



**MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA**

Regular Meetings: First, Second, and Third Tuesday of each month. Location of meeting is specified below.
Meeting Location: Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

**Regular Meeting
July 12, 2022**

9:04 AM Call meeting to Order by Chair Gardner

Supervisors Present: Corless, Duggan, Gardner, Kreitz, and Peters (all attended in person or via teleconference).

Supervisors Absent: None.

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

Pledge of Allegiance by Supervisor Duggan

Chair Gardner:

“Children are the world's most valuable resource and its best hope for the future”.
- John F. Kennedy

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Opportunity for the public to address the Board on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.) Please refer to the Teleconference Information section to determine how to make public comment for this meeting via Zoom.

Molly DesBaillets, Executive Director First 5 Commission:

- Discussed Block Grant – Community Development

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICER

CAO Report regarding Board Assignments

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

CAO Lawton:

- Startup meeting with Paul Roten – bring Paul up to speed and projects and specifically Jail Project
- Wrapping up Fee Study
- Unified Command meeting
- Meeting with Dan Holler – Solid Waste Parcel Fee and discussion of Joint Meeting with the Town
- NACo Finance Pension and Intergovernmental Affairs Steering Committee
- Discussed new hires

4. DEPARTMENT/COMMISSION REPORTS

Receive brief oral report on emerging issues and/or activities.

Barry Beck, Assessor:

- Provided update on the State of the Assessments – to close July 30

Chair Gardner:

- Requested clarity for the supplemental items

Justin Nalder, Solid Waste Director:

- Discussed Solid Waste Transportation Facilities – awarded a green business certification
- 6/25 – Pumice Valley Freedom Day
- 7/31 – Bridgeport
- Month of July – Big Stuff Amnesty Benton Crossing
- Stewardship Event Conway Ranch

Gordon Greene, Veteran Affairs:

- Discussed software and reporting – VetPro
- Tentative Outreach Plan – Bridgeport 8/6 and August 11 in Benton

Kathy Peterson, Social Services Director:

- Provided update to the 35 trailers from Los Angeles Area – Mountain View Fire Victims

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.)

Duggen motion. Corless seconded.

Vote: 5 yes, 0 no

A. Long Valley Regional Planning Advisory Committee Appointment

Departments: Community Development

Appointed one new member, John Connolly, to the Long Valley Regional Planning Advisory Committee for a four-year term as recommended by Supervisor Duggan.

Action: Appointed John Connolly to the Long Valley Regional Planning Advisory Committee, as recommended by Supervisor Duggan, for a four-year term ending May 31, 2026.

Duggen motion. Corless seconded.

Vote: 5 yes, 0 no

M22-142

B. Resolution to Adopt an Amended SB1/RMRA Project List

Departments: Public Works Engineering

Proposed resolution adopting an amended list of projects for FY2022-2023 funded by SB 1: The Road Repair and Accountability Act of 2017. Approval of this resolution will supersede and replace, in its entirety, Resolution 22-056 adopted by the Board on June 7, 2022.

Action: Adopted proposed resolution.

Duggen motion. Corless seconded.

Vote: 5 yes, 0 no

R22-70

C. Third Meeting Location Change in Mammoth Lakes

Departments: Clerk of the Board of Supervisors

Adopt resolution changing the location of the third regular Board of Supervisors meeting to the Mono Lake Room of the Mono County Civic Center in Mammoth Lakes.

Action: Adopted Resolution R22-071, changing the location of the third regular monthly Board of Supervisors meeting to the Mono Lake Room of the Mono County Civic Center, located at 1290 Tavern Road, Mammoth Lakes, CA, superseding and replacing Resolution R17-02.

Duggen motion. Corless seconded.

Vote: 5 yes, 0 no

R22-071

D. Resolution Making Findings under AB 361 - Related to Remote Meetings

Proposed resolution making the findings required by AB 361 for the purpose of making available the modified Brown Act teleconference rules set forth in AB 361 for the period of July 12, 2022, through August 11, 2022.

Action: Adopted proposed resolution.

Duggen motion. Corless seconded.

Vote: 5 yes, 0 no

R22-072

E. Cannabis Delivery in Unincorporated Areas of Mono County

Departments: Community Development

Proposed ordinance continuing temporary suspension of prohibition on cannabis delivery established by Mono County Code Section 5.60.140(L) until public outreach and input occur and a long-term policy either allowing or prohibiting cannabis delivery is implemented by the County.

Action: Introduced, read title, and waived further reading of proposed ordinance.

Duggen motion. Corless seconded.

Vote: 5 yes, 0 no

M22-143

F. Contract for Public Relations Services

Proposed contract with Caporusso Communications Company pertaining to Public Relations Services.

Action: Approved, and authorized CAO to sign, contract with Caporusso Communications Company for Public Relations Services for the period July 1, 2022, through June 30, 2023, and a not-to-exceed amount of \$105,000.

Duggen motion. Corless seconded.

Vote: 5 yes, 0 no

M22-144

G. Requested Letter of Support for MLTPA Sustainable Recreation Partnership Grant

Letter of support for Mammoth Lakes Trails and Public Access Foundation (MLTPA) “Eastern Sierra Sustainable Recreation Partnership (ESSRP) Support” proposal to the Sierra Nevada Conservancy’s Vibrant Recreation and Tourism Grant Program. A successful application would allow MLTPA to continue to support the ESSRP.

Action:

Approved proposed letter.

Duggen motion. Corless seconded.

Vote: 5 yes, 0 no

M22-145

6. CORRESPONDENCE RECEIVED - NONE

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. COVID-19 (Coronavirus) Update

Departments: CAO, Public Health

15 minutes

(Robert C. Lawton, CAO, Bryan Wheeler, Public Health Director, Dr. Caryn Slack, Public Health Officer) - Update on Countywide response and planning related to the COVID-19 pandemic.

Action: None.

Bryan Wheeler, Public Health Director:

- Presented Item
-

Dr. Caryn Slack:

- Provided an update Tioyabe Clinic in Bridgeport

Supervisor Kreitz:

- At- home tests with expiration date – **Bryan Wheeler**, clarifies that the expiration date has been extended indefinitely.

Supervisor Duggan:

- When testing, is the type of variant able to be detected? **Bryan Wheeler** – cannot tell

B. Community Economic Resilience Fund (CERF) Collective Partnership Agreement Letter

Departments: Economic Development

20 minutes

(Jeff Simpson, Economic Development, Steve Frisch, President - Sierra Business Council and Kristin York, Vice President - Sierra Business Council) - Community Economic Resilience Fund (CERF) is a \$600 Million program being developed by OPR, GO-Biz, and LWDA to support resilient, equitable, and sustainable regional economies. CERF was created to promote a sustainable and equitable recovery from the economic distress of COVID-19 by supporting new plans and strategies to diversify local economies and develop sustainable industries that create high-quality, broadly accessible jobs for all Californians.

Action: Signed the Collective Partnership Agreement Letter authorizing Mono County to participate with Sierra Business Council as the Fiscal Agent and Regional Convener for the State Community Economic Resilience Fund (CERF).

Supervisor Corless:

- Has conflict with item – removing herself from item - **Abstain**

Jeff Simpson, Acting Economic Development Director:

- Introduced Item

Steve Frisch, President – Sierra Business Counsel:

- Presented Item

Peters motion. Duggan seconded.

Vote: 4 yes, 0 no, 1 abstain.

Corless - abstain

M22-146

C. Fish and Game Fine Fund Expenditure

Departments: Economic Development

25 minutes

(Jeff Simpson, Economic Development, Colin West, Founder and Executive Director - Clean Up the Lake and Andrew Jones, Owner - Silver Lake Resort) - Staff received two applications for the Mono County Fish and Game Fine Fund Local Program Funding. \$10,314 is being requested from Clean Up The Lake for an underwater cleanup project in June Lake in September. \$28,600 is being requested to supplement additional fish stocking as a result of the California Department of Fish and Wildlife Lactococcus Hatchery Outbreak.

Action: The Board considered and approved the two applications for funding in the amount of \$10,314 for Clean Up the Lake and \$28,600 for additional fish stocking.

Jeff Simpson, Acting Economic Development Director:

- Introduced 1st and 2nd application

Colin West, Founder and Executive Director - Clean Up the Lake:

- Presented application #1

Sadye Easler:

- Provided presentation for Clean Up the Lake

Andrew Jones, Owner - Silver Lake Resort:

- Presented application #2

Supervisor Corless:

- In support for Clean Up the Lake

Supervisor Peters:

- How do you determine what bodies of water will you be servicing?

Colin West, explains his pilot research plan

Duggan motion. Peters seconded.

Vote: 5 yes, 0 no

M22-147

D. Mountain View Fire Update and Review of Emergency Declarations

10 minutes

(Justin Nalder, MVF EOC Director) - Review of continuing need for Board of Supervisor's November 17, 2020, Declaration of Local Emergency of and Mono County Health Officer's November 19, 2020, Declaration of Local Health Emergency for the Mountain View Fire.

Action: Heard update regarding status of Mountain View Fire response and recovery. Found that there is no longer a need to continue the local state of emergency declared on November 17, 2020, and/or the local health emergency declared on November 19, 2020 (ratified by the Board on November 24, 2020) and **terminated such declarations.**

Justin Nalder, MVF EOC Director:

- Presented Item

Supervisor Peters:

- Agree with the recommended action
- Thanked staff for their efforts

Janet Dutcher, Finance Director:

- Provided update on reimbursement information

Peters motion. Corless seconded.

Vote: 5 yes, 0 no

M22-148

E. Review and Declaration of June 7, 2022, Statewide Direct Primary Election Results

Departments: Elections

10 minutes

(Scheereen Dedman, Registrar of Voters) - Presentation of certified election results. Request for declaration of results.

Action: Approved as correct the Statement of Votes for the June 7, 2022, Statewide Direct Primary Election and declare elected or nominated to each office voted on at each election under the jurisdiction of the Mono County Board of Supervisors the person having the highest number of votes for that office, or who was elected or nominated under the exceptions noted in Elections Code Section 15452.

Scheereen Dedman, Registrar of Voters:

- Presented Item
- Lowest turnout for elections

Duggan motion. Corless seconded.

Vote: 5 yes, 0 no

M22-149

Break: 10:23 AM

Reconvene: 10:35 AM

F. Mono County Employee Assistance Programs

Departments: Risk Management

20 minutes

(Jay Sloane, Risk Manager) - Mono County has two Employee Assistance Programs, both of which provide a limited number of confidential professional counseling sessions at no cost to the employee. This presentation will inform the Board of Supervisors on the Employee Assistance Plan benefits, with a focus on counseling services.

Action: None.

Jay Sloane, Risk Manager:

- Presented Item

Supervisor Kreitz:

- Expressed concern about number of providers, would like to see this number increase
- Discussed concern about limitation of number of visits allowed
- Requests clarification on who this covers

Chair Gardner:

- Agrees with Supervisor Kreitz and concerned with confidentiality
- Do you think there is adequate awareness of the program across the county workforce?

County Counsel Simon:

- Explains that EAP is a bridge to other longer-term services. Not intended as a long-term solution.

Public Comment (In-person)

- Concerned that 3 days is not adequate – is there any feedback? **Stacey Simon** explains the process of Bridge Program – not being long term. Mono County employee program not for the public

Supervisor Corless:

- Suggests to refer Public Speaker to Behavior Health to determine if qualified for services.

G. Employment Agreement - Director of Information Technology

Departments: CAO

5 minutes

(Robert C. Lawton, CAO) - Proposed resolution approving a contract with Nate Greenberg as Information Technology Director, and prescribing the compensation, appointment and conditions of said employment.

Action: Announced Fiscal Impact. Approved Resolution R22-073, approving a contract with Nate Greenberg as Information Technology Director, and prescribing the compensation, appointment and conditions of said employment. Authorized the Board Chair to execute said contract on behalf of the County.

Fiscal Impact: Total cost of salary and benefits for FY 2022-23 is approximately \$216,954, of which \$170,264 is salary, and \$46,690 is benefits. This is included in the County Administrator's Recommended budget.

Robert C. Lawton, CAO:

- Presented Item

Supervisor Corless, Peters, and Gardner:

- Thanked Nate

Corless motion. Peters seconded.

Vote: 5 yes, 0 no

R22-073

H. Employment Agreement - Public Works Director

Departments: CAO

5 minutes

(Robert C. Lawton, CAO) - Proposed resolution approving a contract with Paul Roten as Public Works Director, and prescribing the compensation, appointment and conditions of said employment.

Action: Announced Fiscal Impact. Approved Resolution R22-074, approving a contract with Paul Roten as Public Works Director, and prescribing the compensation, appointment and conditions of said employment. Authorized the Board Chair to execute said contract on behalf of the County.

Fiscal Impact: Total cost of salary and benefits for FY 2022-23 is approximately \$176,990, of which \$140,077 is salary, and \$36,913 is benefits. This is included in the County Administrator's Recommended budget.

Robert C. Lawton, CAO:

- Presented Item

Supervisor Corless:

- Thanked Paul

Duggan motion. Peters seconded.

Vote: 5 yes, 0 no

R22-074

I. Employment Agreement - Economic Development Director

Departments: CAO

5 minutes

(Robert C. Lawton, CAO) - Proposed resolution approving a contract with Jeff Simpson as Economic Development Director, and prescribing the compensation, appointment and conditions of said employment.

Action: Announced Fiscal Impact. Approved Resolution R22-075, approving a contract with Jeff Simpson as Economic Development Director, and prescribing the compensation, appointment and conditions of said employment. Authorized the Board Chair to execute said contract on behalf of the County.

Fiscal Impact:

Total cost of salary and benefits for FY 2022-23 is approximately \$154,774, of which \$115,242 is salary, and \$39,532 is benefits. This is included in the County Administrator's Recommended budget.

Robert C. Lawton, CAO:

- Presented Item

Supervisor Peters:

- Thanked Jeff

Peters motion. Duggan seconded.

Vote: 5 yes, 0 no

R22-075

J. Employment Agreement - Public Health Equity Officer

Departments: CAO and Public Health

5 minutes

(Robert C. Lawton, CAO and Bryan Wheeler, Public Health Director) - Proposed resolution approving a limited term contract with Rachel Barnett as

Public Health Equity Officer, and prescribing the compensation, appointment and conditions of said employment.

Action: Announced Fiscal Impact. Approved Resolution R22-76, approving a limited term contract with Rachel Barnett as Public Health Equity Officer, and prescribing the compensation, appointment and conditions of said employment. Authorized the Board Chair to execute said contract on behalf of the County.

Fiscal Impact: Total cost of salary and benefits for FY 2022-23 is approximately \$125,833, of which \$94,809 is salary, and \$31,024 is benefits. This is included in the County Administrator's Recommended budget.

Robert C. Lawton, CAO:

- Introduced Item

Bryan Wheeler, Public Health Director:

- Presented Item, Introduced Rachel

Rachel Barnett:

- Audio Issues – couldn't speak

Corless motion. Duggan seconded.

Vote: 5 yes, 0 no

R22-076

Moved to item 10 – Board Reports

8. CLOSED SESSION

- *No reportable action*

Closed Session: 11:35 AM

Reconvened: 12:26 PM

A. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.

Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: United States v. Walker River Irrigation District, et al, U.S. District Court for the District of Nevada, Case No.: 3:73-cv-00127-MMD-CSD.

B. 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: two.

C. Closed Session - Labor Negotiations

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Janet Dutcher, John Craig, Patty Francisco, and Oliver Yee. 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 Correctional Deputy Sheriffs' Association. Unrepresented employees: All.

D. Closed Session - Public Employee Evaluation

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

9. REGULAR AGENDA - AFTERNOON

A. Amendment of Mono County Code Section 5.65.160 - Revised fines for Short-term Rental Violations

Departments: Code Compliance and County Counsel

15 minutes

(Nick Criss, Code Enforcement Officer and Stacey Simon, County Counsel) - Proposed ordinance amending Chapter 5, Section 5.65.160 of the Mono County Code pertaining to fines for violation of Mono County Short Term Rental Ordinances.

Action: Introduced, read title, and waived further reading of proposed ordinance.

Fiscal Impact: The proposed ordinance would increase the amount of fines for short-term rental violations from \$1,000 to \$1,500 for a first violation; and from \$2,000 for a second or subsequent violation within three years to \$3,000 for a second violation within one year and \$5,000 for each additional violation within one year. Additionally, the proposed ordinance would establish procedures for a person cited to claim a hardship waiver/reduction based on ability to pay and would exempt from fines a first violation based on failure to register or pay a business license fee, which would remain subject to the fines set forth in section 1.12.030.

Kreitz motion. Duggan seconded.

Vote: 5 yes, 0 no

M22-150

Stacey Simon, County Counsel:

- Presented Item

10. 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 Kreitz:

- The Mammoth Lakes Housing Board met on July 11th. We received an update on their acquisition of the Birch Creek condo from IMACA as part of the Mono County Grant to IMACA. The condo currently is occupied with a single parent working in transportation. MLH is going to be doing some efficiency update to the property to help make it more economical for the upcoming winter. MLH has made a formal request to the Mono County Office of Education for a library fee waiver for their Access Apartment development
- The Board appointed a new Board member, Sarah Nuttall - welcome to Sarah!

Supervisor Corless:

- GBUAPCD: approved funding for clean air projects programs (CAPP II), approved letter to state water resources control board requesting lake level hearing; received reports on Owens Lake Dust Mitigation Project water savings, and Keeler Dunes, as well as Mammoth Lakes air quality/smoke impacts
- Eastern Sierra Sustainable Recreation Partnership
- Inquiry from Alpine Co Supervisor David Griffith re: lands in USFS Region 4 in California (in Alpine and Mono County) moving to Region 5

Supervisor Gardner:

- On Wednesday, July 6 I participated in the quarterly Substance Abuse Task Force Meeting. We reviewed the progress of various programs and services related to drug abuse treatment in our region.
- Also, on July 6 I attended a virtual meeting of the NACO Public Lands Policy Committee. We reviewed proposed policy resolutions for the upcoming NACO Annual Conference, including two I am sponsoring on support for continued Federal public lands agency funding, and on streamlining the process for acquisition of available Federal agency land for workforce housing.
- On July 6 I also met with a group of citizens in the Mono Basin who are interested in forming a Community Housing Trust to raise funds that could help support various workforce housing projects.
- On Friday July 8 I participated in a special meeting of the Eastern Sierra Council of Governments. Topics at that meeting included support for reestablishing the Inyo-Mono Broadband Consortium, approval of a Collective Partnership Agreement to participate in the California Economic Resiliency Fund Process, and direction to apply for the Strategic Growth Council Regional Climate Collaborative Program.

- Yesterday I participated in our final planning meeting for our Children's Summit to be held tomorrow. We will be presenting a Dashboard on the Wellbeing of Children and Youth in Mono County to be housed on the County website and will be discussing possible priorities and actions to address some of the indicators on that Dashboard.
- Yesterday I also participated in the NACO Finance, Pensions, and Intergovernmental Affairs Policy Committee meeting. I presented a resolution approved in the past encouraging the Congress to pass all appropriations on a timely basis by Oct. 1 of each year.
- Finally, yesterday I participated in the monthly meeting of the Eastern Sierra Sustainable Partnership. We reviewed several ongoing Federal, State, and regional initiatives, and heard updates from each of the partner agency representatives.

Moved to Item #8A. – Closed Session

ADJOURN at 12:30 PM

ATTEST

BOB GARDNER
CHAIR OF THE BOARD

DANIELLE PATRICK
SENIOR DEPUTY CLERK/ ELECTIONS ASSISTANT