervisor Corless:**

- Staff members presented to the Oversight Accountability Commission recently, congratulated them.

### **C. June Lake - Dream Mountain Drive Flooding Discussion**

Departments: CAO, Board of Supervisors

(Alice Suszynski and Neighbors) - Report on spring flooding on Dream Mountain Drive in June Lake.

**Action:** None.

**Alice Suszynski (June Lake resident):**

- Here to give recap on flood.
- Handed out statement; will be included as additional documents.
- Would like a better way for SCE to deal with this in the future; they will approach the PUC; appreciates any support Board can offer.

**Dan Rubendall (June Lake resident):**

- Gave a more live interpretation; his residence hit hardest.
- Unhappy with communication from SCE; looking for voice from our board to help get info to PUC.

**Stacey Simon:**

- County does not have regulatory authority over SCE; the Public Utilities Commission is the correct entity. Our Board can support, but we are not decision makers.

**Jeff Morris (June Lake Resident):**

- Action needs to be taken to rectify SCE's infrastructure.
- Doesn't feel anyone involved in this is litigious but asked that county help facilitate how to deal and approach PUC, i.e. a public forum.
- This is a first step; there is a lot of money invested in this.

**Leslie Chapman:**

- Encouraged residents to sign up for Sheriff's reverse 9-1-1 system.

- Recapped what she heard from Board; gave information on PUC website.

**Public Comment:**

- Chris Able (principal manager for SCE)
- Chad Woods (June Lake resident)

**Board Comments**

**Supervisor Gardner:**

- Hopefully lessons were learned; word should have gone out sooner; he would also appreciate better communication.
- Feels SCE is open to a meeting with the residents now; he's more concerned with next spring.

**Supervisor Stump:**

- Discussed best way to deal with Caltrans.
- The county has had formal communications with SCE in the past on a separate issue. He supports doing that again, sending letter to PUC president supporting communications and/or staff reps to deal with specific issues.

**Supervisor Corless:**

- Asked about alternate process for receiving notifications/information.
- Homeowners are asking Board to have formal communication with SCE, is there consensus?

**Supervisor Peters:**

- Concurs with fellow board members to support as appropriate.
- Mentioned that there is a 10/26 Sacramento area meeting.

**Break: 10:55 a.m.**

**Reconvene: 11:06 a.m.**

**D. Compliance Agreement re Short-Term Rentals -Connie Lear Rainbow Ridge Realty & Reservations**

Departments: CDD, County Counsel

(Anne Larsen, Nick Criss) - Compliance agreement with business licensee Connie Lear/Rainbow Ridge Realty & Reservations (Ms. Lear) pursuant to which Ms. Lear agrees to comply with all County requirements re short-term rentals and to pay a fine in the amount of \$10,000.00.

**Action:** Consider and potentially approve proposed compliance agreement or, if agreement not approved, set the matter for hearing regarding revocation of Ms. Lear's business license.

**Updated Action:** Move that this item be re-agendized to consider and potentially approve a proposed compliance agreement (in an amount between \$10,000 and \$15,000). If the agreement not approved, set the matter for hearing regarding revocation of Ms. Lear's business license.

**Gardner moved; Peters seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

**M17-208**

**County Counsel Stacey Simon did not sit in for this item, Asst. County Counsel Christy Milovich handled this item.**

**Nick Criss:**

- Gave quick overview of item.
- Here today to potentially approve compliance agreement or set matter for hearing.

**Christy Milovich:**

- Board can decide whether total revocation or some modification of this would be appropriate at the time of hearing.
- Clarified issue: not interested in whether she violated the code; today is about whether the settlement agreement gets accepted.
- Would have to be brought back for a higher settlement agreement amount. If not accepted, a hearing would have to be scheduled.

**Public Comments –**

- Dorothy Burdette (June Lake resident)
- Richard Liebersbach (attorney representing Connie Lear)
- Ryan Mahoney (resident)
- Connie Lear (owner Rainbow Ridge Realty)
  - Ms. Lear attempted to present a letter, but it was determined to be irrelevant to the issue at hand and therefore not distributed.

**Anne Larsen:**

- Settlement agreement and/or imposing fines are before the board, as to what is allowable under the County Code.

**Board Discussion:**

**Supervisor Gardner:**

- Spoke with Vikki Bauer and she said no guidance was provided on this issue.
- Still has not received a summary of Ms. Lear's tax returns, as requested.
- He believes a fine and/or settlement approach is appropriate but believes a fine of \$15,000 is the right amount.

**Supervisor Stump:**

- Stated he has received several emails and/or phone calls with various citizens. At no time did he discuss anything of legality.
- If hearing is held, could board modify revocation of business license in some way at that time?
- He has questions to ask which cannot be answered.

**Supervisor Peters:**

- How was monetary value of agreement reached?
- Agrees to suggested amount by Supervisor Gardner but feels additional work needs to be done; this issue is going to keep coming up.

**Supervisor Corless:**

- Agrees with Supervisor Gardner's suggestion as well.

**E. Owens Valley Groundwater Authority Joint Powers Agreement and Update**

Departments: CAO, Community Development, County Counsel

(Jason Canger, Wendy Sugimura) - Update on Owens Valley Groundwater Authority, request for letter of support for grant application and review of Joint Powers Agreement.

**Action:** 1. Propose amendments to OVGA Joint Powers Agreement for consideration by OVGA Board on October 26. 2. Approve letter of support for Inyo County's application to the Department of Water Resources for grant funding to support the development of a Groundwater Sustainability Plan for the Owens Valley Groundwater Basin.

**Stump moved; Gardner seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston  
M17-209**

**Jason Canger:**

- Gave update on the issues surrounding this item.
- Thanked Supervisor Stump for his temporary election to chair of this board.
- Went over issues to potentially be applied to the amendment to the JPA.
- General comment for discussion that Mono would support amendments to JPA.
- Discussion about Sigma Grant funding application – concerned that Inyo is applying for funds that might be more appropriately applied for by Authority.
- Draft letter handed out to board and clerk.

**Supervisor Stump:**

- Supports letter and general comments to bring back.

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

No one spoke.

**BOARD REPORTS TAKEN AFTER THE OPPORTUNITY TO ADDRESS THE BOARD AT NOON.**

**9. CLOSED SESSION**

*Break for Lunch/Closed Session: 12:12 p.m.*

*Reconvened: 2:32 p.m.*

*There was nothing to report out of closed session.*

**A. Closed Session--Human Resources**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. 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: Workers' Compensation**

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Workers' compensation claim of Franklin Smith.

**C. Closed Session - Workers' Compensation Claim**

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Workers' compensation claim of Ricci Reigle.

**D. Closed Session - Employee Evaluation, CAO**



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

**E. 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.

**F. Closed Session - Existing Litigation**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.  
Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Mono County v. Emilio and Josefina Gonzalez, Mono County Superior Court, Case No. 170027.

**10. BOARD MEMBER REPORTS – TAKEN AT NOON, PRIOR TO CLOSED SESSION.**

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

**Supervisor Corless:**

- Sierra Nevada Business Council meeting.
- Last Wednesday – Town Econ. Dev. meeting here in Suite Z.
- 13<sup>th</sup> – ESCOG Air Service Sub-Committee, attended as audience member. Very positive meeting and discussion about agreement between Inyo and the Town. 8:30 a.m. this Friday, next meeting.
- Same evening – Dana Stroud meeting – forest service, issues around visitation.
- New Police Dept. facility – attended open house.
- Staff questions regarding census update. She'll give you information.
- Working on another town hall meeting.

**Supervisor Gardner:**

- Last Wednesday attended the meeting of the June Lake Public Utility District. They have two vacancies on the Board. Interested June Lake residents can apply to be appointed to the vacancies and should contact the PUD district for more information by the end of this month.
- Also attended the meeting of the Mono Basin RPAC Wednesday evening.
- On Thursday, went over to Yosemite Valley and attended the Yosemite Gateway Partnership meeting. The meeting included a presentation from four gateway counties on their various marketing programs, including Mono County. We also heard a presentation on Yosemite's plans to improve parking, transportation, and visitor access in the Valley. Believes their work in these areas will be useful for helping with some of our similar challenges in Mono County.
- Finally, yesterday attended a meeting in Bishop with CAO Chapman and Mammoth Town officials, to meet the new Acting Inyo Forest Supervisor Chris Fisher. We discussed common interests in supporting recreation in the County, and agreed to work together on joint activity in the weeks and months ahead.

**Supervisor Johnston:**

- **Absent**

**Supervisor Peters:**

- October 10<sup>th</sup>, attended Bridgeport RPAC .
- October 14<sup>th</sup>, attended Ducks Unlimited dinner.

- Mentioned the passing of Ryan Hysell.

**Upcoming**

- Tour of Summers Meadow area HT Forest Service BP District Ranger Jeremy Marshall and grazing representatives FIM as part of the CEQA process where the transition from Sheep to Cattle Grazing is scheduled to occur.

**Supervisor Stump:**

- Since last meeting, his time has been divided between SGMA, a Race Communications permit issue affecting private residences, and fire research for his sister whose property is effected by the Napa / Sonoma Fires.
- Thanks to Jason Canger and Tom Perry for their help with SGMA and Race.
- Mentioned several upcoming meetings he will be attending.

**ADJOURNED 2:32 p.m.**

**ATTEST**

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**STACY CORLESS  
CHAIR OF THE BOARD**

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**SHANNON KENDALL  
MONO COUNTY CLERK OF THE BOARD**