



**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 Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

**Regular Meeting  
October 3, 2017**

9:02 AM Meeting called to order by Chair Corless.

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

**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>**

Moment of reflection for the tragedy in Las Vegas.  
Pledge of Allegiance led by Mayor Wentworth, Town of Mammoth Lakes.

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

**Mayor Wentworth, Town of Mammoth Lakes:**

- Wanted to reach out to fellow elected representatives to give a heads up and make sure that we have ongoing dialogue about opportunities in the County.
- Town budget.
- Transit occupancy tax.
- Community Housing Action Plan.
- Joint municipal – county facility in TOML.
- EIFD (Enhanced Infrastructure Financing District).
- Reliable regional air service.
- Cannabis.
- Recreation.

**Kathleen Taylor, Mickey Brown, Mammoth Voices:**

- Discussed the program *June 2018: Are we ready?*
- To encourage people to run for office.
- **Supervisor Gardner:** There is an effort called Eastern Sierra Leadership (Leadership Eastern Sierra), which is in the process of recruiting people. It's a broader effort to encourage civic involvement. I encourage you to work with them in the long run to discuss an Eastern Sierra leadership program where we can build civic interest across the region.

- Asks everyone to attend and encourage people to consider getting involved.

## 2. RECOGNITIONS

### A. Domestic Violence Awareness Month

Departments: Clerk of the Board

(Susi Bains, Wild Iris Director) - Proclamation designating October 2017 as Domestic Violence Awareness Month.

**Action:** Approve Proclamation designating October 2017 as Domestic Violence Awareness Month.

**Stump moved; Gardner seconded**

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

#### **M17-191**

**Jiselle Kinney, Wild Iris:**

- **Passed out calendar of events for Wild Iris.**
- **Provided information about the services provided by Wild Iris.**
- **Supervisor Corless read the proclamation.**

## 3. COUNTY ADMINISTRATIVE OFFICE

**Leslie Chapman, CAO:**

- 09/20/17 - Met with Superintendent Adler to discuss lease on the Bridgeport office space along with her request for improvements in their portion of the building. I briefed her on how requests for projects work and confirmed that her request is in Building and Maintenance's queue of projects. Additionally, we discussed that there are no options for child care in Mammoth and brainstormed possible solutions, including using CDBG funds to mitigate the problem.
- Public Safety Officers Association negotiations began by laying ground rules and setting parameters. Finance Director Dutcher did a "State of the County" financial presentation, and Union representatives expressed what they think the biggest issues impacting their union are. We set the agenda and scheduled the next meeting.
- 9/20/17 – 9/21/2017 - Attended the CSAC, two-day Performance Measurement and Management Accountability for Results workshop with Finance Director Dutcher. Next step is to work with department to refine our goals and measurement process.
- Last Week - Attended the RCRC Conference which will be reported on by the County Supervisors that were in attendance. In addition to the regular, educational sessions, the County CAO's met separately for an update on various legislative bills.
- 10/2/17 - Met with Megan Mahaffey regarding potential projects and collaboration with the Town of Mammoth Lakes regarding potential CDBG projects recommended by the Planning Commission. Projects include affordable housing and child care facilities.
- **Supervisor Peters:** Appreciates the voluntary effort to go to these professional development conferences. Should continue going for more legislative awareness and professional development.
- Recently received insurance audit results, and wanted to acknowledge Jay Sloane, because he has brought this county around. Because of that we got an insurance rebate.

## 4. DEPARTMENT/COMMISSION REPORTS

**Janet Dutcher, Finance Director:**

- Back in 2015, the Board approved a revolving loan fund, funded with existing revenues, to purchase deed-restricted properties. Founded our first loan last week.
- Look to see a quarterly update going forward.
- Sup Corless: critical need for deed-restricted housing in Mammoth, the ability to do this is crucial in Mammoth.

**Joe Blanchard, Public Works:**

- ADA courthouse ramp down stairs (in the courthouse).
- Contractor abandoned contract. Facilities have taken it on. Finished the remainder of concrete. Cleaned it all up.
- CDBG, we have a project going at Mono Lake Park.
- Working on getting the go ahead for another project in Crowley.

**Sheriff Braun:**

- Last Wednesday, Undersheriff Moriarty and I met with many of the fire chiefs of Mono County to discuss issues and concerns. Productive discussion. Formed a working group to improve dispatch capabilities and work together cooperatively. Appreciate their willingness to meet with us.
- Thursday and Friday, Mono County the Region 6 meeting for law enforcement, region 6 our mutual aid partners. Met at Fire Station 1 in Mammoth. Discussed many issues. Shared what we have going on in our area.
- Las Vegas incident. We had Mono County residents there, one was injured. County employee was there, was unhurt. It is something to think about. We need to talk about in law enforcement, but in the community as well.

**Sandra Pearce, Public Health:**

- Last night, flu clinic season started. Supervisor Stump and Undersheriff Moriarty were there.
- Dr. Johnson plans on retiring by the end of this year. No specific date yet.

**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.)

**Items 5a and 5f were pulled for discussion.**

**A. Board Minutes**

Departments: Clerk of the Board

Approval of Board Minutes.

**Action:** Approve minutes of the regular meeting held on September 12, 2017, as corrected.

**Gardner moved; Peters seconded**

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

**M17-192**

Sup Peters:

- E. Clampus Vitus monument dedication, not memorial.
- Leslie Chapman clarified Budget amendments.

## **B. Board Minutes**

Departments: Clerk of the Board

Approval of Board Minutes.

**Action:** Approve minutes of the regular meeting held on September 19, 2017.

**Gardner moved; Peters seconded**

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

**M17-193**

## **C. Monthly Treasury Transaction Report**

Departments: Finance

Treasury Transaction Report for the month ending 8/31/2017.

**Action:** Approve the Treasury Transaction Report for the month ending 8/31/2017.

**Gardner moved; Peters seconded**

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

**M17-194**

## **D. Proposed Lease with Mono County Office of Education**

Departments: Health Department

Proposed lease with Mono County Office of Education pertaining to the property located at 37 Emigrant Street, Bridgeport, CA.

**Action:** Approve County entry into proposed lease and authorize the Chair to execute said lease on behalf of the County.

**Gardner moved; Peters seconded**

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

**M17-195**

## **E. Children's Medical Services (CMS) Plan 2017-18**

Departments: Health Department

Adoption of the Children's Medical Services (CMS) Plan for 2017-18. The Plan operates as a contract between the County and the California Department of Public Health (CDPH) defining the scope of activities to be provided during the fiscal year.

**Action:** Approve County entry into proposed contract and authorize the Chairperson to sign the Mono County Children's Medical Services (CMS) Plan for fiscal year 2017-18 to execute the contract on behalf of the County

**Gardner moved; Peters seconded**

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

**M17-196**

#### **F. Authority to Hire Tobacco Control Coordinator at Step B**

Departments: Public Health

Authorize the Public Health Director to fill the Tobacco Control Program Coordinator position at a Step B, rather than Step A, salary level.

**Action:** Authorize the Public Health Director to hire Ms. Dustlyne Beavers at a B Step in the position of Tobacco Control Program Coordinator.

**Stump moved; Gardner seconded**

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

**M17-197**

**Supervisor Stump pulled for discussion:**

- **Leslie Chapman:** asked that the resume of Ms. Beavers not be made public record.
- Just wants to make sure that the qualifications of the candidate are public record.
- **Sandra Pearce:** Gave qualifications of the candidate.

#### **G. WIOA Phase II MOU**

Departments: Social Services

Approval of Phase II MOU with Kern, Inyo and Mono Counties Workforce Development Board and One-Stop Partners for the WIOA Program

**Action:** Approve the proposed Phase II MOU between the Kern, Inyo and Mono Counties Workforce Development Board and the One-Stop Partners under the Workforce Innovation and Opportunity Act for the period January 1, 2018 through August 31, 2020. Authorize the Mono County Director of Social Services, Kathryn Peterson, to sign the MOU on behalf of the Board of Supervisors.

**Gardner moved; Peters seconded**

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

**M17-198**

#### **H. Reappointment of Richard Liebersbach to Assessment Appeals Board**

Departments: Clerk of the Board

Richard Liebersbach has been a member of the Assessment Appeals Board since 2005. His current term expired on August 31, 2017.

**Action:** Reappoint Richard Liebersbach to the Assessment Appeals Board for a three-year term, effective September 1, 2017 through August 31, 2020.

**Gardner moved; Peters seconded**

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

**M17-199**

#### **6. CORRESPONDENCE RECEIVED - NONE**

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.

## 7. REGULAR AGENDA - MORNING

### A. Conway Ranch Update and Grazing Request for Proposals

Departments: CAO

(Tony Dublino) - Presentation by Tony Dublino regarding Conway Ranch.

**Action:** Receive update and consider issuance of grazing request for proposals. Provide any desired direction to staff.

**Tony Dublino, Assistant CAO:**

- Provided update on Conway Ranch activities.
- Stacey Simon, County Counsel: Tony did provide documents in time for legal review. One issue – there is a limitation as a public agency; we have to proceed pursuant to certain statutes, when we lease or sell property. Initially, Tony proposed a 5-year renewable lease. However, if the local government enters into a renewable lease, it kicks us into an entirely different procedure. Changed it to a 10-year lease.
- Timeline: County counsel will get one last pass at the document. Beef up the language. Ready for distribution after that. Turn around probably 6 to 8 weeks. Somewhere around January have the proposals in hand. Start considering steps needed from a CEQA standpoint. Wouldn't take it to Board until had CEQA document in hand and lease drafted.

**Public Comment:** 10:18 AM

**Jeff Hunewill:**

- Knew Richie Conway when he was a boy, riding in the Tri-County fair.
- One point that needs to be considered is that what's there is a product of the management for the past 150 years. Has been irrigated since 1860.
- In support of grazing. Thinks the sheep have done an incredible job of grazing.
- Available to advise Tony if he has any questions down the road.

*Break: 10:29 AM*

*Reconvene: 10:41 AM*

**Kay Ogden, Eastern Sierra Land Trust:**

- There was a dairy ranch on Matley portion of the ranch in the late 1990's.
- The conservation easement - the principals are to uphold the conservation values. It does allow grazing.
- Lease is subordinate to the conservation easement.
- Grazing is an appropriate way to uphold the conservation values at Conway ranch. There may be other ways, but grazing is a good way.
- Sage grouse and cattle – they work well together when done appropriately. The trust just received a Natural Resource Conservation Services \$8 million grant "Cattle grazing and harmony with sage grouse."
- **Supervisor Gardner:** President of Eastern Sierra Land Trust. It is permissible for me to participate in these conversations.

**Public Comment ended / Board Discussion:** 10:47 AM

Board Consensus – approve issuance of the RFP. No official movement.

## **B. Review of Need for Continuation of Local Emergency - Severe Winter Storms**

(Leslie Chapman, Ingrid Braun) - On January 31, 2017 the Mono County Sheriff declared a state of local emergency as a result of extreme winter weather. The Board of Supervisors ratified this declaration on February 7, 2017, and further declared a continuing state of emergency. Mono County Code Section 2.60.080 requires that the Board of Supervisors review the need for continuing the local emergency every 14 days, and Government Code section 8630 requires that the Board review the need at least every 30 days until it is terminated. This item is provided for that purpose.

**Action:** Review need for continuing the local emergency. If Board determines that need no longer exists, direct staff to prepare a declaration terminating local emergency.

**Leslie Chapman:**

- Discussed items 7b and c.
- Nothing new on these items. Asking Board to continue emergency
- Board consensus to continue the emergency.

## **C. Review of Need for Continuation of Local Emergency - Snowmelt and Runoff**

(Leslie Chapman, Ingrid Braun) - On March 20, 2017 the Mono County Sheriff declared a state of local emergency as a result of continuing snowmelt and runoff from severe winter storms beginning in January 2017. The Board of Supervisors ratified this declaration on March 21, 2017, and further declared a continuing state of emergency. Mono County Code Section 2.60.080 requires that the Board of Supervisors review the need for continuing the local emergency every 14 days, and Government Code section 8630 requires that the Board review the need at least every 30 days until it is terminated. This item is provided for that purpose.

**Action:** Review need for continuing the local emergency. If Board determines that need no longer exists, direct staff to prepare a declaration terminating local emergency.

## **D. Emergency Road Repairs – Upper Summers Meadow Road Bridge**

Departments: Public Works

(Garrett Higerd) - Update on emergency road repairs.

**Action:** 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).

**Stump moved; Peters seconded**

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

**M17-200**

**Garrett Higerd, Engineer:**

- Provided update. Handed out staff report (available in additional documents).
- **Stacey Simon:** clarified the procedure of the emergency.

**E. Mono County Law Library Update**

Departments: County Counsel

(Stacey Simon) - Annual update and report to the Board of Supervisors regarding the status of the Mono County Law Library.

**Action:** Receive update and provide any comments or feedback.

**Stacey Simon, County Counsel:**

- Provided annual update, as required by state law.
- 16/17 annual report and the budget for 17/18.

**F. Sustainable Groundwater Management Act Update**

Departments: CAO, Community Development, County Counsel

(Jason Canger) - Update on the Sustainable Groundwater Management Act and the Owens Valley Groundwater Authority (Authority), and appointment of alternate board member to serve on Authority board.

**Action:** Appoint Supervisor Gardner, or another member of the Board of Supervisors at the Board's discretion, to serve as the County's Alternate Director on the Owens Valley Groundwater Authority's Board of Directors.

**Stump moved; Peters seconded**

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

**M17-201**

**Leslie Chapman:**

- Brief introduction to the item
- Appointment of the alternate first before the discussion.
- Clarified to the Board that they received the draft budget (available in additional documents).

**Stacey Simon:**

- Introduced Jason Canger, discussed his background.
- Provided background to SGMA.
- Handed out a document (available in additional documents).

**Jason Canger, Deputy County Counsel:**

- Clarified information regarding the JPA.

**Public Comment:** 11:53 AM

**Glenn Inouye, Wheeler Crest:**

- Doesn't see how withdrawing from the JPA would even be an option, the dollar amount would be so insignificant.
- Backing out doesn't seem practical from his standpoint.

**Public Comment ended / Board Discussion: 11:59 AM**

**Supervisor Stump:**

- Tri-Valley Groundwater Management District member, made it clear to that Board that the other members need to speak, but he has an obligation, first and foremost to represent the County.

Board consensus to remain in the JPA.

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

No one spoke.

**9. CLOSED SESSION at 12:14 PM**

**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 - Initiation of Litigation**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9.

**C. 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.

**THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 1:00 P.M.**

*Reconvene: 1:14 PM*

**Nothing to report from Closed Session.**

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

No one spoke.

**11. REGULAR AGENDA – AFTERNOON**

**Item 11b first.**

**A. Cannabis Policy and Regulations Workshop**

Departments: CDD

(Wendy Sugimura, Michael Draper) - Presentation by Wendy Sugimura and Michael Draper regarding potential Mono County Cannabis Policy and Regulations.

**Action:** Conduct workshop. Provide any desired direction to staff.

**Wendy Sugimura, Community Development:**

- Provided background of the item.
- Intent is to pursue a rational planning process.
- Timing of tax measure and regulatory permitting system.

**Public Comment: 1:51 PM**

Eric Edgerton, Till Farms  
Sally Rosen

**Public Comment ended / Board Discussion: 1:54 PM**

**Supervisor Stump:**

- Supports option one.

**Supervisor Gardner:**

- Concurs with that approach.

**Supervisor Peters:**

- Agrees that number one makes the most sense.

**Supervisor Corless:**

- Supports option one.

**Wendy Sugimura:**

- In this calendar year, we can go forward with the general plan amendment.
- Board consensus on moving forward with that.
- Designations for manufacturing.

**Public Comment: 2:09 PM**

Eric Edgerton  
Sally Rosen  
Robert Calvert, Mammoth Lakes Wellness

**Public Comment ended / Board Discussion: 2:19 PM**

**Supervisor Stump:**

- Initially supported option one for type 6, but stated that if rural residential is included in option one, he would have to withdraw his support. District two residents do not want commercial operations of any type.
- Does not support Type 7 licenses in Mono County.

**Supervisor Gardner:**

- Agrees with support of option one (for type 6).
- Agrees that Type 7 should not be allowed in Mono County.

**Supervisor Peters:**

- More inclined to look at option 2 for type 7.

**Supervisor Corless:**

- Supports option one (for type 6).
- Supports banning type 7 for now, but is hesitant to cast the vote to ban until the Board knows what the fire chiefs have to say.

*Break: 2:33 PM*  
*Reconvene: 2:44 PM*

**Wendy Sugimura:**

- Interpretation of the Mixed-Use designation in Antelope Valley.

**Public comment: 2:47 PM**  
Sally Rosen

**Public Comment ended / Board Discussion: 2:51 PM**

**Wendy Sugimura:**

- Commercial cultivation in Rural Residential (RR) designations.

**Public Comment: 3:10 PM**  
Sally Rosen

**Public Comment ended / Board Discussion: 3:12 PM**

**Supervisor Peters:**

- Supports option 2 or 3d. A combination. There isn't an actual option that covers the transitional.

*Break: 3:26 PM*  
*Reconvene: 3:34 PM*

**Wendy Sugimura:**

- Buffers from schools and potentially other facilities.

**Public Comment: 3:42 PM**  
Sally Rosen

**Public Comment ended / Board Discussion: 3:43 PM**

Consensus is 1000 foot buffer and to include facilities listed in number 3, and including community centers.

**Wendy Sugimura:**

- Bi-State sage-grouse mitigation measures.

Option two, Board consensus.

**Wendy Sugimura:**

- Issues, opportunities, and constraints.
- Provided summary.

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

Departments: Code Enforcement

(Anne Larsen) - 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.

**Supervisor Gardner:**

- Ms. Lear cannot be present. Recommended putting off the matter until later because he would like her to be here.

**Rick Libersbach, Lawyer for Ms. Lear:**

- If you have questions for her, what are the questions?
- If you are going to accept the settlement, there is no need for a hearing.
- All rentals have stopped. There isn't a kind of urgency that might otherwise be applicable on agenda items.

Board consensus to add compliance agreement to agenda, as one item.

## 12. BOARD MEMBER REPORTS

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

**No Board reports.**

**Public comment:**

**Eric Edgerton:**

- Tilth Farms, proposing to continue agricultural operations.
- Secure grower contracts for the 2018 growing season.
- Time is critical.
- Local approval is the triggering mechanism to apply to the State.

**ADJOURNED at 4:39 PM**

**ATTEST**

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**STACY CORLESS  
CHAIR OF THE BOARD**

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**SCHEEREEN DEDMAN  
SR. DEPUTY CLERK**