



**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
July 18, 2017**

9:15 AM Meeting called to Order by Chair of the Board Corless.

*Supervisors Present: Corless, Gardner, Peters, and Stump.
Supervisors Absent: Johnston.*

*Break: 10:43 AM
Reconvene: 10:51 AM
Adjourn: 11:53 AM*

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

Pledge of Allegiance led by Supervisor Stump.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Pam Bold, Executive Director of High Sierra Energy Foundation

- Congratulated Mono County for advancing to the Silver level.
- Savings of 10.5% since 2006 baseline.
- Data Analysis through the Energy Star energy management portfolio.
- Presented Leslie Chapman with an award.

2. APPROVAL OF MINUTES – NONE

3. RECOGNITIONS

A. Resolution of Appreciation for Rick Phelps

Departments: County Administrative Officer

(Supervisor Fred Stump) - Proposed resolution honoring Rick Phelps's work on behalf of the High Sierra Energy Foundation, benefitting the citizens and organization of Mono County.

Action: Adopt proposed resolution Honoring Rick Phelps's work on behalf of the High Sierra Energy Foundation, benefitting the citizens and organization of Mono County. Provide any desired direction to staff.

Stump moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

Supervisor Stump:

- Presented the recognition.

Rick Phelps

- Stated that is has been nothing but fun, it's hard to believe it's been 12 years,

4. BOARD MEMBER REPORTS

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

Supervisor Corless:

- July 13 - Great Basin Unified Air Pollution Control District Board Meeting in Markleeville— updates on runoff impacts; board took action to nominate Owens Lake to the national register of historic places as an archaeological district, after hearing moving testimony from tribal representatives; update on Keeler Dunes restoration project.
- Cap and Trade deal made it through legislature yesterday, included promise to suspend SRA fees. Sen. Berryhill only republican to vote yes. <http://www.sacbee.com/news/politics-government/capitol-alert/article161887448.html>
- YARTS JPA in Mammoth 7/24
- Collaborative Planning Team 7/27

Supervisor Gardner:

- Wednesday July 12, attended the monthly Mono Basin RPAC meeting.
- Thursday, July 13, attended the quarterly meeting of the Yosemite Gateway Partners in Yosemite Valley. Some highlights of the meeting included presentations about art in Yosemite and discussion of the impact of increased visitation in the park. Received a commitment from the acting Superintendent Chip Jenkins (Yosemite National Park) to attend a meeting in the fall about issues related to the opening of the Tioga Pass road.
- Wednesday July 19, will be joining Supervisor Peters and other county staff at a seminar in Sacramento on cannabis regulation.
- Friday through Sunday, July 21-23, will be attending the NACo Conference in Columbus, Ohio with Board Chair Corless. Will be presenting a platform change proposal supporting increased funding for all federal public lands agency infrastructure. This is particularly timely given the sad condition of the Inyo National Forest water and sewer systems as well as other facilities, and the minimal funding available to the INF for capital repair and replacement projects. Will also be joining with other counties across the nation to start a NACo Resorts/Tourism/Gateway County Caucus to advocate for policies supporting counties dependent on outdoor recreation and continued federal investment in and protection of public lands. Will be leading this new effort with Board Chair Corless.

Supervisor Peters:

- July 11 – RPAC in Bridgeport. Discussed cannabis, and nightly rentals.
- July 13 – Town Hall in Antelope Valley. Discussed cannabis, broadband, and parks and recreation. Over sixty people attended. Presentation from Jeff Weiss with the Forest Service. Race communications came.
- Had a meeting to further the topic of hospice in the north part of the county.

- Thrift store and recycling center.
- Upcoming: July 19 - Sacramento Cannabis Conference; July 21 - Rosachi Ranch tour with Greg Tanner and Jeremy Marshall.

Supervisor Johnston:

- Absent

Supervisor Stump:

- Tuesday, Wednesday, and Friday SGMA meetings.
- Monday, July 17 - Community meeting in Benton - Cannabis main topic of conversation.

5. COUNTY ADMINISTRATIVE OFFICE

Leslie Chapman, CAO:

- Working on the Budget.
- Workshop August 9.
- Attended CSAC class last Friday.
- Talked to Bill Chiat, interested in coming back and doing second workshop, Board governance, "Principles of Highly effective Boards." Has available 4th week in October.
- Attended Walker Town Hall. Thanked Supervisor Peters for providing that forum.
- Still have review of the first workshop. Made a commitment to bring that forward on August 8 regardless.

6. DEPARTMENT/COMMISSION REPORTS

Nate Reade, Agricultural Commissioner:

- Have been doing a lot of mosquito work in Mammoth Lakes. Hoping that things improve shortly.
- Encouraged members of the community to wear repellent while they are out. Have had West Nile cases in the state. Haven't found presence in the Mono County population.
- Adulticiding happens at 4 am.

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. Mammoth Gran Fondo

Departments: Public Works - Road

Action: Adopt Resolution No. R17-61, A Resolution of the Mono County Board of Supervisors Authorizing the Closure of Certain County Roads and State Highways to Thru Traffic in the Mono Lake and Long Valley Areas for the 2017 Mammoth Gran Fondo Bike Ride.

Stump moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

R17-61

Supervisor Corless pulled item for discussion.

Lindsay Barksdale, Mammoth Mountain Community Foundation:

- Gave information presentation of event.
- Thanked the Board for past support, and county staff for service.

B. County Children's Trust Fund

Departments: Social Services

Request of the Mono County Child and Family Advisory Board to spend funds held in the County Children's Trust Fund.

Action: Approve request to use CBCAP monies in the County Children's Trust Fund in an amount not to exceed \$63,000 to fund services provided by Mono County Office of Education, as recommended by the Child and Family Advisory Board. Approve county entry into the proposed agreement, and authorize the Board Chair to execute the agreement on behalf of the County.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-151

C. Temporary Road Closure Request

Departments: Public Works

Consider proposed resolution for temporary road closure of Crowley Lake Drive south of Rainbow Tarns to the junction of Rock Creek Road on Saturday, September 9, 2017, from 8:00 am to 2:00 pm for the E. Clampus Vitus monument dedication and celebration for Tom's Place 100th anniversary.

Action: Consider and potentially adopt proposed resolution #R17-62, Authorizing the Temporary Closure of a Portion of a County Road in Tom's Place for its 100th Anniversary Dedication to be held on Saturday, September 9, 2017.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

R17-62

Supervisor Stump:

- Spoke to owners, they are in complete support of the item. Also supports it.

D. Digital Infrastructure and Video Competition Act Ordinance

Departments: County Counsel and Information Technology

Proposed ordinance repealing and replacing Mono County Code Chapter 5.44 to enact regulations consistent with the Digital Infrastructure and Video Competition Act of 2006.

Action: Adopt proposed ordinance No. Ord17-10, Repealing and replacing Mono County Code Chapter 5.44 to enact regulations consistent with the Digital Infrastructure and Video Competition Act of 2006.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

ORD17-10

8. 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. Thank You Letter

Departments: Clerk of the Board

Letter from Jeff and Donna Simenson expressing their gratitude for the approval of a nightly rental by the Planning division.

Supervisor Peters:

- They are very happy and appreciative for their ability to do what they have intended for years.

B. United States Forest Service Letter

Departments: Clerk of the Board

Letter from Inyo National Forest seeking comments on a Draft Environmental Impact Statement that analyzes the Mammoth Base Land Exchange.

C. Letter from California Fish and Game Commission

Departments: Clerk of the Board

Letter from California Fish and Game Commission, providing a Notice of Findings regarding the northern spotted owl which was published in the California Regulatory Notice Register on July 7, 2017.

D. Letter from California Fish and Game Commission

Departments: Clerk of the Board

Letter from California Fish and Game Commission, providing a Notice of Findings regarding the petition to list foothill-yellow-legged frog as threatened under the California Endangered Species Act. This notice was published in the California Regulatory Notice Register on July 7, 2017.

Supervisor Corless:

- Confirmed that the letter was not regarding a frog that is in Mono County.

E. Letter from Cal OES re: California Fire Assistance Agreement with the Forest Service

Departments: Clerk of the Board

Letter from Cal OES, Governor's Office of Emergency Services, to Chief Tidwell of the United States Forest Service regarding failure to comply with the California Fire Assistance Agreement (CFAA).

Supervisor Corless:

- Will put this item on the agenda for August 1.

Supervisor Stump:

- Was copied a week ago, asking for it to be included as correspondence. Having been in the field, it is truly concerning that the Forest Service is adopting the policy of not paying, particularly volunteer fire departments for their services.
- Discussed facts from the letter.
- Most of the fire districts in Mono County are not well-funded. They cannot afford to subsidize the Forest Service in terms of responses to incidents.

Frank Frievalt, Mammoth Lakes Fire Protection District Fire Chief:

- High points, expected Cal OES to have some answers – they did not have a firm position at the meeting. The discussion is pretty early on. Previous to this meeting we met for the annual region 6 meeting. The explanation to Cal OES from the Forest Service was that they had a new finance system in place, they have been holding on to entire billings if only one item was in question. Robert Baird, USFS Regional Director of Fire Aviation Management, provided a spreadsheet that said they had reconciled \$14 million of \$16 million. There was a clearly a disconnect of which bills had been paid and which had not. Spoke to Chief Schmidt - there are three districts with some level of outstanding bills.
- USFS Chief Tidwell did a response letter – there are ongoing meetings to close the gaps between facts and frustrations.
- Crafted additional questions to direct to Cal OES. Will not forward until both parties agree.
- There has been some question about compensation for response incidents. Zero intent to not reimburse.
- General misconceptions about the CFAA and the local fire department to local forest service agreements – modification of grant or application. Primarily deal with the Forest Service on the local level.
- California represents the largest fire activity. Funding is shrinking for the Forest Service. Fire suppression costs are rising. Other states might have similar issues, but not at this magnitude. Federal budget is shrinking, costs are rising. Local cooperation is going to be the key to the future.

Supervisor Corless:

- Can the Tidwell letter and any additional correspondence be included in the packet?
- Will be attending the meeting in Ohio; can bring this letter. Is this a problem in any other states?

9. REGULAR AGENDA - MORNING

A. 2016 Crop and Livestock Report

Departments: Agricultural Commissioner

(Nathan Reade) - Presentation of the 2016 Inyo/Mono Crop and Livestock report.

Action: None (informational only). Provide any desired direction to staff.

Nathan Reade, Agricultural Commissioner:

- Gave presentation of Livestock report.
- Values contained in report are Gross Production Value.
- Provided preview to the Economic Study – Economic contributions of agriculture to the two counties. Intends to bring that back with a real presentation and have a good discussion about that.
- Thinks cannabis will go in the crop report. CDFA doesn't want to call it an agricultural commodity, so until that is resolved, there isn't an answer. In the meantime, thinks it will be included in the crop report.
- (The economic impact) will be a variable number for some time, take 10 years for the market to stabilize in order to get that number.

Supervisor Stump:

- When the time comes, where will cannabis go?
- Need to be able to quantify the (economic) impact in some way, if it won't be your office, then who?
- Saw a news article from farm bureau in Tulare ground water sustain and legal action – do you have any information on that?

Supervisor Peters:

- Where does the data for production numbers for cattle come from?
- This number 8230 - does it represent an animal here all year long?

Supervisor Corless:

- Is 2017 looking better because of water or is it looking flooded?

B. 2017-2022 Public Health Emergency Preparedness Contract Agreement #17-10173

Departments: Mono County Public Health

(Deb Diaz, Public Health Emergency Preparedness Coordinator) - Proposed contract with California Department of Public Health pertaining to FY 2017-2022 Public Health Emergency Preparedness Contract Agreement #17-10173.

Action: Approve County entry into proposed contract and that the Board of Supervisors authorize the Chair's signature on the following documents: Non-supplantation certification form; CCC 04/2017 Certification: Contractor Certification Clauses; DGS OLS 04 (Rev. 01/17); Exhibit F, Federal Terms and Conditions Certification Regarding Lobbying. In addition, authorize the Health Officer's signature on STD 213 Standard Agreement, Agreement number 17-10173, between the California Department of Public Health and Mono County, for the term of July 1, 2017 through June 30, 2022, and any contract amendments for the five-year contract period.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-152

Dr. Rick Johnson, Public Health Officer:

- Presented information about the agreement.
- Requested an amendment to the action. Fourth document is Exhibit F. Board approved as amended today.

Deb Diaz:

- Went through staff report.

Supervisor Stump:

- Advised that the footer on the monogram was extremely dated - the Board and CAO are incorrect.
- Is that dependent upon this agreement or separate funding stream?
- Even though it's a 5 year contract, it's a year one guarantee only.

C. Elections Process Update

Departments: Elections

(Shannon Kendall) - Update on Election Process

Action: None (informational only). Provide any desired direction to staff.

Shannon Kendall, County Clerk-Recorder:

- Went through Staff Report.

Supervisor Corless:

- Appreciating getting this update today. SBU 450 – what is the deadline for deciding on participation in 2020? It's great that we have a county next door that can show us the way.

D. Joint Powers Agreement Establishing the Owens Valley Groundwater Authority

Departments: CAO and Community Development

(Leslie Chapman and Wendy Sugimura) - Proposed joint powers agreement (JPA) creating the Owens Valley Groundwater Authority to serve as the groundwater sustainability agency for the Owens Valley Groundwater Basin in Inyo and Mono Counties or portions thereof.

Action: Contingent upon the County's understanding that it need not withdraw its prior election to serve as a GSA within Mono County until after the GSP preparation budget is released, and with direction to staff to not withdraw until that time, for areas of Mono County within the Owens Valley Groundwater Basin (excluding the Tri-Valley Groundwater Management District (TVGMD)), join the Joint Powers Agreement (JPA) proposed by the County of Inyo to establish the Owens Valley Groundwater Authority, **unless**, prior to August 1, 2017, the Wheeler Crest Community Services District (WCCSD) determines that it will serve as the groundwater sustainability agency (GSA) within its District boundaries, in which case join the JPA only with respect to those portions of the basin within Mono County but outside of TVGMD and WCCSD and rescind County's GSA election within the WCCSD. Designate Supervisor Stump to serve as the County's representative on the JPA Board.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-153

Wendy Sugimura:

- Deadline is August 1.
- Not considering the Tri-Valley area in the decision since they are their own entity.
- Fears and uncertainties driven by unknown things – cost, how much of the cost the entities need to take on to retain a sense of authority of their own areas, ultimate structure, how much authority does everyone retain. Additional authority for Inyo County entities since their Board of Supervisors get to weigh in.
- Anybody who chooses to join may withdraw after the budget is known, but prior to financing commitments are made.
- Wheeler Crest prefers that Mono County remain a GSA.
- Staff recommendation – join JPA; if Wheeler Crest decides to join, their district will also be covered under JPA. If they don't come along, Mono County would only join for areas outside of Wheeler Crest. Covers all areas that we are responsible, prevents state intervention, and minimizes Mono County cost.
- Options – could remain a GSA, not join JPA. Incur costs up to \$250,000 cost for plan, obligated to coordinate plan with JPA, and potentially Tri-Valley.
- Mono County to join JPA only for areas not covered by Wheeler Crest, largely uninhabited, and remain GSA for Wheeler Crest, asking Wheeler Crest to be responsible for costs of a ground water sustainability plan.

- Remain separate in some fashion and seek joint grant funds with whatever entities out there have GSA status. In everyone's best interest to coordinate with others and submit one grant funds application.
- Tri- valley position is unknown.
- If Mono County joins JPA now, and goes through preliminary budget discussion, and ultimately decides to withdraw, option 1 is still available. And at that time, Wheeler Crest would know what their financial commitment would need to be.

Glenn Inouye, Wheeler Crest Community Service District Chairman:

- Speaking personally, not as chairman of the Board, we will gather tonight to discuss it.
- Understands and supports the decision – it makes the most sense.
- Although the Board disagrees with the original concept, what Inyo has done is being fair in not singling out Mono County, not making special exceptions - appreciates all of their hard work.
- Does think it's prudent for Wheeler Crest to step forward as a GSA.
- Supports Mono County joining as member with Supervisor Stump's option. If the Board makes the decision now not to join the JPA, there are penalties.

Supervisor Stump:

- The Tri-Valley Water Commission will decide Wednesday what they are going to do. It is the opinion of the Wheeler Crest Community Services District that Mono County remain a separate GSA.
- Wants to see a budget including potential costs in the development of a plan.
- Supports in deference to his constituents – hard position for him to be in.
- Request that if the county does do this, that it withhold as part of that motion, notifying DWR of the county's withdrawal. Inyo set the August 1 deadline, not DWR deadline.

Supervisor Corless:

- Staff opinion on position stump is proposing? That the county does not withdraw as GSA upon agreeing to the JPA?
- Supports the recommendation by staff. And fully supports the condition suggested by Supervisor Stump.

Supervisor Peters:

- Knowing what the voting structure is going to be, in addition to the budget, is critical.
- Agrees with both recommendations.

Supervisor Gardner:

- Respects the experience and time that Supervisor Stump has put into this.
- Supportive of the staff's recommendation.
- Concerned of fiscal impacts that could be coming.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

11. 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.

ADJOURNED at 11:53 AM

ATTEST

**STACY CORLESS
CHAIR OF THE BOARD**

**SCHEEREN DEDMAN
SENIOR DEPUTY CLERK**