



**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
March 11, 2014**

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

*Supervisors Present: Alpers, Fesko, Hunt, Johnston and Stump.
Supervisors Absent: None.*

Pledge of Allegiance led by Supervisor Hunt.

*Break: 9:58 a.m.
Reconvene: 10:02 a.m.
Break: 11:45 a.m.
Reconvene: 11:52 a.m.
Closed Session/Lunch: 12:20 p.m.
Reconvene: 2:00 p.m.
Adjourn: 3:38 p.m.*

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Joe Parrino:

- Here to address several issues. The Supercross and Motocross scene has gotten big.
- Supercross Series: discussion about these events. Encouraged Supervisors to watch on TV. The Supercross happens on Saturday nights.
- He wondered why there are not motorized events advertised on some of the brochures.
- Mentioned new Forest Service Law Enforcement Officer who is easy to work with.

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Action: Approve Minutes of the Regular Meeting held on February 11, 2014, as

corrected.

Hunt moved; Stump seconded

Vote: 5 yes; 0 no

M14-33

Supervisor Fesko:

- On p. 2 of draft minutes, last sentence in bullet dealing with Sierra Center Mall, should read (in reference to his meeting with Paul Rudder), "Supervisor Fesko said that his actions will speak louder than words".

Supervisor Johnston:

- On p. 8 of draft minutes, vote for the NACO item (#9b) should be 3 yes; 2 no with both Johnston and Hunt voting no.
- On p. 13 of draft minutes, under 2013-2014 Mid-Year Budget item below "CONTINUED FROM MORNING SESSION", Jim Leddy's second bullet point should read, "
- \$1 million dollars, not \$1,000 million dollars".

Supervisor Stump:

- On p. 3 of draft minutes, under Department/Commission Reports for Sheriff Obenberger, first bullet point: Orbacom not Oracom Communications.

B. Board Minutes

Departments: Clerk of the Board

Action: Approve Minutes of the Regular Meeting held on February 18, 2014, as corrected.

Stump moved; Fesko seconded

Vote: 4 yes; 0 no; 1 abstain: Johnston

M14-34

Supervisor Stump:

- On p. 2 of draft reports, under Supervisor Stump's board report, first sentence of last bullet point should read, "AT&T has said that it is their intent to submit an application for a cell tower to be built in Chalfant in April."

3. PRESENTATIONS - NONE

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- Spending time with CalTrans folks on variety of issues; met with Dorothy Burdette and Alice Suszynski regarding signage in June Lake. Will be starting the permit process.
- Working with a group from June Lake to update the Monument Signs.
- June Lake CAC last week; Carl Williams announced that June Mountain will be open till April 20th, no matter what.
- Wants to give thanks to Ilene Mandelbaum of the Lee Vining Community Landscaping Committee – last Saturday they had a Latin Night at the Center, a fundraiser for the Landscaping projects around the LV community.

Supervisor Fesko:

- Attended Bridgeport RPAC.
- 2/25/14 West Walker Planning meeting.
- 2/26/14 – Met with Sandy Marshall and Georgette Noble regarding financial situation of the Walker Thrift Store and the Recycling Center.
- 2/26/14 – meeting with representative and Supervisor Stump regarding the future of Senior Services.
- Shout out to Tony Iniguez; Supervisor Fesko left his headlights on and Tony gave him a

MINUTES

March 11, 2014

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- jump.
- Flew out March 1st to Washington, DC for NACO Conference. There is an overview of their trip printed out and available. If we want to have any input at the Federal level, we need to be a player. Topics focused on for the trip: Bi-State Sage Grouse, Yellow-Legged Frog and Yosemite Frog, MMSA Land Exchange (HR1241), MAP21 and PILT. Got good information on what we need to do before, during and after meeting with representatives. Attended Environment Steering Committee where one of the items discussed was Sage Grouse.
 - Antelope Valley Community Center – thanks to Staff for the cement truck; thanks to Public Works for keeping project going; thanks to volunteers (some of them quite elderly).
 - Will be at Reno Outdoor show Friday, Saturday and Sunday in the Convention Center. Space will be shared with Tourism and others. This is good promotion for our county.
 - Thanked Scott Burns and Wendy Sugimura for the one page document they prepared for them to take on the DC trip; thanks to Paul Schlesinger (Alcalde & Fay) who took time to work with them as well.

Supervisor Hunt:

- 3/3/14 – Great Basin meeting; first hearing on total district budget which is relatively stable. Getting slowly out of litigation. There are dollars coming from LADWP settlements. Accolades to Ted Schade, the Executive Director, he's doing very good work.
- Yosemite Gateway Partners board meeting last Friday, attended via phone. Planning a sustainable symposium later this year. Will be partnering with a lot of other organizations.
- Last Saturday night, Rotary Club had Winterfest, raised some money.
- 3/5/14 – Caltrans meeting regarding Conway and MOU which is running out at the end of the month. Caltrans extended our MOU till July 1st.
- Mammoth Leadership Forum – looking for good slate of candidates for Town Council; have as many as 9 candidates.
- 2/26/14 – Mono County Behavioral Health advisory meeting.
- 2/25/14 – Sierra Center Working Group meeting – group that's analyzing problems with the Sierra Center, how can we better accommodate staff?
- Taking off to Sacramento tomorrow for a Sierra Nevada Conservancy meeting.

Supervisor Johnston:

- Attended LTC meeting; thrust: what is going to our county's MOU project? ESTA was reported on.
- Attended the Mammoth Lakes Housing meeting – looking at changing structure a bit; there's a lot of work to be done.
- Attended two Agenda Review Committee meetings.
- Attended Great Basin Unified Air Pollution Control District meeting.
- Attended CPT meeting; Forest Planning process moving forward, had US Dept of Fish and Wildlife on phone, let them know that the public hearing was not good. Our letter was submitted.
- AB1970 Gordon; Supervisor Johnston wants a letter of support on agenda. Discussed potential quarterly recognition program for our county.
- RCRC – helping sponsor a PILT from the state.

Supervisor Stump:

- Attended Fire Chief's Association meeting with Scott Burns; gave overview of meeting.
- White Mountain Estates meeting, went with Garrett Higerd – due to last storm, there was sand deposit issues due to runoff. Discussion about road conditions.
- Attended LTC meeting yesterday.
- Thanks to Paramedic program for their food drive.
- Thanked Claude Fiddler, Joe Blanchard, Leslie Chapman and Stacey Simon for creating capability to get cement pumping vehicle to Walker so cement could be poured. Our

- contract system needs to be re-worked, both Leslie and Stacey will be working on this.
- Thanked Garrett Higerd for going to White Mountain Estates with him.

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Jim Leddy:

- Held first of the Mono Innovation Groups, one in north county and one in south county; an email is set up to collect additional ideas. May do during working hours so that more people can participate.
- Strategic Planning past two Thursdays; this Thursday it will be at 4:00 at the Community Center in Lee Vining.
- Attended work group meeting with Hunt.
- DC Trip beginning March 1st. There is a written overview available. They had a great focused list of things to discuss and work on. Thanked Scott Burns and Wendy Sugimura and Dr. Paulus for walking in with a solution instead of a problem. Made a difference.
- Thanked Jennifer Hansen for chairing PIO quarterly meeting; did a good exercise.
- Attended the Unified Command meeting the next day. Still have a major water problem; drought and fire will be the next things to focus on.
- Thanked Bill VanLente for finding Laree Kiely and her associate Beth Conley of the Kiely Group (through our Trindel Insurance Policy); she's never seen a county tackle Strategic Planning like this.
- Item brought up in afternoon: RPAC discussion currently agendaized for the 18th; one of the Board members asked it to be scheduled for a North County meeting date.
 - Supervisor Johnston: general comments about number of RPACS and locations.
 - Supervisor Stump: supports moving it to a North County meeting.
 - Board consensus: April 1st.

6. DEPARTMENT/COMMISSION REPORTS

No one spoke.

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. HIV Care Program Contract Agreement 13-20060, Amendment

Departments: Health Department

Proposed amendment to HIV Care Program Contract Agreement Number 13-20060 with the California Department of Public Health.

Action: Approve County entry into proposed amended contract and authorize the Chairman's signature on the contract documents. Additionally, provide authorization for the Public Health Director to sign amendments that may occur during the contract period of July 1, 2013-March 31, 2016.

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

M14-35

B. Health Officer's Attendance at the 2014 NACCHO Preparedness Summit

Departments: Public Health

The Preparedness Summit is the premier national conference in the field of public health preparedness. The four-day annual event provides one of the only cross-disciplinary learning opportunities in the field and has evolved over time to meet the growing needs of the preparedness community. The goal of attending is to take information, tools, and resources acquired at the Summit to use in our local jurisdiction and professional practice and share with colleagues and community partners.

Action: Approve the Travel Advance/Reimbursement Request for Dr. Richard Johnson to attend the 2014 NACCHO Preparedness Summit, to be held in Atlanta, Georgia from April 1 through April 4.

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

M14-36

C. County Maintained Mileage for FY 14 -15

Departments: Public Works

Consider and potentially adopt annual resolution confirming maintained mileage in the County Road System.

Action: Adopt Resolution R14-12, "A Resolution of the Mono County Board of Supervisors Specifying Additions and/or Exclusions of the Maintained Mileage Within the County Road System and Establishing Maintained Mileage for Fiscal Year 2014-15."

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

R14-12

D. Department of Boating and Waterways Grant Agreement FY 14-15

Departments: Sheriff's Department

The Mono County Sheriff's Department has received its annual Grant Contract from the California Department of Boating and Waterways in the amount of \$131,065.00 for fiscal year 2014-2015. This grant funds boating safety programs and law enforcement on the waterways of Mono County.

Action: 1. For the Board of Supervisors to authorize the Sheriff's Department to participate and renew the contract with the California Department of Boating and Waterways for fiscal year 2014-2015. 2. Authorize the Board of Supervisors to sign the contract via Minute Order with the California Department of Boating and Waterways for fiscal year 2014-2015. 3. Authorize Sheriff Ralph Obenberger to sign the contract and all reimbursement forms for said contract.

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

M14-37

E. Five-Year System Improvement Plan - CWS and Probation

Departments: Social Services and Probation

Approval of the Mono County Child Welfare and Juvenile Probation Services Five-Year System Improvement Plan (SIP) and Notice of Intent

Action: Approve and authorize the Chairman of the Board of Supervisors to execute the Child Welfare and Juvenile Probation Services Five-Year System Improvement Plan, and the Notice of Intent for CAPIT/CBCAP/PSSF Program Funding Assurances, for the period December 12, 2013 – October 11, 2018.

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

M14-38

F. Minaret Mall Sublease For IT Space

Departments: Information Technology and County Administrator Officer

Proposed contract with the Town of Mammoth Lakes pertaining to subleasing office space at the Minaret Mall.

Action: Approve County entry into proposed contract and authorize the CAO to execute said contract on behalf of the County. Provide any desired direction to staff.

Hunt moved; Stump seconded

Vote: 5 yes; 0 no

M14-39

Pulled by Supervisor Tim Fesko:

- The Board voted no to the D.A.'s office moving into extra space; now I.T. is going to be moving into a different space?
- This bothers him because at some point, the grant money will go away and general fund money will eventually be used.

Jim Leddy:

- This is moving I.T. into space that will be less money. Behavioral Health will move to I.T. space, D.A. can move into Behavioral Health space (I.T. goes to a different location). These are all grant funds, not general fund monies.

Tim Kendall, D.A.:

- Grant monies have been in place for 20 years; doesn't expect it to go away.

Supervisor Johnston:

- Thanked staff for figuring this out and saving the county money.

G. Public Employment - County Counsel

Departments: Human Resources

Proposed resolution approving an employment agreement with Marshall Rudolph and prescribing the compensation, appointment and conditions of said employment.

Action: Adopt proposed resolution #R14-13, approving a new employment agreement for Marshall Rudolph, in the position of County Counsel, at a salary of \$14,029 per month and reappointing him for a term of four years effective from March 1, 2014 to February 28, 2018.

Alpers moved; Hunt seconded

Vote: 4 yes; 1 no: Fesko

R14-13

Pulled by Supervisor Fesko:

- Regarding performance pay and car allowance issues that he's had; he's being consistent and can't support this.
- No offense against Marshall Rudolph.

Supervisor Stump:

- Overall compensation has been decreased for all employees that had a car allowance.
- At-Will employees don't deserve to be attacked; there is a savings going on.

Supervisor Johnston:

- Thanked Marshall for stepping up in the past and for his continuing service.

H. Help America Vote Act (HAVA) grant funding

Departments: Elections Division

Agreement with the Secretary of State's office to provide Mono County with federal reimbursement funds to assist the County in, or reimburse the County for, complying with the requirements of Section 303(a) of the Help America Vote Act pertaining to a statewide voter registration system.

Action: Approve entry into agreement #13G30330 with the California Secretary of State for receipt of up to \$19,402.52 in federal funds to assist Mono County in complying with Section 303(a) of the Help America Vote Act pertaining to the Statewide Voter Registration System Project. Authorize the Mono County Registrar of Voters to sign said agreement, including future amendments if any.

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

M14-40

I. Environmental Services Joint Powers Authority Alternate Designation

Departments: Clerk of the Board

Mr. Tony Dublino in his capacity as Solid Waste Manager has the expertise required to attend ESJPA meetings. By appointing Mr. Dublino as an additional alternate, he can not only attend meetings but vote and be counted as a quorum. Although Mr. Dublino has been attending these meetings in past years, this agenda item is to "officially" designate him as an alternate member of this governing board.

Action: Appoint Mr. Dublino, Solid Waste Manager, to serve as Mono County's third alternate on the 2014 Environmental Services Joint Powers Authority (ESJPA).

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

M14-41

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. State Water Resources Control Board Notice

Notice of Petition for Change received from the State Water Board seeking to bypass flow condition of the Fern Creek diversion facility from 200 gallons per minute (gpm) to 25 gpm.

B. Fish and Game Commission

Correspondence dated February 20, 2014 from the Fish and Game Commission regarding transitioning from printed mail to electronic mailing lists. Additionally, this letter includes an agenda for an upcoming Marine Resources Committee.

C. Recent Food Drive in Mammoth Lakes

Letter dated February 26, 2014 from Carolyn Balliet (Salvation Army Mammoth Lakes Committee) commending the Mono County Paramedics for recently volunteering to have a food drive in Mammoth Lakes.

D. Eastern Sierra Child Support Services Follow Up Memo

Memorandum from Susanne Rizo, Esq. of Eastern Sierra Child Support Services, following up her Board presentation which occurred on 2/18/14.

The board acknowledged receipt of the correspondence.

9. REGULAR AGENDA - MORNING

A. Mono Realignment

Departments: Probation

(Members of CCP) - Presentation by Mono Community Corrections Partnership regarding Mono Realignment.

Action: None.

Karin Humiston (slide show, copy to be posted online):

COMMUNITY CORRECTIONS PARTNERSHIP:

- What is realignment?
- 3 Nons: non-violent, non-serious and non-sex offenders.

Conclusion:

- Thanked all Departments involved, including Executive Team.
- Outlined the Proposed Outcomes in their Local Implementation Plan.
- Discussed effectiveness of measurements in place.
- Trends in the State since October 2011; low crime overall for California.
- After a three judge panel – numbers aren't supporting realignment and if numbers don't change by February 2016, offenders may start being released; discussion of extension agreement.
- Future? CCP will continue to work in Transition Services and Transition House and Increased Programming in jail.
- Questions?

Behavioral Health:

- Discussion about staff.
- Asking for direction regarding the house on Davison Street – they need a Transition House/Life Skills. There is non-general fund money available to work on this.

District Attorney:

- Increased staff time and case preparation.
- Prepares parole hearings (3) and added victim/witness services.
- Many violators = treatment offered in lieu of custody.
- Repeat probation violators (30) would have gone to prison.
- Public Safety Focus of rehab over punishment.
- The D.A.'s office are Victim's Advocates.
- Shorter Custody Terms.

Social Services:

- Discussed services provided by Social Services for AB109 Realigned adults.
- Community Re-Entry Services for incarcerated realignment offenders:
 - Benefits Eligibility Assistants.
 - Employment and Training.

Mammoth Lakes Police Department:

Overview on crime in Mammoth Lakes:

- Police Staffing.
- Part One Crime by type of crime – what's reported by all police and sheriff's department's to the FBI every year.
- Arrests.
- Incidents.
- Factors Impacting Crime: economy, police presence and strategies, demographic changes, tourism, weather.

Public Health:

- Provides health education and can provide various testing.
- Bridgeport clinic is the source for health care in the jail.
- Also provides tobacco cessation, pregnancy testing/referral; WIC Well Infant & Children; adult immunizations.

Mono County Office of Education:

- Services through library.
- Conduct transcript evaluation and individual educational plan development.
- Facilitate GED preparation.
- Facilitate access to adult education, career training.

Wild Iris:

- Victim Service Organization.
- Services in custody: Parenting/co-parenting; support groups; counseling.
- Services after release: Parenting/co-parenting; support groups; counseling; family preservation.
- Also provide Victim Only Services (after release).

Public Defender:

- Representation and defense of probation violators.
- Representation and defense of violations of mandatory supervision.
- Representation and defense of parole violations.
- Have seen a substantial increase in time dedicated to realignment.
- It is important to have a Transition House.

Sheriff's Department:

- Increased population in the jail.
- Increased overcrowding.
- Increased cost to house long term inmates.
- Increased need for programming.

- Offers religious services, group substance abuse counseling and AA.
- Money is saved in the county by using the inmates for work detail.

Probation:

- Provides supervision of probationers, PRCS, mandatory Supervision, pre-trial, and PC1000.
- Reorganized and turned attention to supervision in the field.
- Demographics.
- Probation Violations have increased from February 2013 – present.
- Trying to incorporate Evidence Based Practices and is evolving to Integrated Management. Staff has received training; next step is strategic planning in April.

Supervisor Johnston:

- Is there non-general fund money to rehab the Davison House Street?
- Asked for an overview of what happens during probation.
- Asked for example of typical Social Services assistance.
- Are businesses increasing staff (i.e. bouncers) for security?
- Medical expenses for inmates (Kathy Peterson: incarcerated are not eligible for any benefits. Sheriff: if inmate has personal insurance that gets billed first).
- Thanked everybody for working so hard and collectively on this issue.

Supervisor Stump:

- Asked about Parole Hearings.
- Court Calendar – able to accommodate all this?
- How much staff time for D.A. is being gobbled up?

Supervisor Hunt:

- Discussed how MLPD is Ambassador for Hospitality.
- Impressed with how integration is taking place, all the departments are working well together.

Supervisor Fesko:

- Transition housing – asked the CCP to go back and determine what minimally needs to be done to get Davison House up and running.

B. Budget Amendment - EBP-TIPS Grant

Departments: Probation

(Karin Humiston) - Budget amendment to increase revenue projections and expenditure appropriations for EBP-TIPS Grant which was approved by the Board of Supervisors on 8/6/13, and the grant match provided by AB109 funding.

Action: 1) Amend the 2013-14 Board approved Juvenile Institutions budget as follows: Increase Federal grant revenue by \$50,000. Increase appropriation in operating transfers out by \$3,611, Professional and specialized services by \$45,889 and Travel and training by \$500. (4/5ths vote required). 2) Amend the 2013-14 Board approved Probation budget as follows: Increase Operating transfers in from realignment by \$70,000. Increase appropriation in operating transfers in from Juvenile Institutions by \$3,611 and increase Professional and Special Services by \$70,000 (4/5ths vote required).

Fesko moved; Hunt seconded

Vote: 5 yes; 0 no

M14-42

Karin Humiston:

- Explained item and reason for request.

C. Mono County Comments on Draft Economic Analysis of the Listing and Critical Habitat Designation Proposals for the Sierra Nevada Yellow-Legged Frog and Yosemite Toad

Departments: Community Development, County Counsel, Economic Development

(Wendy Sugimura, Stacey Simon) - Presentation on the County's comments on the Draft Economic Analysis for the US Fish and Wildlife's proposed listing and critical habitat designation for the Sierra Nevada yellow-legged frog and Yosemite toad.

Action: Approve, and authorize chairman to sign, comments from the County on the Draft Economic Analysis with any desired changes.

Fesko moved; Hunt seconded

Vote: 5 yes; 0 no

M14-43

ITEM TAKEN AFTER LUNCH DUE TO TIME CONSTRAINTS

Wendy Sugimura:

- Recognized Stacey for all the work she did on this; she was able to dig into the legal framework and help draft a great letter.
- Handed out edits to the letter, pages 3 and 7. She also did some cleanup on the formatting.
- Critical Habitat vs. protecting species.
- She and Brent read through their information and tried to fit pieces together with our numbers. Where the numbers were off, they asked why.

Stacey Simon:

- Only issue is: What is the cost to Federal Agencies to engage in a Section 7 consultation? That is what this letter is about. They've too narrowly indicated what needs to be addressed.
- Errors and Omissions addressed two ways.
- The letter is about why the analysis is too narrowed and flawed.
- There is no specific threat of litigation in this letter; she'd do that at the pleasure of the Board. She could be more direct. She wishes that a larger county would step up and get involved.

Supervisor Fesko:

- County Counsel's office keeps surprising him with their talent with this kind of thing.

Supervisor Johnston:

- Thanked Stacey; there are some really good citations.
- One typo, page 9, first bullet. Should be sheep, not sheet.
- Concurs with redline portions.
- A consortium effort, teaming up with other counties would be the way to go in terms of any future litigation.

Supervisor Stump:

- On redline vs. draft letter asked about several numbered items.
- The threat of litigation isn't specifically stated?

Supervisor Alpers:

- What is the methodology on the Errors and Omissions section?

D. Board of Supervisors' 2014 Regular Meeting Schedule

Departments: Clerk of the Board

(Lynda Roberts) - Review and discuss remaining dates of Regular Meetings

scheduled for 2014. Make decisions about specific dates as outlined in the recommended action.

Action: None.

ITEM TAKEN AFTER LUNCH DUE TO TIME CONSTRAINTS

Lynda Roberts:

- Budget Hearing Dates: June 16, 17 and 19? (Board consensus: yes.)
- July 1, 2014? (Lynda concerned the election would not be certified by 6/17; Board consensus: morning session only on 7/1.)
- November 11, 2014: holiday. Code says meet would fall on the next day which is Wednesday, 11/12 (Board consensus: Wed. 11/12 and cancel the 11/18 meeting for CSAC).
- Scheduling evening meetings in various communities (Board consensus: 6:00 p.m., 9/9 Walker; 10/21 Chalfant; 11/4 June Lake).

Jim Leddy:

- No Wednesday for budget hearings so that staff can edit numbers, make changes and then come back on Thursday.

Supervisor Johnston:

- Convene Regular meeting on Tuesday morning, adjourn and then go to special meeting in whatever community.
- Maybe October?
- How about three meetings: Chalfant, June and Walker?

Supervisor Hunt:

- Community meetings a good idea but should be based on need.

Supervisor Alpers:

- Community meetings in the farthest reaching parts of the county i.e. Chalfant and Walker?

Supervisor Fesko:

- Community meetings: agrees they're a good idea but also agrees should be on a need basis.
- As these would be evening meetings, he can see having one in Lee Vining.

Supervisor Stump:

- Community meetings would be good, Chalfant, Crowley, Paradise.

E. Western Counties Alliance Public Lands Update

Departments: Board of Supervisors

(Kenneth Brown, Executive Director) - Kenneth Brown, Executive Director of Western Counties Alliance, will make a brief Public Lands Update to the Board. This item is being sponsored by Supervisor Hunt.

Action: None.

ITEM TAKEN RIGHT BEFORE LUNCH:

Kenneth Brown (Executive Director):

Went over items on his agenda;

- PILT – Rates locked in.
- SRS – Reauthorization for another year, still up in the air.
- Geothermal
- Public Land Transfer – Long shot, good concept; needs to be change.
- Wild Horse Burro
- Sage Grouse
- Other Issues (membership, seeing an increase); asked Mono County if they would join the Association.
- Gave some background on himself.

Supervisors asked general questions.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

11. CLOSED SESSION

There was nothing to report out of 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 – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: One.

C. Closed Session - Conference With Legal Counsel

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: 1.

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. Political Activities Ordinance

Departments: Board of Supervisors

(Marshall Rudolph) - Proposed ordinance adding Chapter 2.90 to the Mono County Code, pertaining to political activities on County premises. (This item was requested by Board Chairman Larry K. Johnston.)

Action: None.

Johnston moved; Stump seconded

Vote: 2 yes; 3 No: Fesko, Alpers and Hunt

MOTION FAILS

Marshall Rudolph:

- The Board already knows the background on this issue.

- He has retooled the proposed ordinance based on the feedback previously received by the Board.
- He tried to incorporate all comments that were raised; he thanks Assessor, D.A. and Sheriff for all their feedback.
- You can easily look at redline version to see what was changed.
- There is no definition of “political activity”. Ultimately this could get to a judge.
- Could add in “expressions of opinion” to the ordinance if necessary; the drafting part can be dealt with.

Tim Kendall, D.A.:

- Thanked Marshall for the great job he did.
- Wanted to raise two issues; the property and the time of year in which these activities may or may not take place.
- He is almost always approached on county property by others with issues. All elected officials are always promoting their position, and could therefore be considered campaigning.
- Maybe limiting the time of year in which this type of activity occurs? This being an election year makes it possibly problematic.
- Feels overall it’s a very workable ordinance. If they can figure out how not to accidentally fall into violation it would work.
- If charges were brought up on him, the Attorney General would be called to look at it and decide whether to bring charges or not.

Supervisor Johnston:

- Asked about redline version vs. clean version?
- Is “political activity” a definition from the state?
- Feels some of the Supervisors are off base; the more transparent we can be with the public the better. It’s not much more than what we have for our employees.
- The Board needs to step up and not be afraid of this ordinance.
- It’s important to show that we are responding to the issues that have come up.
- Doesn’t see this as grandiose or over the top; it’s really what we all try to achieve already.
- When people do something illegal, he wants them to get punished for it.

Supervisor Stump:

- Who would interpret the “fine line”?
- Spoke about his “violation” of FPPC that the D.A. will ultimately get.
- There is no shortage of people that lack integrity; he can’t do anything about business in Washington D.C. or even Sacramento. He can do something about business in Bridgeport.
- He feels there’s sufficient latitude in the ordinance to proceed but it appears that the consensus of the Board is otherwise.

Sheriff Obenberger:

- This is all about interpretation.

Supervisor Fesko:

- Discussion about Freedom of Speech.
- This ordinance stems out of a misjudgment. The Sheriff and the D.A. were basically given the ok to have their papers signed at the management meeting. We’re making something out of nothing.
- He doesn’t support this ordinance.

Supervisor Hunt:

- He’s had constituents ask him why there isn’t some sort of ordinance out there that keeps Supervisors from endorsing individuals.
- He thinks this proposed ordinance goes way too far. There are a lot of vague interpretations here.

Supervisor Alpers:

- Just looking at exercising some judgment here. He feels the voters of Mono County have the ability to exercise good judgment.
- He was first prepared to support it; right now, it's going to just clog up the system. It could be a discouragement to others running for office.
- Can always be revisited.

B. Antelope Valley CERT Request to Realign Grant Funds

Departments: Board of Supervisors

(Jason Foster, Antelope Valley CERT) - The Antelope Valley Community Emergency Response Team was awarded \$2,000 during the County's "Non County Organization" grant fund process. At that time, it was thought that this money would be used to purchase a generator, but since that time a lightly used surplus generator was provided by the Sheriff's Department so this need has been met. This agenda item is to request that this grant money of \$2,000 be repurposed toward the purchase of an Emergency Response Trailer, a main priority for the team. FEMA has already granted a large portion of this money and the deadline for spending the FEMA grant money is the end of March. This item has been placed on the consent agenda at the request of Supervisor Fesko.

Action: Authorize the Antelope Valley CERT Team to realign their \$2,000 Non County Organization grant monies awarded by Mono County and spend it towards the purchase of an Emergency Response Trailer in place of a generator.

Stump moved; Fesko seconded

Vote: 3 yes; 2 no: Johnston and Alpers

M14-44

Jim Leddy:

- Explained item: Antelope Valley CERT is asking to use money granted to them for a different purpose than originally intended.

Jason Foster:

- Read a brief statement to the Board explaining that they'd like the money already awarded to them to be used towards the purchase of an Emergency Response Trailer rather than a generator which was originally asked for. The generator was obtained by the Sheriff's Department donation of a used generator.
- Explained the uses for the Emergency Response Trailer.
- The generator was donated through the Sheriff's Department and OES grant monies.
- Value probably close to \$3,000 when working properly.
- He's been working closely with Sgt. Beard on the things the OES grant money can be used for.

Bob Musil:

- Echoes what Jason said. The generator would be used in conjunction with the Emergency Response Trailer.
- They very much appreciate the grant award.
- They now would like to use money on trailer itself instead of the generator inside the trailer.

Supervisor Johnston:

- Whose generator was this? County owned?
- Has the generator been declared surplus equipment? We can't give county equipment away without first declaring it surplus.
- What is the value of this generator?
- You applied under non-county organization grant programs for a generator; now you're applying for another request, almost double dipping. There are no other applications

being considered, this money should be going back into the pot.

- We shortchanged the Music Unbound program (and other children's programs) to fund the money requested for the generator. They should get another chance to apply for it. He feels that the CERT team has other options for getting the money.
- He proposed the \$2,000 be reallocated to the various Children's programs.
- This grant program has morphed into awards not just for youth but for all kinds of organizations.

Supervisor Stump:

- This is most likely within the OES mission for the generator's use. Not purchased out of general county fund money. It shouldn't need to be surplus. This is similar to state system.
- The items through the grant have FEMA numbered tags, not county numbered tags. These tags identify which grant the equipment came from and where they're located.
- The generator would technically still be owned by FEMA. The Sheriff's Department is responsible for the tracking of it.
- He is going to support this request. He is a County Supervisor above all else, not just a Supervisor for his District.
- The CERT team has not spent the money awarded to them; they should get to keep it. This issue was already hashed out. The CERT team shouldn't now be punished.

Supervisor Hunt:

- He's going to support this. He feels the safety of our citizens is most important even though he cares very much about the youth programs as well.
- He feels that further discussion needs to happen regarding this grant awarding process in the future.

Supervisor Alpers:

- How do we prevent this from happening again?
- Isn't this generator half the size of what was needed? He's concerned about the generosity of the process now.
- How much has been appropriated on contingency?

Supervisor Fesko:

- An organization comes in and states what their money will be used for. Do we ever get an accounting that shows exactly what the money was spent on? Do we really want/need to restrict the awarded grant money that much?
- It's important to remember that all the youth are protected by these CERT teams.

Sheriff Obenberger:

- The Board needs to view the \$2,000 as money enhancing the CERT's capabilities, no matter what it is used on.

ADJOURN 3:38 p.m. in recognition and honor of the six local Olympic athletes that competed in the Winter Games: Kelly Clark, Greg Bretz, John Teller, Trevor Jacob, Stacey Cook, and Kayla Turski.

ATTEST:

LARRY K. JOHNSTON
CHAIRMAN

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD