



**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
July 12, 2016**

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

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

*Break: 10:37 a.m.
Reconvene: 10:49 a.m.
Closed Session: 12:15 p.m.
Reconvene: 12:42 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 Liz O'Sullivan.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

John Peters:

- There is concern about the current status of the Clinic and its hours. Most are aware of a change to a 2-day week service, but there has been no outreach to the community to let them know what to expect. Asking the Board please look into it, and see if at a minimum, the community can be notified of what's happening.

Leslie Chapman:

- Understands the hospital is going to send out a letter.

Liz O'Sullivan, Paradise Estates:

- Disturbed over the information discovered on Friday about the EPA's proposed rule change to the Clean Air act. Feels this change is a negative impact to our health and welfare. If we allow this proposed rule to go forward, they are trying to remove restrictions on wildland fires,

wildland fires for management purposes, and restrictive burning. There has to be a better way. Great opportunity for Mono Co to protect our economy, tourism, and health and welfare. Asking Board to weigh in this very serious issue in a thoughtful manner.

Supervisor Stump:

- There is a Great Basin Air Pollution Control meeting tomorrow in Markleeville.

2. APPROVAL OF MINUTES - NONE

3. RECOGNITIONS

A. Resolution of Appreciation for Jerry Mosley's Retirement

Departments: Public Works - Road

Proposed resolution of appreciation for Jerry Mosley.

Action: Approve proposed resolution of appreciation for Jerry Mosley. Provide any desired direction to staff.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-147

Jerry VandeBrake:

- Read the resolution into the record.

Jerry Mosley:

- Thank you to everyone, he appreciates the recognition.

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- 7/5 - Attended the JLCAC meeting held at the JLCC. There was not a quorum, so there could be no votes. USFS Deb Schweitzer updated the community on the FS Plan update. Caltrans addressed community concerns regards dead trees next to Hwy 158 around the JL Loop. Jill Stark reported on a very successful June Lake Trails work day. Community Center Improvements discussion centered around new windows on order for the upstairs kitchen/conference room.
- 7/6 - Met with Paul McCahon of the JLFD and toured a potential emergency egress road for the Peterson Tract. A suitable route was identified so the issue will be developed for the affected resident to consider.
- 6/7 - Met with the JL Historical society at the JLCC. We received a budget update from Secretary Patti Heinrich. The potential use of the JL Sheriff Substation as a visitor center and headquarters for the Historical Society was discussed. The next step is for the Society to meet with Sheriff Braun and work out details for future use.
- 6/7 - Attended the 20th Anniversary celebration for the Whoa Nellie Deli in Lee Vining. Other than crowds at Mammoth & June Ski Areas, this was the largest assemblage of people I have ever witnessed in Mono County. I gave a short speech acknowledging the Domaille Family's successful timeline and service to the recreating public. Thousands were served that day without a glitch.
- 6/9 - Although I did not attend, the JL Triathlon was another huge success. Only 1 injury was reported as a rider fell in the Yost Creek trailhead area. He was removed to Mammoth Hospital to check for concussion. Event organizer Alana Levin will be at our BOS meeting next week in Mammoth to report during public comment.

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- Last night, we had the public budget meeting in Lee Vining. There was a great Power Point presentation, even though few public members attended. Thank you to County staff for the presentation.
- CalTrans will be starting immediately on some emergency measures with regard to the Marina Fire including drainage, erosion mitigation.

Supervisor Corless:

- Hiking on JMT: spent latter part of last week in Sierra backcountry, lots of hikers; brief (impromptu) meeting with Sen. Boxer's state director Tom Bohigian.
- 7/11: Eastern Sierra Recreation Collaborative meeting at June Lake Community Center, talking about recreation issues involved in Inyo National Forest management plan revision, assembling comments focused on recreation ahead of August 25 comment deadline.

Supervisor Fesko:

- July 6, 2016 - Attended the Mono County Community Budget Meeting in Bridgeport. Staff did a great job presenting an overall view of our budget process. Great questions from those in attendance.
- July 7, 2016 - Attended the Antelope Valley RPAC. Good discussion between the RPAC members and public. Currently discussing future phases and ideas to the Mountain Gate Park.
- July 9, 2016 - Happy 65th wedding anniversary to Fred and Jean Harris.
- July 11, 2016 - Meet with the Friends of the Inyo to discuss the current Inyo Forest plan.

Supervisor Johnston:

- Noted budget meetings (previously mentioned by other board members); the one in Mammoth Lakes will be held on July 19th at 6 pm.
- There will be an IMACA meeting on July 28th.
- Also, there is a CSAC phone conference to develop CSAC's position on ballot. Propositions 64, 65 and 67 relating to marijuana and the plastic bag ban.
- Spent a lot of time in the clean up from the 4th of July parade.

Supervisor Stump:

- Between 7-6 and 7-9 I worked on Groundwater Law issues. I have requested an agenda item through Scott Burns in the near future to discuss this further.

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

Leslie Chapman:

- Very busy last week. Continuing with budget meetings with department heads to understand how each individual budget fits in with the big picture. The public budget meetings have not been well attended, but we're expecting a good turnout tonight in Antelope Valley.
- Had some good advertising in the paper, thank you for using your email lists to reach constituents about the events.
- Attended the first IT in-service day. Discussed county interaction, how important it is to get IT on the front end of contracts,
- Met with Kathy Peterson, Social Service is in middle of implementation plan of continuum of care reform. Trying to understand changes and offer support.

6. DEPARTMENT/COMMISSION REPORTS

Jeff Walters:

- Had a conversation with the Forest Service regarding the Marina Fire. His crew will be meeting to discuss how to help mitigate significant issues with the roads.

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. California Department of Public Health (CDPH) Office of AIDS (OA) HIV Care Program Agreement #15-11064 for FY 2016-19

Departments: Health Department

Proposed agreement with the California Department of Public Health (CDPH) Office of AIDS (OA) pertaining to the HIV Care Program for the 3 year contract period of April 1, 2016 to March 31, 2019.

Action: Approve County entry into proposed agreement #15-11064 for the amount of \$115,981 and authorize the Director of Public Health to execute said contract on behalf of the County. Additionally, authorize the Public Health Director to sign any contract amendments during the 3 year contract period from April 1, 2016 to March 31, 2019.

Johnston moved; Corless seconded

Vote: 5 yes; 0 no

M16-148

B. Declaration of Election Results

Departments: Elections

Declaration of results of June 7, 2016 Primary Election.

Action: For the June 7, 2016 Primary Election, declare elected to each office voted on under the jurisdiction of the Board of Supervisors the person having the requisite number of votes (or falling within an applicable exception) and declare the results as to each measure.

Johnston moved; Corless seconded

Vote: 5 yes; 0 no

M16-149

C. Employment of Aimee Brewster as Assistant Assessor

Departments: Assessor, Human Resources

Proposed resolution approving a contract with Aimee Brewster as Assistant Assessor, and prescribing the compensation, appointment and conditions of said employment.

Action: Approve Resolution #R16-52, approving a contract with Aimee Brewster as Assistant Assessor, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Johnston moved; Corless seconded

Vote: 5 yes; 0 no

R16-52

Supervisor Fesko:

- Very nice to see Aimee Brewster is coming back, this is great news for the office and the county.

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. **Motor Pool Workshop**

Departments: Public Works - Motor Pool

(Jeff Walters) - Each year the proposed Motor Pool vehicle replacements are presented for the Board of Supervisors to consider.

Action: Authorize Public Works Director to include a Policy Item for the purchase of six vehicles in FY 16/17 Motor Pool Budget. Provide any desired direction to staff.

Board gave direction to staff to prepare and present 5 year replacement plan including total vehicle inventory and costs, the complete Motorpool policy, and resubmit with the budget on August 11th.

Jeff Walters:

- As part of the budget process, he sends out an email to department heads, asking about replacing vehicles based on useful mileage. The vehicle's maintenance costs are also taken into account. One thing that affected mileage rates was when a vehicle was not used at least 5000 miles per year. This raised the rate charged to the department.
- Passed out a handout regarding a Motorpool Summary. Pointed out glaring issues: Roads, Sheriff, and Social Services.
- The requested vehicle replacements, all the vehicles are nearing or over their useful mileage. Estimated revenue to the fund each year is approximately \$910,000.
- The pool is a pool for all departments, regardless of how they contribute or take from the fund.

Sheriff Braun:

- Was not aware of the increased issues with the costs until now. Her department has been very happy with the new vehicles. She will be addressing the escalating costs.

Leslie Chapman:

- The way that Motorpool works is after purchase, you calculate the cost to repurchase the car at the end of its useful life. The cost per mile is recouped from the department so the vehicle can be replaced at the end of its useful life.
- Not all of the revenue to the fund is for replacements.
- This is an informational item; the decision making item will be brought back on August 11th. This will only allow us to bring this back to the Board for budget approval.

Supervisor Fesko:

- One thing to look at for the Sheriff is that in previous years we've looked at the cost of the vehicle and then the add-ons. Last time, we looked at the total cost of the vehicle with add-ons included.
- He would like to hear from the departments as to why they are requesting the vehicles they are, as well as see a five year plan.

Supervisor Johnston:

- Feels we're still not following our policy of trying to get our Motor fleet all the same or similar vehicles.

- Feels we should be moving toward smaller vehicles for Social Services and Probation that are better on gas, such as small SUVs and Subarus.

Supervisor Corless:

- She doesn't see a policy in the packet, and while she does agree that we should be frugal and saving money, we also should trust that the recommendations for purchase are the best for those departments.

Janet Dutcher:

- This is an internal service fund. The purpose of the fund is to charge user departments the appropriate cost that includes the capital portion of the vehicle back to the departments, based on their use of the vehicle for the year. We need to look at the big picture first before we make these decisions.

Karen Humiston:

- We are expanding our youth work programs into trails, hiking, and forest work, and it's difficult to get the kids and the tools back into the areas where they will be working. This vehicle (Ford Explorer) is needed for a specific need.

B. Transient Rental Regulations Workshop

Departments: Community Development

(Nick Criss) - Workshop on the Planning Commission's recommended revisions to General Plan Chapter 25 concerning transient rental of single family homes.

Action: Conduct workshop on the Planning Commission's recommended revisions of General Plan Land Use Element Chapter 25 concerning transient rentals. Direct staff to review the proposed revisions with applicable RPACs and the June Lake CAC, including extending the noticing period to 30 days, and waiving the appeal fee for type 1 applications and initiate General Plan Amendment hearings.

Alpers moved; Corless seconded

Vote: 4 yes; 1 no: Johnston

M16-150

Nick Criss:

- Went through his presentation and proposed changes to existing plan.
- The Planning Commission went through three meetings on this; there is a demand for an allowance for this.

Supervisor Alpers;

- Understands this loosens up the plan enough to identify different types of rentals, but still gives the County enough control over it.
- Right now, we can go through a use permit process that may solve the issue of whether or not to allow transient rentals in specific areas.

Supervisor Stump:

- Do the noticing requirements apply to both type 1 and type 2? NC: yes. Public hearings would be before the planning commission with the board having the final decision.
- How would a type 1 versus type 2 residence be determined? NC: lots of interest in type 1, swall and paradise. Typically these are residents, fairly easy to determine whether someone lives her full time or not. The listing for the rental will be online, easy to check on it.

William Schreiber, property owner in June Lake:

- Main interest is the TROD process and how long the process might take. Would be type 2, under full management by Rainbow Ridge. No problems with parking, snow removal, etc.
- Appreciates the full time property owners being on the defensive, but right now, the vacation property owners are already on the defensive. It goes both ways. Feels this is fluid proposal that will be regulated by limited time permits so both sides are protected.

Scott Burns:

- Estimated 4-6 months for the full process to be completed.

Supervisor Fesko:

- Remembers the contentious issues that occurred in the Rancherias area, not all homeowners were notified due to some owners not being local.

Supervisor Johnston:

- Believes this is a de facto zone change. There is a better way to approach this. This potentially allowing transient rental in every area of the county. The buyer of a sfr in a sfr neighborhood is no longer in a sfr neighborhood. Wants to find the acceptable locations within the county where an overlay of Transient rental uses can be designated. This way, a buyer will know that they do not need to come to planning meetings to defend their right to not have transient rentals in their neighborhood. Does not agree with this approach.

Christy Milovich:

- The intent is to establish a process only, with safeguards already in there. The permits could be revoked if someone is out of compliance.

C. Mill Canyon Road - Request to Reopen to Public

Departments: Public Works - Road

(Jeff Walters) - Mill Canyon Road was closed to the public last August. In May of this year the Board authorized the Public Works Director to maintain the road closure until such time that the road has been deemed safe for public travel, monitor road conditions and slope stability; and open or close the road at his discretion, based on safety.

Action: 1. Authorize Public Works Director to the reopen Mill Canyon Road to the public until such time the conditions change necessitating road closure. 2. Direct staff to prepare and implement a Mitigation and Monitoring Plan consistent with the recommendations in the Staff Report. 3. Authorize Public Works Director to close the road as deemed necessary in his professional opinion.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-151

Jeff Walters:

- There are several factors: no movement of the road, no rain, no forecasted rain or natural phenomenon that might occur, irrigation canal used by Fish and Wildlife discontinued so no drainage ditch carrying water to the slope, repair work done on May 10th has shown no movement. Paul Roten, County Engineer, concurs the road is stable. Concerns include what if there's a storm? We will continue to monitor forecasts, may have to close road again in the future.

Supervisor Fesko:

- Knows the community is anxious to have this road reopened.

D. Mill Canyon Road MOU - MCMWTC

Departments: Public Works - Road

(Jeff Walters) - Mill Canyon Road, near the community of Walker, crosses a hillside where the slope is sliding downhill. This section of road has been closed due to hazardous road conditions. In the event that the road remains closed or is closed while the Marine Mountain Warfare Training Center requires access to backcountry training grounds, the Marines request access through the locked gate.

Action: Authorize Chair's signature on the proposed License, as is, and/or if the

Marine Corps is willing to accept a longer period, until 2018. Provide any desired direction to staff.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-152

Stacey Simon:

- Adrienne Ratner was able to amend the language to include the road being opened as in the previous item, and still being able to close the road if needed. There is no issue with moving forward with the license agreement.

Jeff Walters:

- The Marines are eager to get back there for their trainings.

E. Revised MOUs Regarding Access to Mill Canyon Road

Departments: Public Works - Road

(Jeff Walters) - Revised MOUs with Gary Ashurst and the Antelope Valley Fire Protection District pertaining to access to Mill Canyon Road.

Action: Approve County entry into proposed revised MOUs (RMOUs) and authorize the Public Works Director to execute said RMOUs on behalf of the County, with any minor changes approved by County Counsel. Provide any desired direction to staff.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-153

Jeff Walters:

- Gary Ashurst is private land owner, and the only way to access his property is through Mill Canyon Rd.

Stacey Simon:

- We want to make sure these are accurate and consistent with the reality on the ground. Language was changed to allow for future closures.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

John Peters:

- Add to his comments earlier, to remind the Board. A sphere of influence document that Southern Mono Healthcare put out a few years back, the district agreed to provide outreach to the community to increase awareness of its services and facilities. He's been contacted by two papers that want to write an article on this issue this week.

Supervisor Stump:

- Their next board meeting is July 21, 8-12. May be an appropriate time to request a response/outreach on this issue.

11. CLOSED SESSION

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 - Initiation of Litigation

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.

ADJOURN at 12:45 p.m.

ATTEST

FRED STUMP
CHAIRMAN

HELEN NUNN
SR. DEPUTY CLERK