



**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
June 21, 2016**

9:04 AM Meeting Called to Order by Chairman Stump.

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

*Break: 9:48 a.m.
Reconvene: 10:00 a.m.
Break: 11:15 a.m.
Reconvene: 11:28 a.m.
Closed Session: 11:55 a.m.
Reconvene: 1:00 p.m.*

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>

Pledge of Allegiance led by Lynda Salcido.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Gary Myers:

- CAO of Southern Mono Health Care District, giving an update on challenges in future for Bridgeport Family Medicine Clinic. There is an acute shortage of primary care providers in country; they have been utilizing mid-level providers. They are losing their most recent mid-level provider this week, another lost from Mammoth; very short staffed. Two new physicians will arrive this summer; average 6 months to replace a mid-level provider, and 9-12 months for primary providers. They will be hard pressed to keep the clinic open more than 2 days a

week.

- The impact of AB109 has changed the scope of medical practice for inmates of Mono Co jail. Many of the inmates face challenges, and require more care than a mid-level provider can provide. Good news is they are committed to working with county to find solutions to continue service and provide for jail inmates.

John Peters:

- After last meeting, did some research on the clinic. How we can reach out to Bridgeport and greater area, serving tourists is one function of the clinic. "Social or economic communities of interest" in additional documents.

Leigh Gaasch:

- Brought a guide dog, Filbert. Has a favor to ask, if there is any way to educate public about guide dogs and about being responsible pet owners. We are pet friendly, but have rules and responsibilities. Restaurants and businesses are having a hard time.

2. APPROVAL OF MINUTES

A. Board Minutes

Approve minutes of the Special Joint Meeting held on May 17, 2016, as corrected.

Alpers moved; Corless seconded

Vote: 5 yes; 0 no

M16-127

Supervisor Corless:

- Page 5, her comment should read "ESCOG is sending a letter...".

Supervisor Johnston:

- Page 4, under Garrett Higerd's comment, it should read "flap" funding.

Supervisor Alpers:

- Page 3 under his comment, correct the spelling of Margie "DeRose".

Supervisor Stump:

- On all pages, requested that Councilmembers are referred to in the same form as Supervisors are.

B. Board Minutes

Approve the minutes of the Special Meeting held May 17, 2016.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-128

3. RECOGNITIONS

A. Presentation of Appreciation in Recognition of Loran Kitts Retirement

Departments: Public Works - Road

(Jeff Walters) - Proposed resolution of appreciation for Loran Kitts.

Action: Approve proposed Resolution of Appreciation for Loran Kitts. Provide any

desired direction to staff.

Stump moved; Corless seconded

Vote: 5 yes; 0 no

M16-129

Supervisor Stump:

- Read the resolution into the record.

Loran Kitts:

- It has been a pleasure to work with the best quality, most talented people and it's been easy to look good with a good crew.

B. Resolution of Appreciation for Brent Calloway

Departments: Community Development

(Scott Burns) - Approve and present Resolution of Appreciation to Brent Calloway

Action: Approve and present Resolution of Appreciation to Brent Calloway for his years of service to Mono County.

Corless moved; Fesko seconded

Vote: 5 yes; 0 no

M16-130

Supervisor Corless:

- Read the resolution into the record.

Brent Calloway:

- This has been a wonderful place to work, look forward to building a relationship between planning and the AG Commission; lots of common issues.

C. Resolution of Appreciation for Courtney Weiche

Departments: Community Development Department

(Scott Burns) - Resolution of Appreciation to Courtney Weiche

Action: Approve and present Resolution of Appreciation to Courtney Weiche for her years of service to Mono County

Fesko moved; Johnston seconded

Vote: 5 yes; 0 no

M16-131

Supervisor Fesko:

- Read the resolution into the record.

Supervisor Alpers:

- Thank you to Courtney, Brent and Scott and their work with the June Lake Community Advisory Committee. Courtney always attended meetings, came prepared, engaged constituents, and had the trust of the communities. He has received many calls, letters, and emails regarding Courtney's performance. Best of luck.

4. BOARD MEMBER REPORTS

Suspended in the interest of time.

5. COUNTY ADMINISTRATIVE OFFICE

Leslie Chapman was absent.

6. DEPARTMENT/COMMISSION REPORTS

Sheriff Braun:

- Had a landline/911 outage throughout Mono and Inyo on Sunday, came back online early in the morning. It was a cut line down south, and we had no 911 availability. Code red needs to be extended to cell phones. Frontier said they had no control over this.

Supervisor Corless:

- Suggested a letter to Frontier and CPUC.

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. **Medi-Cal Administrative Activities (MAA) Contract**

Departments: Public Health

Proposed contract, 15-92037, with California Department of Health Care Services (DHCS) pertaining to Medi-Cal Administrative Activities (MAA). Term of contract is July 1, 2015 through June 30, 2018.

Action: Approve County entry into proposed contract and authorize Kim Bunn, Public Health Fiscal & Administrative Officer, to sign said contract on behalf of the County. Provide any desired direction to staff.

Alpers moved; Fesko seconded

Vote: 5 yes; 0 no

M16-132

B. **Property Tax Software Maintenance Agreement**

Departments: Finance

2016-17 Proposed contract and addendum with Megabyte Systems, Inc. for software maintenance and web services.

Action: Approve proposed contract and addendum with Megabyte Systems, Inc. for software maintenance and web services pertaining to the County property tax system not to exceed \$120,000.

Alpers moved; Fesko seconded

Vote: 5 yes; 0 no

M16-133

C. **Mill Canyon Road Access**

Departments: Public Works - Roads

Proposed contract with Gary Ashurst pertaining to Mill Canyon Road access.

Action: Approve County entry into proposed contract and authorize Public Works

Director to execute said contract on behalf of the County. Provide any desired direction to staff.

Alpers moved; Fesko seconded

Vote: 5 yes; 0 no

M16-134

8. **CORRESPONDENCE RECEIVED (INFORMATIONAL)**

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

A. **Letter from Shaun Filson re Kathy Delhay Memorial**

Departments: CAO

Correspondence dated May 31, 2016 from Shaun Filson regarding a proposed Memorial for Kathy Delhay.

Action: Accept correspondence and direct staff to submit a policy item budget request for the 2016-17 fiscal year.

Supervisor Alpers:

- He has sympathy and empathy for what happened. Request is for the County to fund a bench. Major undertaking, would like to develop a policy on situations like this where something can be done in local media or parks. Doesn't want to open floodgates for things that happened in past.
- Request is worthy of consideration or response.

Supervisor Corless:

- Would like to add that the CAO look for opportunities for benches along Mammoth trails system.
- Limiting to town or county properties is more appropriate.

Board consensus to work with CAO

B. **Governor's Proclamation Calling the General Election**

Departments: Clerk of the Board

Correspondence dated June 13, 2016 from the Office of the Governor of the State of California, calling the General Election on Tuesday, November 8, 2016.

C. **Range of Light Group**

Departments: Clerk of the Board

Correspondence from the Range of Light Group, Toiyabe Chapter, Sierra Club regarding recently released DEIS (Draft Environmental Impact Statement) and Draft Land Management Plan.

9. **REGULAR AGENDA - MORNING**

A. **Housing Mitigation Ordinance**

Departments: Community Development Department

(Scott Burns, Megan Mahaffey) - Consider extending current Housing Mitigation Ordinance suspension.

Action: 1. Introduce, read title, and waive further reading of proposed ordinance amending section 15.40.170 of the Mono County Code, extending the temporary suspension of all housing mitigation requirements, and 2. Provide any desired direction to staff.

Fesko moved; Corless seconded

Vote: 4 yes; 1 no; Johnston

M16-135

Scott Burns:

- Recapped the staff report for the Board.
- Recommend to give extension

Supervisor Johnston:

- Believes there is a critical need for affordable housing, especially in Mammoth Lakes region. The way the ordinance is structured takes that into account. Not having an implementation tool is inconsistent with the housing element, we need to get ahead of this, have this on the books, as we come out of the housing crisis. Cannot support as stated because it does not address outlying areas such as June Lake.

Supervisor Corless:

- Cannot support another extension beyond today.

B. Inmate Medical Services

Departments: Sheriff

(Sheriff Ingrid Braun) - Sheriff Braun will give an update on the current status of Inmate Medical Services at the Mono County Jail in light of potential changes to hours and/or staffing levels at the Bridgeport Clinic and what efforts are being made to address the situation.

Action: None.

Sheriff Braun:

- Jail holds 48 inmates, average is 30; today it's at 27. Law requires us to provide medical care to inmates. Longer term inmates require more complex care. We are contracted with Mammoth Hospital through the Bridgeport clinic, on an as needed basis at the jail. Medic 1 is used if the clinic is not staffed. Law requires they receive medical care as requested. Southern Mono Health indicated to her they were no longer interested in providing medical care. A group has been formed within the County to work together to find a solution to meet the needs of the County. Considered the possibility of hiring in-house medical care personnel, but would need supervision. Potential to contract with PA or RN, but still working with hospital at this time. We have the ability to transport to other facilities, even over state lines. Looking at a number of providers who may be able with the problem. No idea of fiscal impact at this time.
- Once someone is in custody, they are not eligible for Affordable Care Act. If they have private medical insurance, we can bill. Generally, they do not. AB109 does assist with medical funding. We are looking into the Inyo Co model.
- We will keep the Board updated as we move along or find a provider.
- We have already done a survey of other counties. On the other side of the Sierras, there is a company that would be happy to serve, but not because of our location.

Supervisor Johnston:

- With regard to the Affordable Care Act, why can't these inmates be enrolled and not cost the

county?

Lynda Salcido:

- When someone is incarcerated, they are not eligible for Medi-Cal. It is a county cost.

Supervisor Stump:

- It is important to document how aggressively staff is pursuing this, to show what we're doing if questioned by an outside source.

C. **Ballot Update & Request for Contingency Funds**

Departments: Elections

(Bob Musil) - Update on new ballots for Mammoth Town Council election and request for contingency funds to pay for new ballots and associated costs.

Action: Authorize use of \$10,915 in contingency funds for unanticipated elections costs. Provide any desired direction to staff. A four-fifths vote is required.

Corless moved; Johnston seconded

Vote: 5 yes; 0 no

M16-136

Bob Musil:

- There was a mistake with ballots, told people to vote for 3 Town Council candidates; should have been 2. Letter was sent out to all Town of Mammoth. Found second error in sample ballot, left off argument in favor of measure G; sent another letter. Printed new ballots for Town election, then we sent 2nd ballot and paid for return postage. Advertised to educate citizens about errors.
- The additional \$3,500 additional set up cost had to do with the 2nd set of ballots, we had to treat that race as if it was a special election. Dominion has a minimum charge of \$3,500 to set up an election. Have not asked for a discount as per our contract with them.

Supervisor Corless:

- Need to have a session with a conversation on how to make sure this doesn't happen again, make improvements, make sure our elections process is as inclusive as it can be.

Janet Dutcher:

- Contingency fund balance before today \$23,535, approved \$10,915, leaves a balance of \$12,620.

The Board went into Closed Session at 11:55 a.m., continuing with the regular agenda when they reconvened at 1:00 p.m.

D. **Stock Drive Realignment Project – 0.30 Acre Right-of-Way Acquisition**

Departments: Public Works - Engineering Division

(Garrett Higerd) - Acquisition of 0.30 acres of land for road right-of-way for the Stock Drive Realignment Project.

Action: Adopt resolution R16-48, replacing and superseding R16-31 which approved and authorized the Public Works Director to execute purchase agreement and accept and consent to recordation of a record of survey and deed for the acquisition of .30 acres of land from APN 08-111-12, necessary for the realignment of Stock Drive near Bryant Field in Bridgeport. Waive all associated fees.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

R16-48

Garrett Higerd:

- Owners of property requested changes not consistent with previously approved resolution. Wanted to take out requirement for title insurance, also warranty the legal description. Also to move around some finances and use \$7,000 of purchase price as deposit. Purchase price is not changing.

E. Tract Map 37-46, White Mountain Estates Phase II Final Map

Departments: Public Works - Planning

(Garrett Higerd) - Public hearing regarding creation of Zone of Benefit "D" for the Provision of Street Maintenance within White Mountain Estates Phase II, Tract No. 37-46. Approval of Tract Map 37-46 to subdivide a total of 76.81 acres into 45 single-family residential lots, utility parcels, and a remainder lot and establishment of Zone of Benefit "D." The site is about 10 miles north of Bishop on the east side of US Highway 6, at White Mountain Estates Road, adjacent to the existing White Mountain Estates subdivision.

Action: 1. Approve and authorize the Chair's signature on Resolution No. R16-50, "A Resolution of the Mono County Board of Supervisors Establishing within the Countywide County Service Area the White Mountain Estates Phase II, Tract No. 37-46, Zone of Benefit "D" for the Provision of Street Maintenance, and Allocating Program Costs to Parcels #1-45, and the Remainder Parcel, and to Incorporate Those Lots Within Tract No. 37-46 Into Said Zone of Benefit."

2. Approve the Final Map for Tract No. 37-46, White Mountain Estates – Phases 1 & 2 of Phase II, finding that all conditions of approval have been met, and authorize the Board Clerk's signature on said map certifying approval of such. 3. Reject on behalf of the public fee title offers of dedication for streets, drainage and utility purposes as shown on said map. 4. Reject on behalf of the public easements for drainage, slope maintenance, fire suppression, water well utility lines, water storage, access for ground water monitoring, and public access as shown on said map. 5. Direct the Public Works Director to file for recordation Tract Map 37-46 and a notarized copy of the Zone of Benefit Resolution in the office of the County Recorder.

Johnston moved; Corless seconded

Vote: 5 yes; 0 no

R16-50

Johnston moved; Corless seconded

Vote: 5 yes; 0 no

M16-137

Garrett Higerd:

- Addressed questions regarding Cal Fire. They had no jurisdiction over this project at the time.

Gerry LeFrancois:

- Did meet onsite with Cal Fire in November 2007.
- He found a letter from Cal Fire from 2005; 3 main points, 1 acre and larger maintain 30 foot setback, road signs shall comply with California regulations, and Fire Dept access and water supply shall be in compliance with Cal Fire codes.

Steve Kappos, for the developer:

- His client is the property owner, the only one who needs to be here for zone of benefit. Conditions have been satisfied, he deserves to be approved so he can move forward.

Public hearing open at 1:35.

No one spoke.

Public hearing closed.

Supervisor Johnston:

- When is the vote cast for the zone?
- Perseverance by this subdivider is remarkable; hopefully the project will go forward and be successful.

Garrett Higerd:

- Robert Stark filled out the vote for all 45 lots, he owns and voted for all the lots.

Supervisor Stump:

- Inyo requested to split into Tri Valley water, separate from Owens Valley water. Could affect this phase and phase 1, beyond the number of lots to be considered single family lots. Encouraged him to contact Bob Yerington. Our Community Development Dept is aware, but it's not our responsibility to step in and manage. State of CA will become water management agency of last resort.

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): 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: Verizon California, Inc. v. State Board of Equalization, *et al.*

C. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: EMS Chief.

D. 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.

12. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

No one spoke.

13. **REGULAR AGENDA - AFTERNOON**

A. **Stock Drive Realignment Project Grant Agreements**

Departments: Public Works - Engineering Division

(Garrett Higerd) - Federal and state grants to realign a section of Stock Drive to be further away from the end of the runway at Bryant Field in Bridgeport.

Action: Approve and authorize the Public Works Director (in consultation with County Counsel) to execute Federal Aviation Administration (FAA) Grant Agreement AIP 3-06-0030-010-2016 for the Stock Drive Realignment Project at Bryant Field with a maximum federal obligation of \$455,985.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-138

Approve and Authorize the Chairman's signature on Resolution No. 16-49, "A Resolution of the Mono County Board of Supervisors authorizing the submittal of an application, acceptance of allocation of fund, and execution of grant agreement with the California Department of Transportation for Airport Improvement Program (AIP) matching grants."

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

R16-49

B. **Inyo Forest Plan Revision Workshop**

Departments: Board of Supervisors

(Forest Plan Revision Team) - Presentation by Forest Plan Revision Team regarding the draft forest plans and draft environmental impact statement for the Inyo, Sequoia and Sierra National Forests.

Action: Conduct workshop. Provide any desired direction to staff.

Deb Schweizer:

- Went through her Powerpoint.
- Answered general questions from the Board as clarification.

Jon Regelbrugge:

- Legal designation of a wilderness, nothing currently in law to designate a lesser standard.

Public Comments:

Mark Drew:

- Criticality of Sierra Nevada as a whole, driving economies, all the way to Southern California. Encourages the board to step back, remove lenses of political world, find out what do we need to do to preserve the national resources. Restore the ecological integrity of our forests. Fire is a big issue. All recreational opportunities are threatened by fire. His focus is more on water, aquatic system. One area is being bold, in terms of aspirations for restoration goals. Also encourage more explicit linkage in how the management process ties back to proposed state water action plan. Monitoring plan element is a huge challenge for the forest. Many partners out there in support of what the forest is doing. Forest is challenges, multi-use mandate. Wants to encourage the forest and County to put down barriers and fences and come together.

Jora Fogg, Friends of Inyo:

- Presented a handout, now included in Additional Documents on the County Website.
- Clarification on Glass Mountains; originally over 17,000 acres, now just over 34,000 acres.

Fran Hunt:

- In initial stages of comment period. Focus today is on 2 topics: wilderness and fire. Wilderness is part of Eastern Sierra "brand". Considering new wilderness is critical: every 2.5 minutes, we lose a football field of open space. We have the open space other areas have lost, people are going to move here for that. We welcome the visits, but worry how we manage them.

Supervisor Johnston:

- Reflecting on Mark Drew's comments, wants to leave a legacy that's celebrated in National Parks. 100 years from now, hope to say we did something right. Mono County motto is "Wild by Nature". Without wilderness designations being included in alternative, that is concerning. Has been extremely beneficial for long term preservation of planet. Hopes to move in that direction. Also hopes to include additional wilderness areas. The trend is toward motorized transportation, the goal of forest is multiple use, but suggests that motorized transportation displaces all other uses. Feels the proliferation of motorized vehicles is to the long term detriment. Political aspect; with the wilderness designation of White Mountains, the wilderness ended at county line. Encourages forest service to please ignore county lines and political inputs. Once these places are lost, they are virtually unrestorable. We have lots of property we can develop, creating wilderness areas are a long term legacy.

Supervisor Fesko:

- Thank you for coming out for this. Appreciates public comments. Wants to go through information in more detail before making a judgement on it.

Supervisor Alpers:

- Thank you to everyone. Was on Board in 1988, simpler but longer process back then. We have opportunity to protect resources, to work our economic development platform by taking care of what we are, and what we have. Yosemite is in a sustainability study, more people coming through each year. Likes the idea of preparing a handbook on guidelines for the public.

Supervisor Corless:

- Very impressive presentations, thank you. Would like to see active engagement from the Board, until now we've left it to our staff, would like to see holding a workshop style session to focus on preferred alternative and what modifications we'd like to see on the preferred alternatives. August 25th is the comment deadline. Should target last meeting in July or first meeting in August.
- Will be counting on all groups and partners in formulating comments. Opportunities with RPACs. Sage grouse very important; trusts the Community Development Staff. Should be active in engaging the community fire protection. We've heard great support for wilderness designation, sustainable recreation and partnerships. Would like to see working through Eastern Sierra Council of Governments to craft comments, take a regional focus around recreation.

C. Outdoor Recreation and the Economy

Departments: CAO

(John Wentworth) - Presentation by John Wentworth, Town Council Member regarding Outdoor Recreation and the economy

Action: Hear presentation and provide feedback.

John Wentworth:

- Went through his Powerpoint.
- Our voices need to be heard. He is looking forward to working with ESCOG.

Supervisor Johnston:

- The effort is appreciated. Has seen presentation before, glad information about Federal funding was added in. Moving forward, need to collaborate and push the federal government.

Supervisor Corless:

- President Obama visited Yosemite last week. Talked about the outdoor recreation economy, and the need for kids to connect to nature. As we go into budget season, how does Mono County engage? We have great trails' planning efforts, great staff, how do we make this happen? Need as a county to invest. Would like to see us work with Town of Mammoth Lakes. Need to find a revenue source for this kind of work.

Supervisor Alpers:

- It's about sustainability and the economy of the County.

Jora Fogg:

- What is the Board planning to do about the lack of planners? District 3 voters. Needs planners on the ground to carry out projects. Thinks she's seeing restructuring and not rehiring, wants the board to think about that. **Supervisor Stump:**

- Departments are invited to present ideas for restructuring their department before the Board; the Board is aware of the problem. The workshop will be July 5.

D. Motion to Reconsider RCRC Board Reassignment

Departments: Board of Supervisors

(Supervisor Corless) - Motion to Reconsider item 9.H. from May 10, 2016 Board agenda: Potential Reassignment of Board Member(s) to the Rural County Representatives of California (RCRC).

Action: Motion to reconsider item 9.H from May 10, 2016: Board decision against reassignment of County's representative to the Rural County Representatives of California (RCRC).

Corless moved; Alpers seconded

Vote: 4 yes; 1 no; Fesko

M16-139

2. If motion passes, consider and possibly take one of the following actions:

Assign other Supervisors to both primary and alternate appointments: making Supervisor Alpers the primary representative to RCRC and Supervisor Corless the alternate.

Corless moved; Alpers seconded

Vote: 4 yes; 1 no; Fesko

M16-140

For information regarding this discussion, please refer to the video available on the

Board of Supervisor's website.

ADJOURN at 2:46 p.m. in memory of Herb Benham

ATTEST

FRED STUMP
CHAIRMAN

HELEN NUNN
SR. DEPUTY CLERK