



**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  
January 7, 2014**

9:00 AM Meeting Called to Order by Chairman Hunt.

*Supervisors present: Alpers, Fesko, Hunt, Johnston and Stump.  
Supervisors absent: None.*

Pledge of Allegiance led by Marshall Rudolph.

*Break: 10:00 a.m.  
Reconvene: 10:07 a.m.  
Lunch/Closed Session: 12:31 p.m.  
Reconvene: 2:04 p.m.  
Closed Session: 2:46 p.m.  
Adjourn: 3:05 p.m.*

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

*No one spoke.*

2. APPROVAL OF MINUTES

A. Board Minutes

**Action:** Approve minutes of the Regular Meeting held on December 17, 2013.

**Johnston moved; Stump seconded**

**Vote: 4 yes; 0 no; 1 abstain: Alpers**

**M14-01**

3. PRESENTATIONS

A. Election of New Board Chair

Departments: Board of Supervisors

(Outgoing Board Chair) - The outgoing Board Chair will call for nominations to elect the Chair of the Board for 2014.

**Action:** Elect Supervisor Johnston as the new Chair of the Board for 2014.

**Alpers moved; Fesko seconded**

**Vote: 5 yes; 0 no**

**M14-02**

B. Election of New Vice-Chair to the Board

Departments: Board of Supervisors

(Supervisor Johnston)- The newly-elected Board Chair will call for nominations to elect the Vice Chair of the Board for 2014.

**Action:** Elect Supervisor Fesko as the new Vice Chair of the Board for 2014.

**Alpers moved; Hunt seconded**

**Vote: 5 yes; 0 no**

**M14-03**

**Supervisor Hunt:**

- Interested in creating a Chairman Pro-Tem position; will discuss at a later time. Maybe during the Board Rules and Procedures item.

C. Presentation to Outgoing Chairman Hunt

Departments: Board of Supervisors

(Board Chair) - Presentation to Chairman Hunt by newly elected Board Chair honoring Supervisor Hunt's service to the Board in 2013.

**Action:** None.

**Chairman Johnston:**

- Presented Supervisor Hunt with a plaque of recognition.
- Gave comments about upcoming year, what he hopes to accomplish. Feels a sense of optimism but realizes there are issues still needing to be overcome.
- Looking forward to a new year with innovative solutions.

**Supervisor Hunt:**

- Accepted plaque, gave brief comments about his years served and the year ahead.

4. BOARD MEMBER REPORTS

**Supervisor Alpers:**

- He feels that he is working with the best group of Supervisors ever; he has more trust now in his team than he ever has before. He also feels the management team is the best ever, the "dream team". A lot of issues will be tackled in the next year.
- Excellent meeting with Conway Ranch working group on complicated issue. Meeting with Mono Basin RPAC Wednesday to discuss all issues.
- 12/24 – meeting at home with Ed Rosti, owner of June Lake Rodeo Grounds as a follow up to previous meeting. Mr. Rosti intends to do right by June Lake. At CAC meeting tonight, a discussion will be kicked off about the master planning ahead. He feels there is a consensus now to move forward in the community.
- Caltrans reopened Hwy 158 to Rush Creek; put in request to reopen Hwy 120, waiting to hear back.

## MINUTES

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- Mentioned that Ronnie Kovach recently passed from cancer, meeting to be adjourned in honor of him.

### **Supervisor Fesko:**

- Commented on previous year; looking very forward to this coming year.
- Thanked Lynda Salcido tremendously for stepping up as Acting CAO; thanked Marshall Rudolph for also stepping up.
- Attended a gathering at Walker Country Store for annual party; heard a lot of comments.
- 12/19 – wife's birthday.
- 12/20 – attended Paramedics negotiations meeting; was great to see staff working in a different type of environment.
- Went to Sacramento then over to Santa Cruz area for New Years.
- Upcoming roundtable discussions where he will be present: 1/9 – Walker; 1/14 – Bridgeport; 2/18 – Mammoth.

### **Supervisor Hunt:**

- Thanked staff and fellow board members; going into New Year we will be able to address a lot of issues and provide solutions.
- 12/18 – biomass meeting attended by Supervisor Johnston and himself. Moving towards Biomass Facility at MMSA; still having issues with Great Basin and air quality issues. Final report due out the end of this month.
- 12/19 – First Five had regular commission meeting; heard an update. Next week holding all day strategic planning meeting at Dr. Johnson's home to determine 5 year plan.
- 12/20 – ESCOG meeting; updates on digital 395, sage grouse, more issues being discussed.
- Tomorrow headed to Yosemite Valley for Gateway Partners General meeting.
- Conway Planning Easement discussion.
- MMSA financial projection to date came out yesterday; down about 17% over last year for holiday.
- Flu Season is upon us; people need to take precautions.
- Took a week's vacation in Arizona.

### **Supervisor Johnston:**

- Attended ESCOG and Biomass meetings; were reported on by Supervisor Hunt.
- Has had discussions with commercial owners about Town; a bit gloomy but not all bad. People are finding other things to do.
- Mammoth Mountain Ski Team and the Mountain is benefitting a bit from no snow.

### **Supervisor Stump:**

- Thanked management team, staff and employees. Hopes to continue with the positive momentum in terms of morale and teamwork. This past year he's witnessed how hard everyone works in this county.
- Attended Memorial Services for Billy Anderson and Dan Dennis.
- Community meeting last night in Paradise to discuss general items.
- Attended meeting at Mammoth Fire with Paramedic Coordinator regarding data collection issues that are impacting services; all has to do with software platforms. Dr. Johnson will come and give presentation regarding LEMSA.

## 5. COUNTY ADMINISTRATIVE OFFICE

### CAO Report regarding Board Assignments

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

#### **Jim Leddy:**

- He's been here only six months, it's been an exciting time. Thanked Board and staff for last six months; a lot of challenges ahead with a chance to build something new. Still waiting to get snowed in.
- His sons went to June Mtn. and enjoyed the mountain and the area while they were here.
- 12/17 – Inyo County conducted a redesign meeting; over 50 people talking about what can be done in the shared services area – follow up meeting on 1/23. All a preview of what strategic

planning should be about. Thanked Kevin Carunchio, Inyo's CAO.

- Same night, went with Tony Dublino to TOML where he presented the solid waste issues, did a great job.
- Property in Lieu of Taxes – making sure we're advocating on this. Realignment AB109 funding, also need to work on this issue.
- Strategic Planning started – website should be up soon; we will have meetings soon with employees, etc. to look ahead on sharing services. First quarterly meeting between the Clerk to the Board, Finance and CAO's office on Thursday.
- Fish and Wildlife is hosting a meeting here tomorrow afternoon to discuss endangered species – will take place between 1-3 p.m. Thanked Lynda Roberts for facilitating.
- Energy Task Force met and discussed items to bring back to the board. Meeting on 2/4 and probably 2/18, will be ongoing monthly meeting. Thanked staff involved.
- Supervisor Stump: AB109 issue; starting to see savings; already included in Governor Budget or we're hoping? (Leddy: we're hoping.)

## 6. DEPARTMENT/COMMISSION REPORTS

### **Tim Kendall, District Attorney:**

- Introduced new employees: Paul Robles (contract investigator position); and Kevin Christensen, new Deputy District Attorney from Inyo County.

### **Sheriff Obenberger:**

- AB109 – arrest percentages are up; we only have 37 out of 44 inmates currently. Only 7 AB109'ers; these are determined by charges filed by D.A.
- Inmate Welfare Account – governed by State Penal Code; has to be spent on the well-being of the inmate. Current balance is approximately \$114,000, collecting \$15,000 - \$20,000 per year. Have done some rehab projects using the inmates and teaching them useful tools. For this year, they'd like to purchase a bigger inmate property storage rack; they are very limited on storage.
- Yesterday, communications update project started.

### **Scott Burns:**

- Update on workshop with Fish and Wildlife scheduled for tomorrow; received an agenda this morning (handed out to Board). Meeting scheduled from 1-3 p.m.

## 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. 2014 Mono County Legislative Platform

Departments: CAO

Final review and potential adoption of the proposed 2014 Mono County Legislative Platform.

**Action:** Adopt 2014 Mono County Legislative Platform and direct staff to distribute to Mono County's state and federal legislators as well as to the California State Association of Counties, the Rural Counties Representatives of California and begin scheduling visits with legislators for Board members.

**Hunt moved; Alpers seconded**

**Vote: 5 yes; 0 no**

**M14-04**

Supervisor Stump:

- Spelling correction, p. 7 it currently says, "continue fortest management", should say "forest

management”.

B. November 2013 Transaction Report

Departments: Finance

Treasury Transactions for the month of November 2013.

**Action:** The Board received the Treasury Transactions for the month of November, 2013.

**Hunt moved; Alpers seconded**

**Vote: 5 yes; 0 no**

**M14-05**

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. California Fish and Game Commission

Notices of Findings published in the California Regulatory Notice Register on December 27, 2013, pertaining to: 1) Townsend's big-eared bat (*Corynorhinus townsendii*); 2) Northern spotted owl; 3) American pika.

**Supervisor Johnston:**

- Made brief comments regarding this.

B. Mono City Fire Protection District

Letter dated 12/14/13 from the Mono City Fire Protection District pledging a maximum of \$25,000 for use exclusively in calendar year 2014 for work performed on the Mono City Emergency Road.

**Supervisor Alpers:**

- Wants this on a future agenda soon.

**Jim Leddy:**

- Working on safety issue and in getting answers to have agenda item; could be ready by 1/21/14 or the next meeting thereafter.

\*\*\*\*\*

*The Board acknowledged receipt of the correspondence.*

9. REGULAR AGENDA - MORNING

A. Letter to State Water Resources Control Board regarding Petitions for Temporary Transfer of Water Rights

Departments: County Counsel

(Stacey Simon) - Letter to California State Water Resources Control Board regarding Petitions for Temporary Transfer and Change to water rights licenses 6000 and 9407 filed by the Walker River Irrigation District related to its stored water leasing program.

**Action:** Approve and authorize Chair to sign letter.

**Hunt moved; Alpers seconded**

**Vote: 5 yes; 0 no**

**M14-06**

**Stacey Simon:**

- Explained item.
- The county has been supportive of the proposed concept for a long time.
- Previous letter had asked for information which she doesn't feel we received.
- This letter is a response to the previous response. Draft letter explains that the District's original response didn't give appropriate information. Letter asks that concerns be addressed.

**Supervisor Johnston:**

- Letter is well written.

**Supervisor Fesko:**

- He had no issues with letter.

**B. Inflationary Increase to Service Fee Floors for D&S Waste and Mammoth**

Departments: Solid Waste

(Tony Dublino) - Amendment to Franchise Agreements with D&S Waste and Mammoth Disposal, reflecting inflationary increase to floor rates.

**Action:** Approve amendment to Franchise Agreements with D&S Waste Removal, Inc. and Mammoth Disposal, Inc. to reflect inflationary adjustments to service fee floor rates for waste collection services. Additionally, the language to be included on the statements should be amended to read, "This month's bill includes a 1.95% increase reflecting an inflation factor based on the Consumer Price Index and Producer Price Index for September 2012 - September 2013, and is not related to any increases caused by Mono County."

**Alpers moved; Hunt seconded**

**Vote: 5 yes; 0 no**

**M14-07**

**Tony Dublino:**

- Explained item. Has made a minor adjustment to the increases. The September reports should actually be used. Is now a 1.95% increase.
- He has re-worded statement based on previous comments by the Board.
- The statement presented to the 12/17 meeting did get included to the Mammoth Disposal customers; Rick will speak to that.
- We will need to renegotiate everything in June 2016.
- Asked if the haulers were ok with change in statement wording.

**Rick Vahl, Mammoth Disposal:**

- Handed out information to the board.
- Gave some highlights from Mammoth Disposal's perspective.
- He does not have any issues with wording changes; customers aren't going to read the wording, they're going to call. They'll have to deal with it then.

**Darrol Brown, D&S Waste Disposal:**

- Rick Vahl covered about everything, any further questions?
- Explained CPI increase and the reason for the increase in fees.
- Mono County is biggest taker of the fees.

**Kevin Brown, D&S Waste Disposal:**

- He can't believe having to justify this increase request.
- He is concerned about competitors if D&S raises its fees directly instead of the floor rate through the county.
- They don't have a problem with the statement on the invoices.

- D&S has no issues to putting the wording on as the board is requesting, assuming they can fit it on their bills.

**Supervisor Fesko:**

- Asked Mammoth Disposal about base charge.
- Doesn't like raising fees just for the sake of raising them.
- With this being a minor amount, is it making that much difference or are you going for the increase of 2% just because you can?
- Asked about gate fee increase.
- Asked about proposed amendments to the contracts.

**Supervisor Stump:**

- No one has reacted to proposed statement on invoices.
- Asked haulers why they would have any problem with wording in statement? Doesn't understand why/how it would be objectionable.
- Read proposed statement aloud to make sure that was what will be included in future bills.

**Supervisor Hunt:**

- He doesn't think the wording is an issue. If it will save grief he's for it.

**Marshall Rudolph:**

- The statement has to be included on the invoice as this is part of the negotiation.

C. Mono County Board Rules of Procedures

Departments: CAO, County Counsel, Clerk of the Board

(Jim Leddy) - The Board's current rules were adopted on February 6, 1978. Since that time, some changes in law and practice have occurred, one of which is addressed through a policy regarding items generated from outside the County and incorporated through Resolution No. 00-34 adopted May 2, 2000. Both of these documents have been included in your packet for reference. Once adopted, the new rules will supersede and replace all rules of procedure previously adopted by the Board. Attached for the Board's consideration is a copy of the draft Mono County Board Rules of Procedures. The Rules as drafted are consistent with law and generally reflect current practices of the Board. They were based substantially on Sonoma County's Board Rules.

**Action:** None.

**Jim Leddy:**

- Explained this item; highlighted change is creating greater level of succession by having a third in command.
- Document captured (in one place) the process when interacting with the Board; creates a clear process.
- Discussion about the concept of "straw votes".
- These are set up to be reviewed annually.
- We will address the emailing issue and what the policy currently is.
- Rule 43 encompasses the spirit of Supervisor Johnston's proposed Rule Z.
- Hopes to bring back on 1/21/14.

**Supervisor Stump:**

- Has thought for awhile that setting number of terms for Supervisors might be appropriate. Per Marshall that wouldn't happen in the Board Rules.
- For Larry's suggestion, add "with the concurrence of the board" to Rule 33, Planning Matters, Request for Continuance. The essence of Rule 33 is that each Supervisor has a say in matter of their district.
- Voiced concern about Supervisor Johnston's Proposed Rule X.
- He agrees that Supervisors shouldn't be voting on things that can directly outcome various things (CSAs, RPACs and Planning Commission).

**Supervisor Alpers:**

- Likes the Pro-Tem idea; it would make it so that business doesn't get held up if there are only three supervisors.
- P. 7 – Rule 26 on voting.
- Agenda format, Rule 16, p. 4.
- Proposed Rule X – agrees with Supervisor Stump.

**Supervisor Fesko:**

- In regards to Rule 33 – he understands the need to protect their districts.
- P. 2, Rule 8 – doesn't like the Chair "shall". Should say with board consent or supervisor consent. Supervisors should not get assigned to committees at the chair's discretion.
- P. 5, Rule 20 – asked for clarification.
- P. 10, Rule 40 – take out chair "shall determine".
- He's part of Antelope Valley RPAC – knows Supervisor Johnston doesn't agree with that.

**Supervisor Hunt:**

- Rule 33 – Supervisors shouldn't lose their autonomy.
- Discussed Supervisor Johnston's proposed rule X.

**Marshall Rudolph:**

- The rule on p. 7, rule 26 – isn't about adding a vote later; it's about later votes that come up on the same issue. If you go back and reacquaint yourself with preliminary information then the supervisor can vote on subsequent issues. If a supervisor is absent they can't vote again on a motion already concluded.
- The "straw vote" isn't a motion adopting the action; more like verbal support showing opinion of a supervisor who may have missed the vote originally.
- Way he reads Rule 16 reflects essentially the format we have; although he sees a bit of a mismatch. Had not thought about chair moving things entirely around.
- For Rule 33, maybe put wording in to indicate it's not a postponement tool, "The next applicable meeting that satisfies noticing requirements" or something.
- In general, the Board can revisit these at any time. If there turns out to be a problem, the Board can change/fix it.
- These are about the procedures of the Board of Supervisors; they don't really have to do with Supervisor Johnston's proposed rules X, Y and Z. That's not to say they don't have a say, just might not be appropriate spot.
- RPAC discussion is coming to the Board on 1/21. CSA resolution could be changed if necessary.

**Supervisor Johnston:**

- Change to "with the concurrence of the Board" for Rule 16, p. 4.
- For Rule 33, does not like the words "at his or her sole discretion". The issue is, are we going to act as a team or give individual supervisors power for various things.
- Introduced proposed rules X, Y and Z (handout to be posted to web). Discussion followed about these proposed rules.

**D. Board of Supervisors' Meetings--Change in Location of Third Regular Monthly Meeting**

Departments: Clerk of the Board

(Lynda Roberts) - Location of the Board of Supervisors' third regular meeting of each month.

**Action:** Change the location of the Board's third regular meeting each month from Bridgeport to the Town of Mammoth Lakes making this change for an indefinite period of time rather than annually. Adopt Resolution R14-01 that will change the location of the third regular board meeting of each month for an indefinite period of time.

**Hunt moved; Stump seconded**

**Vote: 3 yes; 2 no: Alpers, Fesko**



**M14-08**  
**R14-01**

**Supervisor Stump:**

- Should accept; only change is that it not be an annual review.

**Supervisor Fesko:**

- Would appreciate that it be continue to be reviewed once a year.

**Supervisor Hunt:**

- Should accept; doesn't need to be reviewed annually.

**Supervisor Johnston:**

- Concurs with Supervisors Stump and Hunt.

**Marshall Rudolph:**

- The rules could have suggested language to revisit.

E. Supervisors' Appointments to Boards, Commissions and Committees

Departments: Clerk of the Board

(Lynda Roberts) - Mono County Supervisors serve on various boards, commissions, and committees for one-year terms that expire on December 31st. Each January, the Board of Supervisors makes appointments for the upcoming year.

**Action:** Appoint Supervisors to boards, commissions and committees for 2014 as discussed.

**Stump moved; Hunt seconded**

**Vote: 5 yes; 0 no**

**M14-09**

**Supervisor Stump:**

- Proposes we keep everything the same as last year.
- He thinks the Supervisors are very involved with boards and commissions; doesn't think being a supervisor should be a full time job, especially for business owners.

**Supervisor Alpers:**

- Asks that he be removed as RCRC main person; asked that Tim Fesko be the main contact, Supervisor Hunt be the Alternate and have Supervisor Alpers as the 2<sup>nd</sup> alternate.

**Supervisor Hunt:**

- Asked to be removed from the Law Library and the MMSA Liaison groups as main contact. Usually it's the chair for those two groups so Supervisor Johnston should be listed.

**Supervisor Johnston:**

- Needs new alternate for LTC; leave blank for now.

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): 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: Gleason v. Secretary of State et. al.

C. Closed Session - Public Employee Performance Evaluation: County Administrator

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

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

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

*No one spoke.*

13. REGULAR AGENDA - AFTERNOON

A. Communications Chapter - General Plan Update

Departments: Information Technology; Community Development

(Nate Greenberg; Scott Burns) - Provide a workshop that reviews the Goals and Objectives contained within the draft language of the new General Plan Telecommunications Chapter.

**Action:** None.

**Nate Greenberg:**

- Follow up workshop on Communications Chapter for the General Plan update.
- Has a power point presentation

Communications Policy:

- Last Mile Provider Plan (two pronged approach: Internal and External.
- Policy Development Process.
- General Public Feedback.
- Communications Chapter: Focus Areas.
- Broadband Development and Adoption.
- Construction of Communications Infrastructure.
- Strategic Planning for Communications Infrastructure.
- Broadband Access, Adoption and Application.
- Additional Considerations.
- Overhead vs. Underground Costs.

Additional Comments:

- They've been hearing that wireless is quickest and cheapest. There's nothing in this plan that is especially difficult for wireless; maybe need to modify language.
- Satellite is Hughes Net or Wild Blue. Explained the satellite issues – not that useable and very expensive.
- We should also include mobile cellular data as well.
- Discussion about raising revenues; there are ways to raise various fees being charged.

- Mentioned that there is a section that involves consumers and providers (doesn't specify a web site), this section could be expanded.

**Ron Day:**

- Trying to make communications chapter easier to understand; get everyone onto the same platform.
- Nate did a great job; a lot of staff time has been spent on this.

**Supervisor Stump:**

- If communities don't already have infrastructure, we are driving people to wireless systems.
- It was not our fault that the PUC modified its standards but we need to revisit the greater need for wireless systems.

**Supervisor Fesko:**

- You can get very fast speeds with wireless.
- Nobody is putting up wires; everyone is going wireless because it's available.

**Supervisor Hunt:**

- What is time frame with this?

**Scott Burns:**

- This is a component of our general plan update; about to release a notice of preparation.
- Maybe looking at adoption by next fall.

**Supervisor Johnston:**

- What is satellite? Hughes Net?
- Satellite pros and cons should be included in this plan.
- Reliability issue: it's always utilities that people complain about, they always go down. We should be looking long term for reliability.
- Headed in the right direction here.
- Revenue generating discussion.

**Steve Kalish:**

- Been out of town for last six months but has attended many meeting of the advisory committee.
- Didn't see something in outline that is part of a buy-in which is having the county maintain a website of all the available services available. This would show what's available, what they charge, etc. The county could occasionally do a speed test. This is consumer information.
- The consortium may kick in \$500 a year.

ADJOURN at 3:05 p.m. in memory of Ronnie Kovach who recently passed away

ATTEST:

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LARRY JOHNSTON  
CHAIR

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SHANNON KENDALL  
SR. DEPUTY CLERK OF THE BOARD