



**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
February 16, 2016**

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

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

Note: Supervisor Stump was absent between 10:00 and 11:10 for medical reasons and passed the gavel to Vice Chair Corless during that time.

*Break: 10:00 a.m.
Reconvene: 10:14 a.m.
Closed Session: 11:45 a.m.
Reconvene: 12:40 p.m.
Break: 1:15 p.m.
Reconvene: 1:25 p.m.
Adjourn: 4:57 p.m.*

Pledge of Allegiance led by Stephanie Butters.

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

1. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**
No one spoke.
2. **APPROVAL OF MINUTES - NONE**
3. **RECOGNITIONS - NONE**
4. **BOARD MEMBER REPORTS – REPORTS DEFERRED BY CHAIRMAN DUE**

TO TIME CONSTRAINTS

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Leslie Chapman:

- Nothing to report.

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. Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 1/31/2016.

Action: Approve the Treasury Transaction Report for the month ending 1/31/2016.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-44

B. USGS Joint Funding Agreement FY 2016

Departments: Community Development

Proposed Joint Funding agreements with USGS and companion agreements with Ormat Nevada, Inc. to fund ongoing to groundwater monitoring.

Action: Approve County entry into proposed Joint Funding Agreements and companion agreements with Ormat and authorize Scott Burns to execute said contracts on behalf of the County, making minor amendment as discussed.

Corless moved; Alpers seconded

Vote: 5 yes; 0 no

M16-45

Pulled by Supervisor Corless:

- Asked for future update to board on status of Ormat/Mammoth Water Community District negotiations. Would also like an update on monitoring wells. Mentioned correction to agreement: Economic Development was listed instead of Community Development Department. Nick Criss will correct; Scott Burns will sign.

C. Road Closures for the 2016 Mammoth Gran Fondo Bicycle Ride

Departments: Public Works - Roads

Consider and potentially adopt Resolution No. R16-11 , "Second Resolution of

the Mono County Board of Supervisors Authorizing the Closure of County Roads to Thru Traffic in the Mono Lake and Long Valley Areas for the 2016 Mammoth Gran Fondo Bike Ride” which shall supersede and replace Resolution R16-09, adopted by the Board of Supervisors on February 9, 2016.

Action: Adopt proposed resolution #R16-11, authorizing the Closure of County Roads to Thru Traffic in the Mono Lake and Long Valley Areas for the 2016 Mammoth Gran Fondo Bike Ride” which shall supersede and replace Resolution R16-09, adopted by the Board of Supervisors on February 9, 2016.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

R16-11

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. USDA Correspondence from White Mountain Ranger Station

Departments: Clerk of the Board

Correspondence dated February 5, 2016, regarding fuels reduction activities around the community of Swall Meadows.

B. USDA Correspondence from Mammoth Ranger Station

Departments: Clerk of the Board

Correspondence dated February 5, 2016 regarding proposed timber stand improvement activities.

The Board acknowledged receipt of the correspondence.

9. REGULAR AGENDA - MORNING

A. Great Basin Air Pollution Control District Presentation

Departments: CAO

(Phillip Kiddoo, Air Pollution Control Officer) - Owens Lake: From Serious Non-Attainment PM10 Area to 48.6 mi² of Dust Control Mitigation presented by Phillip Kiddoo, Great Basin Unified Air Pollution Control District Recipient of 2015 American Bar Association Environment, Energy, and Resources Stewardship Award.

Action: None. Informational only.

Phillip Kiddoo:

- 2015 American Bar Association Environment, Energy and Resources Stewardship Award.
- Owens Lake History.
- Discussion about today: Great Basin Unified Air Pollution Control District.

- Information about lawsuit; dust control, etc.

Additional Comments:

- Gave information about Keeler Dunes Project.
- Mono Lake discussion.
- Spoke about air quality improvements.
- There have not been a lot of public tours, but there could be more. Good reminder to public that Owens Lake is public land.

Supervisor Johnston:

- Asked him to give update on Keeler Dunes Project.

Supervisor Stump:

- Asked what they are doing at Mono Lake?
- If there is a determination by District that it needs to pursue litigation on Owens Lake – how many agencies would they need to work through?

Supervisor Alpers:

- Mitigation measures on East Side of Mono Lake?
- Climate change/theories? Didn't anybody consider droughts?
- Never thought district would get to where they are now; hopes they keep pushing forward. Every victory will continue to solve problems.

Supervisor Corless:

- One of benefits to settlement is that Mammoth's air quality has improved significantly.
- Asked if there is ever a possibility of the public doing tours?

B. Mid-year Budget Review and Strategic Plan Update

Departments: CAO/Finance

(Various Department Heads and Fiscal Staff) - Mid-year budget review and strategic plan update. To view documents related to this item which are too large to attach to the agenda, please click on the link below:

http://www.monocounty.ca.gov/sites/default/files/fileattachments/Board%20of%20Supervisors/calendar_event/4718/2015-16_midyear_budget_review_uploadable_compressed.pdf

Action: Lift the hiring freeze to allow department heads to recruit for needed positions within the constraints of the budget and allocation list with the understanding that these recruitments will be reported on as needed by Departments Heads and/or the CAO.

Johnston moved; Corless seconded

Vote: 4 yes; 1 no: Fesko

M16-46

Action: Approve the mid-year budget as presented including the adjustments shown in Section 2 and 3, and also making adjustments to Solid Waste as discussed and to the Probation budget, as also discussed (4/5ths vote required).

Johnston moved; Alpers seconded

Vote: 5 yes; 0 no

M16-47

Below is a summary only of this discussion. To view this discussion in its entirety, go to: <http://www.monocounty.ca.gov/meetings>, click on the video link and go to item #9b.

Leslie Chapman:

- Gave introduction; thanked Stephanie Butters and Christy Milovich who will be assisting with item.
- Explained that today was going to be less about numbers and more about each department's accomplishments.
- Asked that Board take the #2 Recommended Action into consideration first – lifting the hiring freeze.
- Having the hiring freeze in place requires extra steps and creates delays; it's not useful anymore. There are controls already in place; we have an allocation list and a budget.
- Explained that non-budgeted positions (on the list) can't come forward until it's budgeted for in budgeting process.

Supervisor Johnston:

- The Board has never said no to lifting hiring freeze; probably not needed anymore.
- Feels that the budget hearings held in the communities has also offered a very public platform, it's been very effective.

Supervisor Fesko:

- Why can't the Board remain involved?
- He's concerned with public's perception. Maybe we should leave it in place and readdress at full budget time.
- Asked why this is put first with this item?
- At this point he says no, thinks it should come with the new budget year.

Supervisor Stump:

- Could Leslie do brief updates on positions that get filled in public (during her board report) if this is lifted?
- He's in favor of lifting it – if there is a non-budgeted position coming forward, it would need to come to board.

Supervisor Corless:

- We should lift hiring freeze but have public informed (by Leslie, during board report).
- Will doing this now help departments in planning for next year's budget?

Supervisor Alpers:

- Agrees with what is suggested – Leslie reporting to public.
- He supports the lifting of the hiring freeze.

BUDGET PRESENTATION CONTINUED:

Leslie Chapman:

- Mentioned how well the Departments have done living within their means.
- Gave some percentages as to where we are.
- Before going into actual numbers, we need to keep our eye on: furloughs going away (approximate \$400,000 needed); PERS calculations being done differently which will affect budget too (20% of payroll plus \$700,000 lump sum payment across bargaining units); Road legislation, not sure what that's going to be (upwards of \$1 million); reserves are at \$1.6 million – still under minimum.
- Although there are a lot of changes going through budget (mostly line items being switched around), the bottom line is net zero.
- Explained the columns and how adjustments work.
- Discussion of various budgets and the adjustments being made/requested.
- Probation budget and reorganization discussion. The board only approved the reorganization. Next step is budge appropriation – without that, the reorganization doesn't happen; third step: HR function; Dept. Head comes to HR/CAO, makes request, provides justification and then employee file is gone through, etc. Mid-Year budget is asking for second step today.
- Not being asked to contribute money to Paramedic budget this year (Rob DeForrest gave additional information).
- Answered various questions from Supervisors.

BOARD COMMENTS:

Supervisor Johnston:

- Asked about:
 - Secured Property Tax Revenues.
 - Appeal discussion.
 - Sales and Use Tax in Lieu.
 - Clerk/Recorder's budgets.
 - DA's office – asked about salary savings.
 - Sheriff's Dept – increase in overtime budget. Asked for additional presentation on why vehicle pool is budgeted so much higher.
 - Probation – salary and benefits increase?
 - Paramedic Program: Transient Occupancy Tax. Asked about TOT amount. Ambulance fees. Overtime.
 - Conway Ranch clarification on Land and Improvements. Rental Income. Operating Transfers In?
 - Geothermal.
 - Social Services.
 - Fire Storm – separate budget now?
 - IT loan discussion.
 - Volumes tonnage wise – solid waste?

Supervisor Fesko:

- Questions about:
 - Assessment Appeals.
 - Medics.

Supervisor Stump:

- Asked about car pooling?
- Medic discussion – a lot of topics came up including overtime, salary/wages.
- Overall liability went up for Conway Ranch?
- Asked about IT loan – money to finance upgrade was loan from Treasury pool, not generated by savings from employee salary surveys.
- Solid Waste Enterprise Fund – Wood Waste Voucher program, asked Tony to point where increase is?
- Motor Pool – heavy equipment now being charged a fee? Is new charge reflected in operating transfers or somewhere else?

Barry Beck:

- Gave more information about outstanding appeals/potential liabilities.

Bob Musil:

- Explained increase in publications for BOS; decreased amount in special dept expense for assessment appeals; explained clerk recorder salary/wages increase; telephone communication.

Tim Kendall:

- Explained salary savings in his budget due to grant.

Ingrid Braun:

- Explained overtime/salary savings to offset. Gave additional explanations on other budgets.

Tony Dublino:

- Rental Income should be increasing. Operating Transfer In discussion.
- He has an item in the works regarding fee waiver program; he hasn't adjusted anything on the budget for mid-year.
- Total landfill waste: 15,000 – 17,000 tons

Rob DeForrest:

- Salary/Wages/Overtime/Transient Occupancy Tax.

Kathy Peterson:

- Travel/Training increase and why.

Jeff Walters

- Answered various questions.

AFTERNOON SESSION:

Leslie Chapman:

- Motor pool, Sheriff's Department / motor pool rates were cut for one year; this year we had to move it back up.
- There were a few changes to Solid Waste budget that was skipped, needs to be included in the mid-year budget approval.

Megan Mahaffey:

- Gave introduction on what Departments will report on.

Department Heads (gave Board update on achieved goals/accomplishments, goals still being worked on, etc.):

1. Public Health – Nancy Mahannah:
 - a. EMS – Rob DeForrest
 - b. Supervisor Johnston – asked that last goal be checked under “Effectively Use Resources” (not Promote a Strong Diverse Economy).
2. District Attorney – Tim Kendall:
 - a. Supervisor Stump: what role do the Feds play in cleaning up federal lands?
 - b. Supervisor Johnston: Public Administrator cases? Asked about racial breakdown of cases prosecuted.
 - c. Supervisor Corless: feels DA's goals/accomplishments fit well into strategic plan; for strategic planning going forward, the board will craft new priorities in conjunction with DA, maybe even incorporating racial disparity.
3. County Counsel – Christy Milovich
4. CAO – Leslie Chapman
5. Community Development Building – Tom Perry / Community Development Planning – Scott Burns:
 - a. Supervisor Stump – HAC questions about being proprietary.
 - b. Supervisor Johnston – asked what main goal was for this year?
 - c. Supervisor Corless – asked about Forest planning.
6. Clerk/Recorder, Elections, Board of Supervisors – Bob Musil:
 - a. Supervisor Johnston: asked about all Vote By Mail? He'd like this listed as a priority/strategy in next budget cycle.
7. Behavioral Health – Robin Roberts:
 - a. Supervisor Stump: thanked her for work out in Benton; statewide celebrity on emotional effect of drought in California.
 - b. Supervisor Corless: really great things happening in her Department; feels her goals are really lining up with Strategic Plan.
8. Assessor – Barry Beck:
 - a. Supervisor Johnston: asked about miscellaneous assessment appeals.
9. Animal Control – Angelle Nolan:
 - a. Supervisor Corless: congratulated Angelle; she's real underdog story with a lot of dogs; need to highlight stats in next strategic plan; maybe look toward electronic record keeping in the future. She's doing a great job especially with such limited resources.
 - b. Supervisor Fesko: Echoes Supervisor Corless; dismal working conditions in Bridgeport; wants to keep improving those conditions on the table.
 - c. Supervisor Johnston: What's strategy to have town reinvest in Animal Control? What's strategy for more personnel/better working conditions? All needs to go into Strategic Plan.
10. Information Technology – Nate Greenberg:
 - a. Supervisor Fesko: asked about computer replacement.
 - b. Supervisor Johnston: security discussion regarding county employee personal information.
11. Probation – Karin Humiston:

- a. Supervisor Corless: She understands perception that “public safety” doesn’t fit into the strategic plan, however she feels that the format in the Strategic Plan helps define what both DA and Probation are doing.
12. Public Works Road – Garrett Higerd:
 - a. Supervisor Stump – asking that they adopt amendment to Airport Enterprise Fund?
 - b. Public Works Campgrounds, Capital Improvements, Facilities – Joe Blanchard
 - c. Supervisor Johnston: asked about campground fees, what are most important capital improvements to get done?
 - d. Public Works, Cemeteries, Motor Pool, Road and other – Jeff Walters
 - e. Supervisor Johnston: CARB Compliance questions, asked for an update to the board. Fuel efficiency of vehicles that are purchased; ie, the 5 new Sheriff vehicles are not as fuel efficient as they should have been and this fact goes against the stated strategy.
 - f. Public Works, Conway Ranch, Solid Waste – Tony Dublino
13. Sheriff – Ingrid Braun
14. Social Services – Kathy Peterson
15. Finance – Stephanie Butters and Gerald Frank
16. Economic Development – Alicia Vennos

C. Allocation Change from Lieutenant I to Lieutenant II

Departments: Sheriff-Coroner

(Ingrid Braun) - Proposed resolution #R16-___ authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to eliminate one Lieutenant I position and allocate one Lieutenant II position in the Sheriff's office.

Action: None.

Ingrid Braun:

- Apologizes for not being here last week for this item; she didn’t know about the Probation Reorganization item that went before the board previously.
- She is trying to get this position back to where it was.
- She doesn’t want to wait until July but it’s at the board’s pleasure.

Supervisor Fesko:

- Makes more sense to do a Lt I/II.

Supervisor Stump:

- It’s important to remember that we have employees on furloughs.
- Consensus is that this will be heard again in July.

Leslie Chapman:

- This is a contracted position and would therefore be a contract amendment.
- All this does is change the allocation list.
- The Sheriff’s office has salary savings to cover this position.
- Budget not normally adopted until August but the rollover budget (temporary budget) can be used to move these forward.

D. Motion to Reconsider Probation Reorganization

Departments: CAO/Board of Supervisors

(Leslie Chapman) - Motion to reconsider and possible reconsideration of Probation reorganization.

Action: Reconsider Board action on February 2, 2016 adopting Resolutions R16-06, R16-07 and R16-08 restructuring the Probation Department (staff report and resolutions attached) (3/5ths vote required)

Johnston moved; Alpers seconded

Vote: 5 yes; 0 no

M16-48

Action: Rescind Resolution numbers R16-06, R16-07 and R16-08 (which had amended the allocation list to: (a) Eliminate 4 DPOI/II positions and add 4 DPO I/II/III series positions. Salary ranges are as follows: DPO I, Range 51, \$3,488 - \$4,240; DPO II, Range 55, \$3,575 - \$4,680; DPO III, Range 59, \$3,664 - \$5,166, and (b) Eliminate one DPO III position and add 1 DPO IV, salary range 63, \$4,691 - \$5,703, and (c) Eliminate 1 Fiscal and Technical Specialist IV and add 1 Administrative Services Specialist, salary range 69, \$4,535 – 6,293).

Johnston moved; Alpers seconded

Vote: 4 yes; 1 no: Corless

M16-49

Supervisor Johnston:

- He reluctantly voted in favor of this when it was brought before the board.
- He's since changed his mind and appreciates the opportunity to discuss this again with the board.
- He recommends that the second part of this motion be suspended until a salary survey can be done.
- Thanked Curtis for his discussion. His concern is with the timing of this. Most departments have had to reduce staff and do more with less.
- It's important to give it time to keep in context.

Karin Humiston:

- Said that all her employees are qualified to be re-allocated.
- Said a few words about the law regarding resolutions and Boards of Supervisors.

Supervisor Stump:

- Stopped Karin due to the fact that she was referencing law; our county counsel needs to have all code section references and have a chance to reply.
- Feels it needs to be deferred. He doesn't have any interest in violating law.
- Discussion can continue but nothing legal can be talked about.
- He didn't think about the rest of the workforce when this was first brought to them. All workforce needs to be important.

Supervisor Fesko:

- He doesn't have a problem with re-allocations, he has a problem with timing. Doesn't like to hear that people are working out of class. There is a process that hasn't been gone through.
- He feels he doesn't know whether someone is overpaid or not. It has to go through the process.

Supervisor Alpers:

- Feels we are trying to stay consistent and in context here.

Supervisor Corless:

- What is our process?
- What is reasonable time wise?

Christy Milovich:

- She has not been informed or sent the code sections or legal references.
- Our board rules do say that our board can reconsider a motion.
- Wanted to make it clear that no promotion was offered in the reorganization of Probation.

Leslie Chapman:

- The board approved three resolutions that changed the allocation list; the board did not include any promotions or any authorization to move anybody into any other positions.
- Nobody was promoted. The new structure was approved.

- There then needs to be a budget appropriation (this did not happen); then an HR process where the records of those individuals are reviewed, then position offered
- We can't do an entire salary survey by July 1st. The plan is to have people within departments to help collect information.

Curtis Hill:

- He's the Union Steward for Probation.
- Here to talk about parity and fairness, not necessarily the issue of pay increases.
- Talked about keeping funding stream secure.

Adventure Trails Pilot Program – Mono County Inclusion

Departments: CAO/County Counsel

- E. **Action:** Approve letter directing Senator Berryhill to remove Mono County from the drafted legislation at earliest opportunity. Direct staff to prepare letter and authorize board chair to sign the letter without having to come back to the board.

Corless moved; Johnston seconded

Vote: 5 yes; 0 no

M16-50

Supervisor Stump:

- Entire board is aware of this. Deadline for Bill introduction is this coming Friday.
- This item was put on last minute.
- According to RCRC it is too late to remove Mono County from the Legislation itself; but he's received assurances that if Mono County asks to be removed, that will happen 31 days after the bill is published.
- His recommendation is that they authorize staff to draft letter and the chairman to sign without it coming back to the board.
- In checking with County Counsel, there are questions about how this happened. This topic isn't covered in this agenda item. Could be reagendaized.
- He is responsible for this being on the agenda. He was requested by RCRC and State Senator Berryhill's staffs to get a Board position on this proposed legislation identified and relayed to them as soon as possible.

Supervisor Corless:

- She's upset about the breached process. Today is opportunity to let senator know our county does not want to be involved in this bill. She's ready to make a motion to approve action #2, asking that Mono be removed from Legislation.
- If this ever comes back it should go through planning processes.

Supervisor Fesko:

- Report is inaccurate. What he heard from RCRC is different than what senators are saying.
- This has nothing to do with their adventure trail; feels a public forum needs to be had.

Supervisor Alpers:

- He supports getting Mono County taken off list.

Supervisor Johnston:

- He supports getting to the bottom of how Mono County got added in the first place; it just didn't happen.

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): Stacey Simon, Leslie Chapman, and Dave Butters. 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 - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.
Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Tems v. County of Mono.

C. Closed Session - Exposure to Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: 1.

D. ADDENDUM: Closed Session - Exposure to Litigation

CONFERENCE WITH COUNTY 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 SESSION RECONVENED AFTER CLOSED SESSION

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

ADJOURN 4:57 p.m.

ATTEST

FRED STUMP
CHAIRMAN

SHANNON KENDALL
ASSISTANT CLERK OF THE BOARD