



**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 Mammoth Lakes BOS Meeting Room, 3rd Fl. Sierra Center Mall, Suite 307, 452 Old Mammoth Rd., Mammoth Lakes, CA 93546

**Regular Meeting
April 15, 2014**

9:02 AM Meeting Called to Order by Chairman Johnston.

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

*Break: 11:02 a.m.
Reconvene: 11:10 a.m.
Lunch/Closed Session: 12:10 p.m.
Reconvene: 2:09 p.m.
Adjourn: 3:35 p.m.*

Pledge of Allegiance led by Supervisor Alpers.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Carolyn Webb (Virginia Lakes):

- Asking for news report about Trophy Trout Stocking; wondering when that is going to be available?
- She's been attending the RPAC meetings; she's concerned about the structural integrity of Conway Ranch being jeopardized.
- Discussion about ground water pumping.

Joe Parrino:

- Here to discuss law enforcement in Mono County; feels that they are harassing and interrogating, not protecting. He was contacted by D.A. Investigator; he had a minor infraction (expired registration).
- He was not happy with the way he was treated. Andy Lehr of MLPD has been harassing him. He tried filing a restraining order.
- He went to D.A.'s office for help; felt discriminated against.
- He feels that law enforcement is tracking his phone.
- Feels MLPD and Chief of Police have broken some privacy issues.

- Supervisor Stump: the County has no control over MLPD; Town Council does.

Kelly Carlisle:

- Works for Congressman Paul Cook; liaison for local issues.
- She is his administrative assistant and wanted to introduce herself.
- In town until tomorrow.

Hillary Bayliss:

- Discussion about Miles of Smiles dental program; recently had a very successful educational event.
- Supervisor Stump: should we do a letter of thanks to send to UCLA? Hillary to work on this as agenda item for Board signature.

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Action: Approve Minutes of the Regular Meeting held on April 8, 2014, as amended.

Hunt moved; Stump seconded

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

M14-68

Supervisor Johnston :

- On page 3 of 9, under his Board report, third bullet point: second sentence should read, "Still continues to be a *need* for affordable housing".

3. PRESENTATIONS

A. Presentation of Appreciation in Recognition of Dan Lyster's Retirement

Departments: Economic Development

(Dan Lyster; Jim Leddy) - Proposed Resolution of Appreciation for Dan Lyster's 30 years of service with Mono County as Director of Economic Development and Special Projects.

Action: Adopt proposed Resolution.

Hunt moved; Johnston seconded

Vote: 5 yes; 0 no

M14-69

Supervisor Johnston:

- Read and presented resolution to Dan Lyster.

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- Follow up on the constituents that gave website compliment in Chalfant; the fact that we have so much technology available is terrific.
- April 1, 2014 – June Lake CAC meeting (he didn't attend); Garrett did a presentation about Road projects. Thanked Garrett Higerd and Jim Leddy for making copies of plans that were given to June Lake CAC. Meeting tomorrow regarding this.
- Mono Basin RPAC last Wednesday; Carolyn Webb did a good job of reporting on this. Goal is to have a beautiful, functioning facility out at Conway to execute the purpose of why this land was acquired. Thanked Marshall Rudolph for all his efforts. Supervisor Alpers is trying to lend what expertise he has. Timeline set for July 1st. Will keep reporting back to the Board. Supervisor Stump brought up older specific plan that is on a

shelf somewhere; discussions occurring now are a shift from that older plan.

Supervisor Fesko:

- No report.

Supervisor Hunt:

- Attended Yosemite Gateway Partners Spring meeting in the Valley; well attended. Had good tourism presentation by Tracy Lord; Sierra Nevada Geotourism program update; sat down with Superintendent Don Nubacher – Yosemite Pass opener discussion: he predicts an early opener, maybe by May 2 or May 9. This year reconstruction will begin between Crane Flat and White Wolf, all through the summer.
- Yesterday, received call from Inyo National Forest regarding MLTPA grant and lack of communication.
- YARTS meeting yesterday; review of ridership history; was down last year due to fires, etc. Ridership is generally flat, especially employee ridership. Discussion about expanding ridership in Fresno area. 2014 summer schedule: our side of the sierra has been granted money to improve transportation in our area. Budget hearing: status quo; next meeting to be held in Mono County.

Supervisor Johnston:

- Attended ARC meetings.
- Attended IMACA meetings. Taking action to hire new individuals.
- Attended LTC meeting; through MOU Projects, we received money to complete some road projects.

Supervisor Stump:

- Last Tuesday, LV RPAC held special meeting to finish off transportation element of general plan.
- Thursday, attended coffee roundtable in South County. Appreciated the frank questions and answers.
- Extended a belated happy birthday to Stacie Klemm in CAO's office.
- Yesterday attended LTC – approved work plan; discussion about road openings; maybe opening 108 by end of the week; highway 120 to begin being plowed today.
- Constituent in Chalfant gave a compliment to Mono County website; thanked all staff that works and has worked on the County website. It's being utilized.

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Jim Leddy:

- Ron Cohen (CHP) will be visiting board soon with updates.
- South County "coffee with the CAO" occurred last week; well attended. More of an "employee roundtable"; there were new faces.
- Friday – conversation with Chevron, energy solarization discussion regarding Sutter County; ideas for our county.
- Helped airline by flying his Mom in for the weekend.
- Had a meeting with Bob Gardner, a gentleman that works for NASA; he noticed our strategic plan. He's also a councilman for resident city council; will be moving to Mono County full time once he retires.
- Tomorrow from 8-9 at Memorial Hall in Bridgeport, Innovation Group will meet; will occur Thursday in Mammoth.
- Weekly Strategic Update: We're going to have an all employee session on May 1st from 8:30 – 5:00. Those who can't attend, there will be other opportunities. Will get the Supervisors involved as appropriate. Supervisor Stump: wanted to make sure the employees understand the Brown Act and why they can't all be at these meetings.

- Discussion about Employee Picnics that are usually done in June and December; people are asking about maybe doing a weekend party so that families can attend. Asked if he can put out a Survey to ask employees. Benny Romero offered his place for something like this.

6. DEPARTMENT/COMMISSION REPORTS

Leslie Chapman:

- She handed out the Audited Financial Statements to the Board; a copy of this handout will be posted online under 'additional documents'.
- By the time the Board gets these, it is "old" information but it's required. Did a brief walk through of what is included in the information.
- Supervisor Johnston: where are we health wise on a scale from 1-10? (Leslie: we're ok, probably a 6, but we need to be careful).
- Mentioned that this information is posted to the Finance website for public viewing.
- Supervisor Stump: asked about special districts.

Garrett Higerd:

- Update on Rock Creek Road Project; currently being worked on; Stacie Klemm of CAO's office put out a great informational release. Most of this should occur this summer with carry over into next summer.
- Related project: Convict Lake Road – moving into design phase right now. Will be working with LTC for possible advance request.
- Chalfant Streets Project out to bid.
- June Lake Streets Project off and running as well.
- Received information from FAA about airports going from classified to unclassified; might affect grant monies in a negative way; he'll report back.

Tim Kendall (D.A.):

- In regards to Joe Parrino's public comment: his issue is really about MLPD, not the Sheriff's Department or the D.A.'s office. The D.A. got involved because there was discussion about criminal activity.
- Saturday, April 26th is National Prescription Drug Take Back Day – allows public to rid themselves of drugs they have that could be potentially hazardous. Drop off sites will be Mammoth Lakes Fire, Bridgeport Fire and Walker General Store; his staff will hand off collected drugs to DEA. There will be PSA's about this. Encouraged everyone to spread word to the public, friends and neighbors. This is a first step in our own communities to curb prescription use as prescription drug use is rising nationwide.
- Supervisor Hunt: thanked D.A. for his work on this. As a former pharmacist, he recognizes that this is a huge problem.

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. Mono County Children's Medical Services (CMS) Plan Fiscal Year 2013-2014

Departments: Health Department

The Children's Medical Services Plan for Fiscal Year 2013-2014.

Action: That the Board of Supervisors approve and authorize Chairman to sign the Mono County Children's Medical Services (CMS) Plan for Fiscal Year 2013-2014.

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

M14-70

Pulled by Supervisor Stump:

- This packet was 107 pages; acknowledged all the work done by Diann.
- This was a very complex document, incredibly thorough.
- All Supervisors agreed; good work.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL) - NONE

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

9. REGULAR AGENDA - MORNING

A. Local EMS Agency Presentation

Departments: EMS

(Dr. Richard O. Johnson) - Presentation by Dr. Richard Johnson, Health Officer, regarding Local EMS Agencies.

Action: None.

Dr. Rick Johnson:

Local Emergency Medical Services Agency (LEMSA) Workshop (powerpoint kept in today's folder):

- Purpose.
- Process.
- Mission of an EMS system.
- Responsibility for EMS.
- What is a LEMSA, and what are its roles?
- EMS system in California.
- EMS system in Mono County.
- Other jurisdictions – why these?
- Mono County – local issues.
- Conclusion

Additional Comments:

- Happy to come back and continue discussion.

Supervisor Fesko:

- How do you retain volunteers?

Supervisor Stump:

- Supports reagendaing this for discussion at a later date.

B. Temporary Road Closures for, and Assistance with, the 152nd Bridgeport 4th of July Celebration

Departments: Public Works

(Jeff Walters) - The 152nd Annual 4th of July Celebration in Bridgeport takes place this year. In past years Mono County Public Works has offered assistance, after Board authorization, to the Bridgeport Chamber of Commerce.

- Action:**
1. Adopt Resolution No. R14-24, "A Resolution of the Mono County Board of Supervisors Authorizing the Temporary Closure of County Roads in Bridgeport and the Temporary Detour of Traffic onto County Roads in Bridgeport from Highway 395 for the 152nd Annual Bridgeport Fourth of July Celebration."
 2. Adopt Resolution No. R14-25, "A Resolution of the Mono County Board of

Supervisors Authorizing the Department of Public Works to Assist with Setting Up and Disassembling Facilities Associated with the 152nd Annual Bridgeport Fourth of July Celebration.”

Fesko moved; Hunt seconded

Vote 5 yes; 0 no

R14-24

Fesko moved; Hunt seconded

Vote 5 yes; 0 no

R14-25

Jeff Walters:

- Introduced item; bringing early this year due to issues that have transpired in previous years.
- Discussion about signage. A traffic control plan is required by Caltrans, this includes various signs. We will need an additional \$3,500.
- Asking to spend a total of \$20,000, they usually spend \$17,000. Explained what money is and has always been used for.
- Over last couple years, they've actually spent less money.
- The extra money could maybe come from sign budget in Public Works and the Chamber has offered to contribute.
- Signs can be reused for other purposes.
- Last year they made signs; Caltrans doesn't want us to reuse last year's signs.

Supervisor Stump:

- Where would the additional \$3,500 come from?
- When we had a request from the Town for something similar last year we ended up giving them *some* money. He believes that there needs to be in kind support for both the Town and Bridgeport.
- Are there additional staff available IF the Town needed bodies?
- Both resolutions are only asking for assistance; nothing monetary. Therefore he's supportive.

Supervisor Fesko:

- He sees a major separation between the event in Bridgeport and the event in the Town of Mammoth Lakes.
- Can the signs that are purchased be used for other things?
- What's lead time on signs?

Supervisor Johnston:

- Asked about Caltrans requirements.
- Asked if we may be exempt from some of these Caltrans requirements. He understands from ESCOG that this is the case; he feels this needs to be checked out first.
- Would like follow up on this and to have it also on LTC and ESCOG agendas.

Supervisor Hunt:

- Agrees with Supervisor Stump with these two resolutions as presented; he can support them.

Jim Leddy:

- Read Caltrans letter from last year; offered to follow up on this.
- There's a disconnect on this.

Garrett Higerd:

- On the issue of Engineer Traffic Control Plan; while Caltrans does want these to be brought up to a higher standard, he doesn't feel they are being unreasonable. This is more of a process of cleaning up the submittal.
- They are looking at additional documentation; he feels they are being reasonable.
- These signs can certainly be used for the same event each year; this event is not going away.

Benny Romero:

- Thanked Board for support.
- Gave some information on who would be singing the National Anthem on the 4th of July.

C. Request for Snow Removal Assistance - Yosemite National Park

Departments: Public Works

(Jeff Walters) - Upon its opening each spring State Highway 120 through Yosemite National Park (YNP) provides a significant benefit to businesses and visitation in Mono County. In prior years, The Board of Supervisors has actively supported and assisted the National Park Service and Caltrans with snow removal and opening of Highway 120. The Park Service may request assistance from Mono County again this year. In order to promptly respond, should YNP request assistance, the Board of Supervisors would need to authorize Public Works to provide snow removal assistance.

Action: Adopt Resolution No. R14-26, "A Resolution of the Mono County Board of Supervisors Authorizing the Public Works Director to Execute and Administer Cooperative Agreements and to Utilize Department of Public Works Personnel and Equipment to Assist with Snow Removal Activities Associated with the 2013 Opening of Highway 120 Within Yosemite National Park."

Alpers moved; Fesko seconded

Vote: 5 yes; 0 no

R14-26

Jeff Walters:

- Last he heard is that they are starting work today or tomorrow with Tioga Pass Snow Removal; this is only a resolution should it be necessary for them to receive help.
- He wants to be prepared, just in case.

Supervisor Stump:

- Mentioned that Councilmember Lehman also supports this.

Supervisor Hunt:

- Believes the opening will be early.
- Where does the mountain stand on this?

Supervisor Alpers:

- This has always been a team effort; looks like we're covered for this year.

Supervisor Fesko:

- There isn't much snow up there; it should be an early opener.

D. 3rd Quarter Budget Review and 2014-15 Budget Preview

Departments: CAO/Finance

(Jim Leddy, Leslie Chapman) - Review 3rd quarter budget status, and look forward to the 2014-15 Budget outlook and process.

Action: 1) Approve changes to 3rd quarter budget update; 2) Approve a hard hiring freeze for the remainder of the 2013-14 fiscal year and consider extending through the 2014-15 fiscal year, pending recommendations at budget time; and 3) Review, adjust and approve the 2014-15 draft budget calendar including community workshops, budget hearings and other important deadlines.

Stump moved; Hunt seconded

Vote: 5 yes; 0 no

M14-71

Jim Leddy:

- Introduced item; this is a third quarter budget check in and also the launch to build the 2014/2015 budget.
- Asking that the board approve a hard hiring freeze and to approve adjusting the 2014/2015 draft budget calendar.
- Hard hiring freeze: asking not only for the rest of this year but 2014/2015 as well. There are currently 15 positions in General Fund unfilled. This is requiring everyone to be very diligent about new hires; each department has to justify their reasoning. It also encourages non general fund hiring, utilizing federal funds.
- Explained the board calendar changes for 2014/2015.

Leslie Chapman:

- Handout – Income Statement by Fund (to be posted online), as well as two more reports. New line item called State and Federal Construction under Road Department.
- Explained handout; main concerns for next year are fund balances which Jim Leddy is going to talk about.
- There are three things requiring board approval: \$26,000 budget adjustment (related to Fish Fund) – it inadvertently got left off; \$46,000 software contract in building contract and it should be moved to I.T. There are a lot of licenses not being used. Third change is related to her handout (wasn't ready by the time agenda was printed); moved various line items out of road budget into this budget: need to separate different road projects into different categories. Projects will be much more easily tracked.

Supervisor Stump:

- In regards to road projects: explained why Chalfant has been approved but June hasn't yet. Just a matter of timing.
- If it isn't written down, it isn't done. He keeps bumping into these issues in his district.

Supervisor Alpers:

- Asked about when CTC meeting is.

Supervisor Fesko:

- Asked about hard hiring freeze; in the past it hasn't really been put into practice as the county has continued to hire.
- The hiring freeze shouldn't be just general fund monies.
- Asked about the times listed and asked for consistency.

Supervisor Johnston:

- Appreciates the aggressive nature of this administration; in the past we were too delayed.
- It's important to say that hiring freezes, etc. are not the fault of our employees; it's an external issue. We have survived rather well the past six years.
- Asked if there were any board conflicts on suggested dates.

Supervisor Hunt:

- He feels that past boards didn't act quickly enough because they always had hope.
- It is now critical and obvious that action has to be taken; have to be realistic.
- He supports the hiring freeze approach; the Board always have the option to change it as they go along.
- Asked about noticing budget meetings, especially in Mammoth as four of the five Supervisors have constituents in Mammoth.
- How is the timing of our budget going to mesh with the state budget?

Garrett Higerd:

- Explained June Lake Streets Project and other funding.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Benny Romero:

- Asking for support on the Bodie Road agenda item coming up this afternoon.
- Bridgeport Main Street beautification project; nothing has really been finished. He is suggesting hanging flowers from light poles. Asked Board to get in touch with Cal

- Edison to help move this along. Funding is there already. A letter or something?
- Invitations to Board to do a private tour in Bodie; invitation to Beef and Wine Tasting at the Barns on August 16, 2014.
- Supervisor Johnston: we should put a support letter for the flowers onto the next agenda. Board consensus.

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 - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Public Works Director.

C. Closed Session - Claim For Damages

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. Facts and circumstances: claim for damages number CL14-02 filed by Steven Crist.

D. 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.

E. 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: Mono County v. Personnel Appeals Board.

F. 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: Mono County v. Schat.net Internet LLC.

G. 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: Inland Aquaculture Group LLC v. Mono County et al.

H. 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: MC Ellis v. Mono County.

I. 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. Facts and circumstances: real property lease dispute.

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

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Jeff Walters:

- Received word that plowing will begin on Tioga tomorrow and the opening will be easily before Memorial Day.

13. REGULAR AGENDA - AFTERNOON

A. Claim For Damages

Departments: Risk Management

(John-Carl Vallejo) - Claim for damages number CL14-02 filed by Steven Crist.

Action: Reject claim for damages and direct staff to send out notice of action.

Hunt moved; Stump seconded

Vote: 5 yes; 0 no

M14-72

Marshall Rudolph:

- This was discussed in closed session today; recommended action is to reject claim in its entirety and notify claimant of this action.

B. Bodie Road

Departments: Public Works

(Jeff Walters) – The 2.2 mile unpaved section of Bodie Road from highway 270 to the entrance of the State Park is a very rough road. Mono County Public Works has developed a short term maintenance option that would provide some improvement to the condition of the road prior to the busy summer season.

Action: Approve the short term maintenance option #1 (as detailed in staff report), to provide improvement to the 2.2 mile unpaved section of Bodie Road from highway 270 to the entrance of the State Park. Option #1 includes the

following: 1. Work for two weeks 10 a.m. until 4 p.m. Monday through Friday; 2. Utilize county staff for traffic control and equipment operation; 3. State Park could assist with a single operator and equipment; 4. Use a grader along the 2.2 mile section of dirt road to gather as much existing material as possible without working beyond the existing disturbed road width; 5. With a loader and dump truck haul "extra" material to trouble spots; and, 6. Spread, wet and compact the material.

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

M14-73

Jeff Walters:

- Bodie road is paved, all but 2.2 miles into the park.
- The unpaved road has really deteriorated terribly; there's not enough material to fix the road at this point.
- Discussed various options to fix this road short term. Best solution is to utilize county staff and equipment for two weeks, with county provided traffic control, two graders and use materials from the side of the road. Will have to be done between 10:00 a.m. and 4:00 p.m.
- This proposal is truly a band-aid, not a resolution.
- Truthfully, there is not a lot of material there. We'd really be adding a thin veneer.
- We'd use a water truck and then pack it.
- No road closures, just traffic control.
- This road has no loose material on top; no road shoulder on uphill bank. On downhill bank, years of rain and storms have washed away additional materials. There's no simple solution.
- If we don't show any effort, the public will know it. At least if we try to do a band-aid, we're technically doing something.
- The plan here is to focus on the areas that are the worst.
- The Parks still think the road is the County's responsibility.

Supervisor Stump:

- Is there enough material to make it worthwhile?
- How would it be done?
- Could a large thunderstorm wash this away?
- Proposal for today is to not haul in new material; use existing staff; deal with the worse spots. This shouldn't be a cost to the budget unless equipment gets broken.

Supervisor Hunt:

- Will the road be closed while work is being done?

Supervisor Johnston:

- It's been a light winter; hopefully we won't have to help with Tioga Pass. We haven't used a lot of manpower, cinders, etc. this winter so maybe the cost evens out.
- He's willing to try to do something to help this process.

Supervisor Fesko:

- Struggling with this; he doesn't like to just throw money away.
- How long is this "fix" going to last? He has heard that it could only last two weeks.
- If it's not on Public Work's schedule, then we won't be maintaining it, will we?

ADJOURN 3:35 p.m.

ATTEST:

LARRY K. JOHNSTON
CHAIRMAN

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD