



**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
February 7, 2023**

9:09 AM Meeting called to order by Chair Duggan.

Supervisors Present: Duggan, Gardner, Kreitz, Salcido, and Peters. (All Supervisors attended via zoom or in person).

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 led by Supervisor Gardner.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Paula Richards:

- Discussed a Board letter of support approved 1/3/2023.

Patricia Robertson, Executive Director of Mammoth Lakes Housing:

- Provided an update on Affordable Housing Project - Access Apartments.

Supervisor Kreitz:

- Requested to agendaize Affordable Housing Project - Access Apartments.

Greg Cooke, owner of Mammoth Firewood:

- Thanked the Board for Letter of Recommendation.
- Discussed challenges of his business due to fees (disposal of organic material).

Chair Duggan:

- Requested to agendaize challenges of his business due to fees (disposal of organic material).

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICER

CAO Lawton: Absent – no report.

4. DEPARTMENT/COMMISSION REPORTS

Paul Roten, Public Works Director:

- Provided an update on upcoming CIP workshop.

Kathy Peterson, Social Services Director/Interim Director of Public Health:

- Provided department update.

Wendy Sugimura, Community Development Director:

- Provided a department update and staffing challenges.
- Discussed report on approvals on Lot Mergers.

Robin Roberts, Behavioral Health Director:

- Update on Wrap Around project/training.
- Thanked Sal Montanez, County Staff, and the Board.
- Discussed Mental Health Court.

Bryan Bullock, EMS Chief:

- Provided update on CPR training.
- Care Flight meeting tomorrow.
- Discussed Leadership meeting next week.
- Discussion on Bishop changing EMS service.
- Discussion on the storm from January 10 storm and RSV challenges with transporting patients with road closures.

Stacey Simon, County Counsel:

- Provided an update on reduction on Insurance fees.

Dr. Caryn Slack, Public Health Officer:

- Discussion on the CDC alert:
artificial tears pending additional guidance brand Ezri Tears.

Moved to Item #7c.

5. CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

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

Departments: County Counsel

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 February 7, 2023, through February 28, 2023.

Action: Adopted proposed resolution R23-007, 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 February 7, 2023, through February 28, 2023.

Gardner moved; Salcido seconded

5 Yes, 0 No

R23-007

B. June Lake Citizens Advisory Committee Appointment

Departments: Community Development

Appointed Gary Johanson to serve the remaining two years of a four-year term on the June Lake Citizens Advisory Committee, expiring December 31, 2024, as recommended by Supervisor Gardner.

Action: Appointed Gary Johanson to the June Lake Citizens Advisory Committee for a term expiring December 31, 2024.

Gardner moved; Salcido seconded

5 Yes, 0 No

M23-019

C. Inmate Welfare Fund Annual Report, Fiscal Year 2022-2023

Departments: Sheriff

California Penal Code Section 4025(e) states: The money and property deposited in the inmate welfare fund shall be expended by the sheriff primarily for the benefit, education, and welfare of the inmates confined within the jail. An itemized report of these expenditures shall be submitted annually to the board of supervisors.

Action: Received the Inmate Welfare Fund Annual Report for Fiscal Year 2021-2022.

Gardner moved; Salcido seconded

5 Yes, 0 No

M23-020

D. Privacy and Security Agreement Amendment with DHCS

Departments: Social Services

Amendment between Department of Health Care Services (DHCS) and Mono County to extend the termination date of the 2019 Privacy and Security Agreement to allow ongoing transmissions of Personally Identifiable Information (PII) while the 2022 renewal of the Agreement is finalized.

Action: Approved Amendment of the Medi-Cal Privacy and Security Agreement between Department of Health Care Services and Mono County for extension of the termination date through March 1, 2024, or upon execution of a successor Privacy and Security Agreement, whichever occurs first, and authorized Director of Social Services to sign the Amendment.

Gardner moved; Salcido seconded

5 Yes, 0 No

M23-021

E. Monthly Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 12/31/2022.

Action: Approved the Treasury Transaction Report for the month ending 12/31/2022.

Gardner moved; Salcido seconded

5 Yes, 0 No

M23-022

F. Quarterly Investment Report

Departments: Finance

Investment Report for the Quarter ending 12/31/2022.

Action: Approved the Investment Report for the Quarter ending 12/31/2022.

Gardner moved; Salcido seconded

5 Yes, 0 No

M23-023

6. CORRESPONDENCE RECEIVED - NONE

7. REGULAR AGENDA - MORNING

A. COVID-19 (Coronavirus) Update

Departments: Public Health

(Jen Burrows, Deputy Director of Covid Operations/Infection Preventionist) - Update on Countywide response and planning related to the COVID-19 pandemic.

Action: None.

Jen Burrows, Deputy Director of Covid Operations/Infection Preventionist:

- Presented item.

Moved back to Department/Commission Reports.

B. Community Corrections Partnership (CCP) Realignment Implementation Plan

Departments: Probation

(Karin Humiston, Chief of Probation) - A resolution of the Mono County Board of Supervisors authorizing the Mono County Community Corrections Partnership (CCP) Executive Committee to submit the Realignment Implementation Plan Annual Report for 2022 to the Board of State and Community Corrections.

Action: 1) Adopted proposed Resolution R23-008, authorizing the Mono County Community Corrections Partnership (CCP) Executive Committee submission of the Realignment Implementation Plan Annual Report for 2022.

Kreitz moved; Gardner seconded

5 Yes, 0 No

R23-008

Jazmin Barkley, Deputy Probation Officer:

- Introduced item.

Jeff Mills, Fiscal & Administrative Services Officer Mono County Probation Department:

- Presented item.

C. Designation of Director of Social Services as Ex Officio Public Guardian/Public Administrator/Public Conservator; Related Actions

Departments: CAO

(Robert C. Lawton, CAO) - Designation of the Director of Social Services to serve, ex officio, as the Public Guardian, Public Administrator and Public Conservator (PA/PG/PC) for Mono County and related actions.

Action: 1) Approved revised job description for the position of Social Services Director to add, ex officio, the duties of PA/PG/PC;
2) Adopted proposed resolution R23-009, adopting a revised Salary Matrix applicable to At-Will employees and Elected Department heads to reclassify the position of Social Services Director and superseding and replacing R22-139.
3) Adopted proposed resolution R23-010, approving second amendment to the employment agreement with Kathryn E. Peterson, and prescribing the compensation, appointment, and conditions of said employment
4) Reviewed and approved draft Memorandum of Understanding between the Department of Behavioral Health and the newly established office of the PA/PG/PC related to collaboration in the provision of LPS Act conservatorship services.

Fiscal Impact: This item increases spending for the remainder of this fiscal year by \$10,773, of which \$9,383 is salary and \$1,390 is benefits. The annual cost of this position currently is \$175,144. If this item is approved, the annual cost will be \$200,999, of which \$165,399 is salary and \$35,600 is benefits.

Salcido moved; Gardner seconded

5 Yes, 0 No

M23-024

Salcido moved; Gardner seconded

5 Yes, 0 No

R23-009

Salcido moved; Gardner seconded

5 Yes, 0 No

R23-010

Stacey Simon, County Counsel:

- Provided background and presented item.
- Discussed the modification made to the MOU.
 1. Section 4 paragraph 4 – changed to collaborative.
 2. Section 7 paragraph 1 – changed to as need.

Kathy Peterson, Social Services Director/Interim Director of Public Health:

- Discussion on staff and department support.

D. Receive and Discuss Mono County Strategic Plan Progress Report

Departments: CAO

(Robert C. Lawton, CAO) - The Board of Supervisors began development of the 2022-2024 Mono County Strategic Plan in the Summer of 2021. Following an intense and inclusive process, receiving input from County residents, staff and elected officials, the Board adopted the Plan on April 5, 2022. Staff returns to the Board today to provide a Progress Report on outcomes recommended in Strategic Plan, and to solicit Board input on future Plan activities and outcomes.

Action: None.

Item moved to 2/21 meeting.

E. Adopt 2023-24 Federal Legislative Platform

Departments: CAO

(Robert C. Lawton, CAO) - In 2022, Mono County engaged the services of TFG, formerly known as The Ferguson Group, to support County efforts with respect to Federal funding and policy. With TFG's assistance, Mono County was allocated \$3,000,000 for radio system improvements in the FY2023 Omnibus Appropriations Bill. The 118th Congress convened on January 3, 2023, following a change in party control. Members of the Board of Supervisors will attend the National Association of Counties' Legislative Conference taking place in Washington from February 11 through 14. Working with County Supervisors and Department Heads, TFG has prepared a draft Legislative Platform for discussion on January 17 and Board action today. The Platform will guide

Mono County's Federal legislative and agency advocacy efforts throughout the 118th Congress.

Action: Adopted a Minute Order M23-026, approving the Platform as the basis for Board and staff advocacy during the 118th Congress, with adding the Federal recognition to the tribe to the section of Tribal Communities under Communities support as amended.

Gardner moved; Peters seconded

5 Yes, 0 No

M23-025

Stacey Simon, County Counsel:

- Motion to approve with adding the federal recognition to the tribe to the section of Tribal Communities section under Communities Support.

Break: 10:52 am

Reconvened: 11:04 am

F. Amendment to Employment Agreement with Solid Waste Superintendent

Departments: Public Works

(Paul Roten, Public Works Director) - Proposed amendment to employment agreement with Justin Nalder to add temporary additional duties providing fleet management services, in addition to duties as Solid Waste Superintendent.

Action: Adopted Resolution R23 -011, approving an agreement and first amendment to employment agreement of Justin Nalder.

Fiscal Impact: This item increases costs for the remainder of this fiscal year by an estimated \$4,675, of which \$4,029 is salary and \$646 is benefits. The annual cost of this position currently is \$136,726. If this item is approved, the annual cost is estimated at \$147,946, of which \$106,376 is salary and \$41,570 is benefits. This cost increase is for a temporary period.

Peters moved; Gardner seconded

5 Yes, 0 No

R23-011

Paul Roten, Public Works Director:

- Presented item.

G. Overview of New Requirements Related to Campaign Contributions (SB 1439)

Departments: County Counsel

(Stacey Simon, County Counsel) - Presentation regarding new legal requirements related to recusal from and disclosure prior to specified types of board actions where a board member has received a campaign contribution

from a party to or participant in the action within the prior 12 months; prohibition on contributions following action.

Action: None.

Stacey Simon, County Counsel:

- Presented item.

H. FY 2022-2027 Public Health Emergency Preparedness Grant Agreement #22-10664

Departments: Public Health

(Brienne Chappell-McGovern, Emergency Preparedness Manager; Kathy Peterson, Interim Public Health Director) - Proposed contract with California Department of Public Health (CDPH) Emergency Preparedness Office pertaining to FY 2022-2027 Public Health Emergency Preparedness Grant Agreement #22-10664.

Action: Approved, and authorized Board Chair to sign, contract with the California Department of Public Health (CDPH) Emergency Preparedness Office for the 2022-23 to 2026-27 Centers for Disease Control and Prevention (CDC) Public Health Emergency Preparedness (PHEP), State General Fund (GF) Pandemic Influenza, and Assistant Secretary for Preparedness and Response (ASPR) Hospital Preparedness Program (HPP) Funding Grant Agreement Number 22-10664 for the period of July 1, 2022 through June 30, 2027 and a not-to-exceed amount of \$1,673,669. Additionally, provide authorization for the Public Health Director to approve minor amendments and/or revisions that may occur during the contract period provided such amendments do not alter the amount not-to-exceed and do not substantially alter the scope of work or budget and are approved as to form by County Counsel.

Salcido moved; Peters seconded

5 Yes, 0 No

M23-026

Kathy Peterson, Social Services Director/Interim Director of Public Health:

- Introduced item.

Brienne Chappell-McGovern, Emergency Preparedness Manager:

- Presented item.

Moved to Board Reports.

8. CLOSED SESSION

*First Closed Session: 12:20 PM
Reconvened: 1:06 PM*

No reportable action.

*Second Closed Session: 2:12 PM
Reconvened: 2:55 PM*

Moved to Urgency Item – Item #12A.

A. Closed Session - Labor Negotiations

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Janet Dutcher, 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.

B. Closed Session - Public Employee Evaluation

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

9. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No public comment.

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

10. REGULAR AGENDA - AFTERNOON

A. Public Hearing - Appeal of a Planning Commission Decision Approving a Use Permit for Sierra High Cannabis Farm

Departments: Community Development - Planning Division

(Michael Draper, Principal Planner) - Public hearing regarding the appeal of Use Permit 21-006/Sierra High for a commercial cannabis business consisting of cultivation, distribution, and non-storefront retail at 7761 Eastside Lane in the Antelope Valley.

Action: Adopted proposed resolution, R23-012, denying the appeal of the Planning Commission decision on December 15, 2022, to permit Use Permit 21-006/Sierra High for a commercial cannabis business consisting of indoor and outdoor cultivation, distribution, and non-storefront retail, located at 7761 Eastside Lane, Topaz (APN 001-150-004)

Kreitz moved; Peters seconded

5 Yes, 0 No

R23-012

Action: Adopted the “Staff Responses” contained in the staff report as findings of the Board.

Kreitz moved; Peters seconded

5 Yes, 0 No

M23-027

Public Hearing Opened: 1:07 PM

Michael Draper, Principal Planner:

- Presented item.

Supervisor Duggan:

- Discussed the timeline of the project.

Wendy Sugimura, Community Development Director:

- Discussed staff report and written response.

Public Comment:

Dan Landrum, Project Manager:

- Discussed the process, timeline, permits.

Cynthia, Coleville resident:

- Requested that the Board meet in Walker for Public Hearing.

Helen Thomson:

- Discussion on Public Comment from Planning Meeting.
- Discussion on Mono County vs Douglas County.

Rod Vickers:

- Discussed his concerns with the security and nature.

Valanda Corbett:

- Discussed road access.

Public Hearing Closed: 1:59 PM

11. BOARD MEMBER REPORTS

Chair Duggan:

- Attended CSA #1 meeting.
- Attended RCRC meeting.
- Attended Tri-Valley Water District meeting.
- Attended Economic Development/Tourism meeting.
- 2/1 – NACo Land Use

Supervisor Gardner:

- On Wednesday Jan. 18 I chaired the quarterly meeting of the Mono County First 5 Commission. Topics at that meeting included approval of several contracts, review of the Annual First 5 Evaluation Report and Audit, and a discussion of potential childcare initiatives the Commission could pursue.
- On Thursday Jan. 19 I participated in a meeting of the Mono Basin Partners coordinated by the DeChambeau Creek Foundation. We reviewed plans for four different task forces to work in 2023 to improve various parts of Mono Basin recreation facilities and programs. Using volunteers, funding from various sources, and working with our Federal, State, and non-profit partners, the goal is to work on projects this spring, summer, and fall around the Mono Basin area.
- On Monday, Jan. 23 I participated in a call with the group that planned the Children's Summit last summer. We discussed the priorities identified at the Summit, including continuing the Children's Wellbeing Dashboard and childcare initiatives.
- On Thursday, Jan. 26 I chaired the quarterly meeting of the Collaborative Planning Team. Topics at that meeting included the Caltrans Sustainable Transportation Planning Grant Program and the Yosemite National Park Visitor Access Planning and Summer Construction Projects.
- On Wednesday, Feb. 1 I participated in the monthly meeting of the June Lake Citizens Advisory Committee. Topics at that meeting included concerns about skiers parking on Rt. 158, a review of activities related to the recent storms, and avalanche notification processes.
- On Friday, Feb. 6 I participated in the monthly meeting of the Kutzadika Tribal Council. Topics at that meeting included the Mono Lake Committee effort to encourage the California State Water Resources Board to hold a hearing on the continued decrease in the lake levels and actions to reverse that trend. There is a virtual meeting on Feb. 15 sponsored by the Water Resources Board to discuss this matter and hear public comments. I intend to provide comments from the County based on our prior correspondence to LADWP and other discussion about Mono Lake. Other topics at the Tribal Council meeting included their continued effort to obtain Federal recognition of their Tribe.
- Finally, yesterday I participated with Supervisor Salcido in the monthly meeting of the Eastern Sierra Sustainable Recreation Partnership. Topics at that meeting included updates about the Community Economic Resiliency Fund (CERF) and the Comprehensive Economic Development Strategy (CEDS), as well as reports from the various partner representatives.

Supervisor Kreitz:

- January 23 - MLH Board meeting- approved contract with Hansen Construction for the Homekey project. Authorized the permanent contribution of 30% of MLH's developer fee into the project to help offset a \$531K cost overrun on the project and directed staff to go to the Town, County and others to help fill the gap. MLH has put out their 2021-2022 Impact Statement. I will share it with the Clerk to share with you all. MLH has entered 10 units into the Coordinated Entry System.
- January 24 - attended the Pickle Meadows Community Leaders Lunch. Nice event to meet others and learn more about the role of the facility.
- January 26 - IMACA Board meeting - I submitted my application for the Board, and as such was invited to introduce myself to the Board. They will consider my appointment at their next Board meeting. Items of interest during the meeting was review and approval of their annual audit, review of financial statements, an announcement that a

prior employee of IMACA working as controller is returning, and discussion of how to get the word out about utility bill payment assistance to residents of Mono County as much of the funds have been spent in Inyo County to date.

- PIT Count held on January 25th.
- February 6 - meet and greet with Chief People Officer

Supervisor Peters:

- 1-24 Visited MWTC for the community leader's luncheon.
- Attended the IMACA meeting.
- Meeting with Marcella Rose.
- Attended Indian Colony Meeting.
- Meeting with Jeff Simpson.
- Attended WIR meeting.

Supervisor Salcido:

- 1-19 Mammoth Community Water District meeting regarding Public Health request for water surveillance. Item passed unanimously.
- 1-24 Visited MWTC for the community leader's luncheon.
- 1-25 CERF listening luncheon meeting sponsored by the Sierra Business Council.
- 1-26 Collaborative Planning Team
- 1-26 Attended the JEDI meeting.
- 2-2 Southern California Regional Meeting of the California Wildfire and Forest Resilience Task Force
- 2-6 Eastern Sierra Sustainable Recreation Partnerships, ESSRP

Moved to Closed Session.

12 A. Urgency Item

Action: Determine that there is a need to take immediate action with respect to the proposed agenda item (appointment of an Acting County Administrative Officer), that the need for action came to the County's attention subsequent to the agenda being posted, and that therefore the item should be added to the agenda.

Gardner moved; Salcido seconded

5 Yes, 0 No

M23-028

Stacey Simon, County Counsel:

- Suggested that an urgency item be added due to facts that were received after the agenda was posted on Friday.
- There is a need for the Board to take action prior to the next Board of Supervisors meeting.
- CAO Robert Lawton is unavailable to perform services for the County at the moment, there is a need for services to continue.

Supervisor Gardner:

- Read the Motion to add "Urgent" Agenda Item.

- B. Appointment of County Counsel Stacey Simon as Acting CAO**
Action: Appoint Stacey Simon, County Counsel, as Acting County
Administrative Officer
Peters moved; Salcido seconded
5 Yes, 0 No
M23-029

ADJOURNED in memory of Gordon Courtney at 2:59 PM.

ATTEST

RHONDA DUGGAN
CHAIR OF THE BOARD

DANIELLE PATRICK
SENIOR DEPUTY CLERK OF THE BOARD