



**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  
January 21, 2014**

- 9:02 AM Meeting Called to Order by Supervisor Johnston, Chair
- Supervisors present: Alpers, Fesko, Hunt, Johnston, and Stump
  - Supervisors absent: None

Pledge of Allegiance led by Supervisor Fesko

Break: 11:15 a.m.  
Reconvened: 11:25 a.m.  
Closed Session: 12:35 p.m.  
Reconvened: 2:02 p.m.  
Adjourned: 2:05 p.m.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD
  - Rick McCoy, New Age Diesel: His company can provide more cost-effective alternatives for compliance with CARB requirements, specifically the heavy off-road equipment.
    - Supervisor Johnston suggested agendaing this for a future discussion.
    - Jim Leddy, CAO, will facilitate a conversation between Mr. McCoy and Jeff Walters, Public Works.
2. APPROVAL OF MINUTES
  - A. Board Minutes

**Action:** Approve minutes of the Regular Meeting held on January 7, 2014, as corrected.

**Hunt moved; Alpers seconded**

**Vote: 5 Yes; 0 No**

**M14-15**

- Supervisor Stump corrected bullet point #2 of his comment under Item 13a, Communications Chapter—General Plan Update: “It was our fault...” should read, “It was not our fault....”

### 3. PRESENTATIONS - NONE

### 4. BOARD MEMBER REPORTS

#### **Supervisor Alpers**

1. Last Friday held office hours in June Lake from 10:00 a.m. to Noon; office hours were well attended. Discussed 1) revitalizing the community, 2) rebuilding, and 3) the rodeo grounds. Alpers wants to work on establishing a theme to make the area more attractive for investment. The community is considering various ideas that include signage, heritage, and creating an all-season resort in the rodeo grounds. He will meet once a week with the community, and will provide on-going reports to the Board.

#### **Supervisor Fesko**

1. Held a roundtable in Bridgeport last Wednesday; attendance was up. The Finance Director attended the meeting and dispelled rumors.
2. Attended the paramedics' negotiations on January 15.
3. On January 16, attended a meeting in Bridgeport regarding the Bodie Road; other governmental agencies were also represented.
4. Attended a meeting in Antelope Valley regarding the West Walker River and a research grant through IRWM to look at fisheries.
5. Attended the RPAC meeting in Bridgeport.

#### **Supervisor Hunt**

1. Last Thursday, attended a retreat to discuss 5-year strategic planning for First 5. Would like to parallel the Board's strategic planning efforts with First 5. Thanked Rick Johnson for hosting the meeting in his home.

#### **Supervisor Johnston**

1. Attended the Agenda Review Committee meeting last Wednesday.
2. Attended the Eastern Sierra Oversight Committee meeting with the CAOs of Mono and Inyo Counties.
3. Participated in a webinar on the Governor's Budget. Issues discussed: 1) gains in the state treasury (mainly capital gains); 2) “wall of debt”; 3) realignment funding; 4) housing/transportation 5-year infrastructure plan; 5) set aside for state facilities; 6) repayment of transportation loans; 7) decrease of 3.1% in excise tax; 8) cap and trade funding; 9) non-funding of Williamson Act, county/state fairs, and PILT; 10) rainy-day fund; and 11) redevelopment funding
4. Gave an update about the biomass study and biomass project. The final document should be ready by month's end.

#### **Supervisor Stump**

1. Last Tuesday contacted each special district that will be impacted by the impoundment of funds, and explained the reasoning behind the Board's decision. Districts appreciate the Board's proactive approach.
2. Water and Fire Districts in Swall Meadows are working with an on-going development issue. Thanked Brett McCurry and the Crowley shop for installing reflective snow poles in Swall Meadows near the Water District's new well.
3. Thanked Leslie Chapman for attending the Eastern Sierra Unified School District board meeting to clarify issues about the impound fund.

### 5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

**Jim Leddy, CAO:**

1. Attended the Bodie Road meeting that included Caltrans and State Parks representatives.
2. Attended the Regional Oversight meeting with the Inyo County CAO.
3. Last Thursday held the first strategic planning steering committee meeting with members of County management; will meet again this Thursday. Leddy wants to engage all employees in the process.
4. Met with Keith Caldwell, Town Manager of Bishop, to review partnership ideas.
5. Addressed the issue regarding the Town's comments about fireworks funding. Leddy looks forward to a positive working relationship with the Town, and will be meeting with the Town Manager to review services provided by the County to Town residents.

6. DEPARTMENT/COMMISSION REPORTS

- **Nate Reade**, Agricultural Commissioner, gave an update about the drought situation. In addition to the Governor's declaration, the USDA has also declared a drought emergency and Mono County is listed as a primary county. This declaration will allow County producers to obtain low-interest loans; Reade sent a press release to the media. In response to questions, Reade anticipates that water resources projects will be expedited; designations on maps are county by county; he could not answer the question about SBA loans; and ranchers and growers had discussions last year with DWP.
- **Leslie Chapman**, Finance Director: Regarding her attendance at the school board meeting, it was productive and she answered many questions. She clarified that the impound of funds is a one-time action; she also provided clarification about the distribution of property taxes. Chapman is available to attend other meetings of school districts and special districts.
- **Marshall Rudolph**, County Counsel, provided clarification about a new law regarding public reporting of actions taken by boards. A roll call vote is not required; this is only one way the action can be reported. Any method that provides information about how board members vote will comply with the requirement. The Board of Supervisors' minutes are in compliance, and members of the public who attend meetings can tell how the Supervisors voted.

7. CONSENT AGENDA - NONE

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

- **The Board acknowledged receipt of the correspondence.**

A. USDA Forest Service

Letter dated January 7, 2014 from Debra Whitall, Acting Ecosystem Planning Director of the USDA Forest Service, informing the Board of the Forest Service's plan review process.

B. Proclamation Calling Statewide Direct Primary Election

Correspondence from the Office of the Governor, dated January 6, 2014, enclosing a Proclamation calling the Statewide Direct Primary Election on Tuesday, June 3, 2014.

9. REGULAR AGENDA - MORNING

A. Election of Chair Pro Tem to the Board

Departments: Clerk of the Board

(Supervisors) - Pursuant to the Board's Rules of Procedure adopted at the regular

meeting of January 14, 2014, call for nominations to elect a Chair Pro Tem of the Board for 2014.

**Action:** Supervisor Alpers nominated Supervisor Stump to be Chair Pro Tem of the Board for 2014.

**Vote: 5 Yes; 0 No**

**M14-16**

- No second to a nomination is required.
- Jim Leddy, CAO: The newly-adopted Board Rules of Procedure created the position of Chair Pro Tem to act in the absence of the Chair and Vice Chair, and to create a line of succession.

**B. Tony Vaught report**

Departments: Board of Supervisors

(Tony Vaught) - Board appearance by consultant Tony Vaught of Professional Aquaculture Services regarding his draft report pertaining to Conway Ranch aquaculture (entitled "Conway Ranch Aquaculture Site Evaluation and Plan"). Said report contains recommendations to assist the County in understanding and exploring concepts for maximizing the fish-rearing potential of Conway Ranch over time. Note that some of those concepts may or may not ultimately be feasible due to applicable grant restrictions, other land-use restrictions, and evaluation of potential environmental impacts (if any).

**Action: None**

Marshall Rudolph, County Counsel, provided background information pertaining to the Caltrans grant and repaying some of the funds in order to eliminate restrictions on 75 acres of Conway Ranch—the area currently used for fish rearing and fishing activities. Removing restrictions would potentially allow for more aquaculture activities, including construction of a barn-like hatchery structure. Restrictions associated with other agencies' grants (State Parks and National Fish and Wildlife Foundation) would still apply. Staff is currently working with these two granting agencies to clarify restrictions for purposes of long-range planning. Tony Vaught was hired to review potential aquaculture activities for the site. The report being presented today is a draft, and is not a land-use plan. The report provides a concept for maximizing fish rearing.

Tony Vaught reviewed the PowerPoint presentation contained in the agenda packet:

- Professional experience, education and academic experience, and experience with professional organizations.
- Methodology used to create the report, including research about community and culture.
- Reviewed information pertaining to community and culture, and how recreational fishing fits.
- Identified benefits and product end users (recreation, food, preservation). Aquaculture is the fastest growing component in agriculture. There are opportunities for products grown in Mono County to be incorporated into local culinary events.
- Evaluated impacts, mitigation of negative impacts, and positive impacts.
- Reviewed demand and economic factors.
- Interviews were conducted in the community and with local organizations (Mono Lake Committee, Eastern Sierra Fishing, US Fish and Wildlife, and California Fish and Wildlife).
- Conducted a site evaluation (Vaught was involved in 1996 with design plans). Reviewed maps providing a site overview and potential facility development.
- Talked about potential for cooperation with outside grant recipients.
- Discussed emerging technologies being used at hatcheries.
- Reviewed alternate aquaculture-related businesses and uses.
- Summarized the important components of the draft report.

#### Board Comments

- **Supervisor Alpers:** The current trophy trout program has been beneficial in Mono and Inyo Counties. The proposed facilities are sensitive to the viewshed. Future technology may reduce the cost and size of facilities. Aquaculture on Conway Ranch has a great deal of potential for Mono County. Decisions need to be made in the best interest of the most people over the long term. Conway has used surface water and well water has been secondary.
- **Supervisor Stump:** Asked about the aquaponics concept, site plan, and inspection of produce.
  - Vaught reviewed the process, the ability to put a system in a small space, and containment of aquaponic produce to avoid contamination.
- **Supervisor Fesko:** Supports the fisheries industry in the County. The proposed concept helps the County control its destiny.
- **Supervisor Hunt:** Would like a definitive development plan; the proposed concepts may or may not be used. The County will have to deal with land use restrictions and environmental impacts. Potential issues involve 1) noise from generators and trucks, 2) cooperation with the state, 3) demand for limiting facilities on site, and 4) communicating with the public.
  - Vaught: Aquaculture is a fairly low-impact business; state and federal agencies understand the need to work with local agencies.
- **Supervisor Johnston:** Asked about potential pollution issues, the feasibility of having perch in local waters, and next steps.
  - Vaught: The potential for contaminants and road spills needs to be addressed. Regarding perch, these fish are currently in Crowley Lake.
  - Scott Burns, Community Development: Will need to review use permits and the conservation easement; the specific plan needs to be revised to include the new concepts and eliminate a holdover development proposal that is outdated.
  - Rudolph: CEQA will apply to the proposal.
    - Vaught: Information in the prior EIR could be utilized.

#### Public Comments

- **Tim Hansen:** Expressed concern about availability of water in the Mono Basin. He supports most of the improvements but wells should only be used for emergencies.
- **Bartshay Miller**, Chair of the Mono Basin RPAC: The RPAC will agendaize this issue for more discussion. They need time to formulate comments, but thus far members have expressed concern.
- **Duncan King**, Mono Basin RPAC: Mostly supports the concept but expressed concern about the impact on the water table and private water supply for Mono City.
- **Steve Marti:** Expressed concern about water usage. Recharge is currently done via the Walker System (Virginia Lakes diversion).

Vaught addressed water concerns. Proposed wells can be used for emergencies or limited use for fingerlings. Re-circulating systems are expensive but wouldn't use well water. There are also recharge-type systems. Any wells would have to be studied for potential impacts and then permitted.

Rudolph: The conservation easement, which is part of the Caltrans MOU, has some dynamic components so details of the long-term plan can be determined later. Regarding next steps, the conservation easement must be completed before any other concepts can move forward.

### C. Update re Conway Ranch Conservation Easement

Departments: County Counsel, Economic Development

(Marshall Rudolph, Dan Lyster, Karen Ferrell-Ingram) - Presentation by County staff and representatives of the Eastern Sierra Land Trust regarding the status of efforts to draft a conservation easement applicable to Conway Ranch, pursuant to the County's MOU with Caltrans.

**Action: None**

Marshall Rudolph, County Counsel, reviewed the following components:

- Repayment of some grant funds will be made to ease restrictions on 75 acres.
- Restrictions that still apply will be reiterated in the conservation easement and the land trust will monitor the restrictions on Caltrans' behalf.
- Staff has been working with Eastern Sierra Land Trust on this endeavor.
- Other granting agencies are not part of the proposed easement; their grant restrictions will remain in place, including those imposed on the 75 acres in question. Part of the process includes consultation with these other agencies, and staff has been working with them.
- Reviewed issues related to the grants, such as general or vague language that needs clarification. Key components of the different grants have to be distilled in order to determine restrictions and permitted uses.
- There has been some public consternation about elimination of Caltrans' restrictions.
- The conservation easement is being drafted, and various steps of the process are on parallel tracks.
- The public process will be a critical component.

Dan Lyster, Economic Development: Has talked with the two other agencies. State Parks is reviewing the issue, and seems optimistic that the proposal will proceed without problems. National Fish and Wildlife Foundation (NFWF) is also moving forward.

Karen Ferrell-Ingram, Eastern Sierra Land Trust: They have been working for about two years to complete the easement, and have made significant progress to create an easement that will preserve the site and allow for enhanced aquaculture. Input from the other two funders will drive the final easement. Ferrell-Ingram reviewed the Easement Overview contained in the agenda packet. The proposed management plan will be flexible but within limits. Caltrans will review and approve the final conservation easement.

Public Comments

- **None**

Board Comments

- **Supervisor Alpers:** Complimented staff for the work done so far; he is satisfied with the document to this point.
- **Supervisor Hunt:** Appreciates the work done by ESLT and appreciates their expertise. Supports this direction for Conway Ranch.
- **Supervisor Stump:** ESLT has been an excellent guide throughout this process.
- **Supervisor Fesko:** This is one piece of the puzzle; he is glad to see things moving forward. Communication with the public is important.
- **Supervisor Johnston:** Thanked ESLT and County staff. Asked about next steps.
  - Rudolph: The draft easement will be reviewed by his office and Caltrans prior to public circulation. In order to keep the process moving, the document includes a bare bones management plan that can be completed in detail later. State Parks and NFWF also need to provide final input; they are engaged and moving forward internally. Hopefully this can be released in February and come back to the Board in March. Staff will attend RPAC meetings and the Fisheries Commission meetings to provide updates to the community.
  - Ferrell-Ingram: They (staff and ESLT) need information from the other two grantors in order to understand the scope of the easement and restrictions.

D. Mono County Fisheries Commission Organization

Departments: County Administrator

(Jim Leddy) - Follow-up presentation by Jim Leddy regarding future of Mono County Fisheries Commission due to request by Board to review and discuss scope, mission and composition of the Mono County Fisheries Commission.

**Action: None**

Jim Leddy, CAO: This issue is before the Board to address questions raised by Supervisors about the future of the Fisheries Commission. Leddy reviewed several options:

- Consider adding a member of the Board to the Commission.
- Change how appointments are made, e.g. making appointments so there is representation from all areas within the County.
- Expand the scope to include wildlife issues.
- Use CAO staff members for support (agendas and minutes).

Public Comment

- **Steve Marti:** At one point in time, there was a Fish and Wildlife Commission; the Board could revive this concept. Staffing needs are minimal and focus on agendas, minutes and correspondence. Marti confirmed the need for continual communication between the Board and the Commission. The Commission is important and people serving are dedicated; they don't currently take travel expenses to help minimize costs.
- **Tim Hansen:** While he was on the Board of Supervisors, he attended Fisheries Commission meetings; these people are a dedicated group of volunteers. He agreed that someone from the County should attend the meetings.

Board Comments

- **Supervisor Fesko:** This is a volunteer commission that should not be burdened with too many tasks. Membership shifts over time between North and South County, and interested people will become involved. The Board should be cautious about being too restrictive on appointments.
- **Supervisor Hunt:** Thanked the current commission for their work. He would like to see the scope increased to include wildlife issues, and change the name to Mono County Fish and Wildlife Commission. This would retain flexibility for the Commission to address various issues. Prior to making appointments or reappointments, he would like to have candidates attend a Board meeting to talk publically about their interest in the Commission. Open communication between the Commission and Board of Supervisors needs to be promoted.
- **Supervisor Stump:** Concurred with comments about the need for communication and appearance of candidates before the Board prior to being appointed. Given that this is a volunteer organization, it would be hard to be too rigid on appointments from specific areas. However, he would like to see countywide representation. The prior resolution contains language that allows the Commission to weigh in on wildlife issues. He suggested the Commission take 5-10 minutes at Board meetings to provide updates about issues.
- **Supervisor Johnston:** Agreed with changing the name of the Commission to Fish and Wildlife; having additional input on wildlife issues would be good so the Board can better understand how these issues impact fishing. Johnston would like to have representation from each supervisorial district if possible. Communication is important; the Board has been disconnected from the process. Having County staff prepare the Commission agenda packet would keep the County more involved.
- **Supervisor Alpers:** The Fisheries Commission should be viewed with the same level of importance as other commissions, such as the Planning Commission. He expressed concern about diluting their mission regarding fisheries by expanding their scope too much. Having information about how species listings will impact fishing is important, but other wildlife issues shouldn't detract from the core mission. Half of the County's economy is based on fishing, and the Commission needs to focus on potential threats to the industry. Alpers suggested that Commissioners attend trade shows in order to gather information about the market. He supports maintaining the status quo and making changes within the current framework, such as improving communication.

The Board discussed the following:

- Pros and cons about expanding the scope of work.
- Whether or not to have a Supervisor be a member of the Commission.
- The need for regular communication.
- Staff support from within the County so there is oversight.
- Having County staff prepare agendas and take minutes.
- How much change is necessary to the current structure; R06-71 allows the Commission to focus on wildlife issues.
- Level of autonomy.
- Importance of Supervisor attendance at meetings, and whether or not to formalize this practice.
- Appointing a Supervisor each January to serve in a liaison capacity.
- Process of making appointments to the Commission.
- Having designated terms so there is a reappointment process.

Chairman Johnston conducted a straw poll to determine consensus on various issues:

- Changing the title to Fish and Wildlife—two Supervisors agreed with this idea.
- Having County staff prepare agendas—four Supervisors agreed.
- Board concurred about having a Supervisor attend meetings; making a liaison appointment each January; and having a diligent appointment process that includes staggered terms and specified terms (i.e. 4-year terms).

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- **No comments**

11. CLOSED SESSION

- **The Board had nothing to report from 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) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

B. Closed Session - Conference With Legal Counsel

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

C. Closed Session - Conference With Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Worker's compensation claims of Mike McGovern.



REGULAR AFTERNOON SESSION COMMENCES AT 2:00 P.M.

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- **No comments**

13. REGULAR AGENDA AFTERNOON- NONE

ADJOURN: 2:05 p.m.

- Adjourned in memory of Suzanne Stokes, Mono County resident.

ATTEST:

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LARRY JOHNSTON  
CHAIR

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LYNDA ROBERTS  
CLERK OF THE BOARD

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