



**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  
May 9, 2017**

9:04 AM Meeting called to Order by Chair of the Board Corless

*Supervisors Present: Corless, Gardner, Peters, and Stump.  
Supervisors Absent: Johnston.*

*Break: 10:02 a.m.  
Reconvene: 10:11 a.m.  
Closed Session: 11:40 a.m.  
Adjourn: 1:55 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 Supervisor Peters.

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

**Steven Kalish, Swall Meadows:**

- Comments about lease vs. building in South County. Wants to step back and consider what the County wants, what the County needs, how to obtain that. Doesn't see that in the Mall. SCM was purchased out of bankruptcy with the County carrying it for years. They can undercut the costs but that doesn't mean that's the right decision. Office space is different than retail and rents for different prices.
- Believes this is the best county staff in the past 25 years and believes their opinions and materials they bring forward is worthy of respect and listening to.

**Leslie Chapman:**

- Appreciates his information and helping the county get grounded on this subject.

**2. APPROVAL OF MINUTES - NONE**

**3. RECOGNITIONS - NONE**

**4. BOARD MEMBER REPORTS**

**Supervisor Corless:**

- Had the honor of being a judge for the Mono County Spelling Bee, this Saturday the winners, Belle Dolan Carleton of Mammoth and Kelly Thompson of Bridgeport will be competing in San Joaquin County.
- Last week, was a speaker at the Andrea Lawrence dinner. The recipient this year is Genny Smith. Very inspiring evening.
- Wants to mention to ad in the Sheet and the email communication that was sent to all county employees. She draws the line at a cartoon that depicted county employees as the subject of derision and mockery; it is disrespectful. Concerned about next week's meeting regarding the South County Facilities. Would like to see the best behavior from the dais, and follow the Board rules regarding civility and respect. She read excerpts from an email from a county employee regarding South County Facilities discussion (available in Additional Documents).

**Supervisor Gardner:**

- On Wednesday May 3rd, I attended the Local Agency Formation Commission meeting with Supervisor Stump. The meeting included consideration of the Commission's 2017-2018 budget, review of the Commission membership, and discussion of the status of selected special district studies. Moe information is available on the County website under the LAFCO item.
- On Wednesday, I also attended the June Lake Advisory Council meeting. We are moving ahead with the process to seek input from the June Lake community on short term rentals. Several public workshops are scheduled for this month and next. I continue to be confident that there will be plenty of opportunities for residents to state their opinions on this issue, and be involved in making recommendations for County policy.
- On Friday, May 5<sup>th</sup> I attended with CAO Chapman a meeting with SCE to discuss the runoff situation in the Rush Creek watershed area. We will be holding a town hall meeting in June to provide information on this for the community.
- On Friday I also attended a meeting of the First 5 Commission. Among other topics, there was a good discussion of the demand for and planning under way for a child care center in Mammoth.

**Supervisor Johnston:**

- Absent

**Supervisor Peters:**

- 3<sup>rd</sup> Trip over the Mountains to Harris Ranch
- 4<sup>th</sup> Hospice
- 4<sup>th</sup> Planning Dept and AV Fire Chief
- 4<sup>th</sup> AV RPAC - Cannabis Workshop – Focus on Local Area Specific Plan
- 5<sup>th</sup> Jeremy Marshall and Jeffrey Weise Humbolt Toiyabe District Office
- District Ranger and Wilderness Coordinator
- Bridgeport Winter Recreation Area
- 6<sup>th</sup> AVL Business Meeting
- 6<sup>th</sup> Visited Virginia Lakes Resort area and observed the road progress
- 6<sup>th</sup> Beta Sigma Phi Cinco De Mayo Fundraiser Dinner
- 8<sup>th</sup> LTC
- Winter Debrief, Walk Bike Ride CTC in September
- Upcoming Events

- June 3<sup>rd</sup> Annual Gun Rights Dinner- Bridgeport Gun Club
- Town Halls June 21<sup>st</sup> BP Forest Service and Broadband
- July 13<sup>th</sup> AV Cannabis and Broadband

**Supervisor Stump:**

- 5-3 : Attended Mono County LAFCO - Supervisor Gardner also attended - Budget discussion
- 5-8 : Attended Mono County LTC - OWP approved with minor budget changes - views video and pictures looking at snow depth in both the Lakes Basin and Hwy 120, there is a lot of it.
- There is a marijuana grow in Benton, not on Tribal land. The grow is in Rural Residential zoning. Rural Residential zoning allows small scale commercial agriculture with a Use Permit assuming that there is not a home on the property. No home exists, no use permit issued. There was a temporary power permit for 6 months. The grow is within 1/4 mile of a school. This is the second year of the grow. Last year the neighbors complained, the SO took a report and the DA's office started a file. No further action was taken. 60 plants were grown last year. This year the intention is to grow 300 plants. The neighbors have complained again. Code Compliance has issued a notice of Violation, based on zoning, and SCE has removed the meter from the temporary power. Last Friday the County was contacted by an Attorney representing the growers who informed the County that the operation was exempt from County regulation because it was part of a Medical Marijuana Cooperative. Apparently there is a law from the 2000s that allows non-profit medical marijuana growing for 5 patients. The growers are going about their business and throwing this in the County's face. The neighbors are asking what good are Codes and what good is writing additional regulations. They have to deal with the smell and now the sound of a noisy generator to run the well. This situation is pointing out to me how woefully unprepared the County is to deal with marijuana. I have emailed at least 8 different County Staff about this. As a result of looking at the amount of staff time that will be required to deal with this situation, the potential need for civil legal action, and an unknown response from the SO and DA I am quickly moving my position from regulate and tax to banning all commercial cannabis operations in the County. This would not affect the Tribes or effect the right of someone over 21 to grow plants for their own use either recreational or medical. This has ceased to be a philosophical discussion and is now having a direct negative impact on residents.

Read an email from Craig Schragger, DDs, into his report:

- After seeing the full color page ad in the sheet, I will supply a quote from David Chambers EdM, MBA, PhD University of Pacific, "The correct technical name is a "front". The strategy is straightforward. Scare the public to prevent rule-makers from imposing unfavorable restrictions". "Actions are always undertaken for the benefit of others. One's own advantage will be held in strictest confidence". You got my vote for the Taj Mahal, Buckingham Palace, or your basic Four Seasons resort. -Craig

**5. COUNTY ADMINISTRATIVE OFFICE**

**Leslie Chapman:**

- Rearrange next weeks' schedule
- June Lake Women's club last week with Jay Sloane. Asked to streamline the procedures for renting community centers.
- Dept head meeting. Lots of good discussion, very productive, good input on the South County facilities item.
- Toured the East Fork 911 emergency center.

- Worked with key staff on issues that need to be resolved. Ended the week on a very positive note.
- EMS chief interviews were yesterday, very promising candidates.

**6. DEPARTMENT/COMMISSION REPORTS**

**Sheriff Braun:**

- Remind everyone the deer are moving. There were 4 incidents recently, just a reminder to the public to be on the lookout for them.
- A note on Supervisor Stump's report, that grow is still illegal in California. They will be working with the DA's office on that.

**Jeff Walters:**

- Virginia Lakes Road will be open this week.
- Recommends watching the video that CalTrans and the Sheriff has posted of the flyover of Tioga Pass. The snow is deep and the road being open will still be awhile out. It sounds like the Town will be working with CalTrans to get some SnoCats up there.

**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. Fish and Game Fine Fund Expenditure**

Departments: Economic Development

On Wednesday, April 5, 2017, the Mono County Fisheries Commission approved a recommendation to the Board of Supervisors to allocate \$7,901.00 from the Fish and Game Fine Fund for the purpose of additional fish stocking.

**Action:** Approve the recommendation by the Mono County Fisheries Commission to allocate \$7,901.00 (Seven Thousand Nine Hundred and One) from the Fish and Game Fine Fund to support spring fish stocking and authorize an increase of appropriations by \$5,271 to be funded from the carryover balance (requires 4/5ths vote)

**Gardner moved; Peters seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

**M17-92**

**8. CORRESPONDENCE RECEIVED - NONE**

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

**9. REGULAR AGENDA - MORNING**

**A. High Sierra Tri Club Proposed Road Closure on Pinecliff Drive**

Departments: County Administrative Office

(Alana Levin and/or Jay Sloane) - Proposed resolution #R17-38, authorizing the temporary closure of a portion of Pinecliff Road in June Lake for the Annual June Lake Triathlon to be held on Saturday, July 8, 2017.

**Action:** Consider and adopt resolution #R17-38, Authorizing the temporary closure of a portion of Pinecliff Road in June Lake for the Annual June Lake Triathlon.

**Gardner moved; Stump seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

**R17-38**

**Alana Levin:**

- Went through the staff report, detailed where the road closure will be and times.

## **B. Avalanche Forecasting Program**

Departments: Public Works - Road

(Sue Burak, Snow Survey Associates) - Sue Burak, Snow Survey Associates, will present a review of this winter's storms and associated avalanches in Mono County.

**Action:** None.

**Jeff Walters:**

- Introduced Sue Burak, avalanche forecaster.

**Sue Burak:**

- Went through her power point presentation.
- She would like to have more on-the-ground observers in Mono Co; she has several in Inyo.

General board discussion and comments

PUBLIC COMMENT:

**Adrienne Fascher, Forest Service:**

- Grant application is in to the State for avalanche education. These grants are becoming more competitive. Will know by June whether they will receive the funding they have requested.

## **C. County Maintained Mileage for FY 17-18**

Departments: Public Works - Road

(Jeff Walters) - Consider and potentially adopt Resolution R17-39, "A Resolution of the Mono County Board of Supervisors Specifying Additions to and/or Exclusions from the Maintained Mileage Within the County Road System and Establishing Maintained Mileage for Fiscal Year 2017-2018."

**Action:** Adopt Resolution R17-39, "A Resolution of the Mono County Board of Supervisors Specifying Additions to and/or Exclusions from the Maintained Mileage Within the County Road System and Establishing Maintained Mileage for Fiscal Year 2017-2018." Provide any desired direction to staff.

**Peters moved; Stump seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

## **R17-39**

### **Jeff Walters:**

- Went through his staff report. Some roads within the county are not included within the County's maintained mileage, but are there as a zone of benefit for the community. A road has to meet standards (width, drainage, etc) before it can be included in the maintained mileage.
- 50% of the Highway users tax is based on population; 37.5% based on registered vehicles; 12% on maintained mileage.
- We submit this to CalTrans every year with the Board resolution so they know what our mileage numbers are.
- Homeowners do express interest in becoming part of the program but when he sends them information he rarely hears back.

### **Supervisor Gardner:**

- Have homeowners expressed interest in improving their roads so they can be considered part of this mileage?

### **Garrett Higerd:**

- He is not aware of any roads currently being upgraded to be included in the maintained mileage. Has been a policy over the past 15 years or so that we are not accepting roads into our maintained mileage even when they are newly constructed. May be up to County road standards, but were not accepted into the mileage.
- County road standards are quite old and need updating. Also, fire requirements have exceeded our standards.

### **Supervisor Stump:**

- Long ago, he saw discrepancies between newly constructed roads and the code book, we should not be allowing someone to build a road that does not comply with code.

## **D. Mono County Fisheries Commission Name Change**

Departments: Economic Development

(Jeff Simpson) - Proposed Resolution of the Mono County Board of Supervisors Changing the Name of the Mono County Fisheries Commission and Authorizing the Commission to Amend its Bylaws to Reflect this Change.

**Action:** Adopt proposed resolution #R17-40, Changing the Name of the Mono County Fisheries Commission and Authorizing the Commission to Amend its Bylaws to Reflect this Change.

**Peters moved; Corless seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

## **R17-40**

### **Jeff Simpson:**

- Thanked Sue Burak for being a member of this commission for about 1.5 years.
- Went through his staff report, gave a short history on the commission.

## **E. Employment Agreement for Assistant County Administrative Officer**

Departments: Human Resources

(Dave Butters) - Proposed resolution approving a contract with Tony Dublino as Assistant County Administrative Officer, and prescribing the compensation, appointment and conditions of said employment.

**Action:** Announce Fiscal Impact. Adopt Resolution #R17-41, Approving a contract with Tony Dublino as Assistant County Administrative Officer, and prescribing the compensation, appointment and conditions of said employment.

**Peters moved; Gardner seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

**R17-41**

**Dave Butters:**

- Introduced Tony Dublino.

**Leslie Chapman:**

- Very excited, Tony is a great addition to the team. When the South County project became more time consuming, she asked him to step in and take over the project. He has worked over and above his part time status, but he was happy to do so.

**Supervisor Stump:**

- Who will take over Conway Ranch and Solid Waste? Tony has led those projects with a high level of confidence.

**Supervisor Peters:**

- Supports, but has a few questions. The position originally flown at what range? How did we arrive at the current salary? How many candidates were interviewed? Does the contract reflect what was flown as the position? He has heard uncertainly in how the process happened.

**Leslie Chapman:**

- The salary was part of the reorganization already approved. She looked at other counties salary schedules and compared.
- There were 7 applications, we interviewed 4. There were applicants from around the country. There was one out of town person who cancelled, and three local applicants.

Supervisor Corless read the fiscal impact into the record.

## **F. Amendment to Employment Agreement with Anne Larsen**

Departments: County Counsel/Human Resources

(Stacey Simon) - Proposed resolution approving Agreement and First Amendment to Employment Agreement of Anne Marie Larsen.

**Action:** Announce Fiscal Impact. Approve Resolution #R17-42, Approving an amendment to the employment agreement of Anne Larsen to reclassify Ms. Larsen as a Deputy County Counsel III.

**Stump moved; Gardner seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

**R17-42**

**Stacey Simon:**

- Since bringing Anne on last year, it has become obvious that she's been operating at a higher level than she was hired at. This is to correct that, to employ and pay her at a more appropriate level.

**Supervisor Stump:**

- Happy to support this.

Supervisor Corless read the fiscal impact into the record.

**G. Proposed Amendment to Mono County Code 2.60.080 re Timing of Review of Declaration of Local Emergency**

Departments: CAO

(Anne Larsen) - Proposed ordinance amending Mono County Code Section 2.60.080 to conform timing of review of local declarations of emergency with State law requirements.

**Action:** Introduce, read title, and waive further reading of proposed ordinance. Direct staff to agendize ordinance for adoption at the next regularly-scheduled meeting of the Board.

**Stump moved; Peters seconded**

**Vote: 4 yes; 0 no; 1 absent: Johnston**

**M17-93**

**Anne Larsen:**

- Explained moving the requirement from 15 days to 30 days.

**Stacey Simon:**

- This is introduction only and would not be adopted until next meeting.

**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, Dave Butters, Janet Dutcher, and Anne Larsen. 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 - Performance Evaluation - CAO**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

**C. Closed Session - Real Property Negotiations**

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: Sierra Center Mall, Mammoth



Lakes. Agency negotiators: Leslie Chapman, Janet Dutcher, Tony Dublino, Stacey Simon. Negotiating parties: Mono County and Highmark Mammoth Investments, LLC. Under negotiation: Price and terms of payment.

**ADJOURN at 1:55 p.m.**

**ATTEST**

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**STACY CORLESS  
CHAIR OF THE BOARD**

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**HELEN NUNN  
ASSISTANT CLERK OF THE BOARD**