



**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
June 13, 2017**

9:00 AM Meeting called to Order by Chair of the Board Corless

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

*Break: 10:37 A.M.
Reconvene: 10:54 A.M.
Break: 3:18 P.M.
Reconvene: 3:28 P.M.
Closed Session: 11:30 A.M.
Reconvene: 1:20 P.M.
Adjourn: 4:28 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 Stump.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Approve the minutes of the Special Meeting of May 19, 2017.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-116

B. Board Minutes

Departments: Clerk of the Board

Approve the minutes of the Special Meeting of May 31, 2017.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-117

C. Board Minutes

Departments: Clerk of the Board

Approve the minutes of the Regular Meeting held on June 6, 2017.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-118

3. RECOGNITIONS - NONE

4. BOARD MEMBER REPORTS

Supervisor Corless:

- Many thanks to Tom McWeeney, board and county staff for strategic planning workshop
- Town Council Meeting 6/7: Spoke in public comment regarding narcotics enforcement issue, town manager noted that the issue will be on the 6/18 joint meeting agenda.
- Upcoming meetings: 6/16, town-county liaison committee; 6/16 Eastern Sierra Council of Governments.

Supervisor Gardner:

- Last week, attended the Biomass Project ribbon cutting event at the Public Works facility. It was exciting to see the new equipment in operation and to learn about this energy-saving opportunity for the County. Thanks to everyone who made this project possible.
- Thanks also to everyone who participated in yesterdays' strategic planning workshop. As discussed, it takes time to do this type of planning well, and it's better to pause and develop a solid plan than to rush the process. He was impressed with the level of interest, and the commitment in the room to better planning and management for our County. He looks forward to the next steps in this endeavor.
- There will be a meeting next Monday night the 19th at 6:00 PM in the June Lake Community Center for the community to hear a presentation from Southern California Edison about the condition of the Rush Creek Dams, and the mitigation work they have been doing in that area. Businesses are also invited to a special meeting at 4:00 Pm for a similar meeting.

Supervisor Johnston:

- Absent

Supervisor Peters:

- 7th Cannabis Town Meeting in Antelope Valley

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- 7th Bio Mass Boiler Ribbon Cutting
- 8th Met with Town of Mammoth staff Dutton and Hayes
- 12th LTC
- 12th Strategic Plan Workshop
- 13th RPAC in Bridgeport Tonight
- Upcoming Events
- Town Halls June 21st BP Forest Service and Broadband – Race Communications – Fox Industries
- July 13th AV Cannabis and Broadband

Supervisor Stump:

- Thursday and Friday spent on Cannabis and Sustainable Groundwater Act. Wants to thank Stacey Simon and Anne Larson for their work on both.
- Had a telephone meeting with the Benton Tribal Chair. Discussed cannabis, Race Communication's project on Tribal Land, and a potential need for a Tribal Elder living in the Antelope Valley. Thank you to Supervisor Peters for being available to help if needed.
- Monday 6-12 attended the LTC meeting. Several Budget items approved. Commission voted to move \$18,000 out of reserve to fund a Friday Dial-A-Ride service for Walker area seniors. Thank you to Megan Foster for bringing this need to the Commission's attention.
- He will also request to adjourn the meeting in the memory of Mike Levine, long time Mono County and Swall Meadows resident who passed away in his sleep on June 3rd. Mike was instrumental in developing the first full coverage radio system for the Inyo National Forest, a system that the Inyo is still using today with some additions. His home has the distinction of surviving all three major fires that have occurred in the Swall Meadows area since the early 1980s. Mike was an engaged citizen who cared deeply about community safety issues.

5. COUNTY ADMINISTRATIVE OFFICE

Leslie Chapman:

- Exciting week. Reflecting on all we've done, feels honored to be working with such a great team. The level of quality ideas coming from the department heads was impressive. The workshop was fantastic.
- We were approved by Board of Corrections for our jail grant.
- Project review team met. Exciting things coming forward from that.
- Talking about putting together a suicide task force.
- Will be gone next Tuesday, Tony will be here in her place.
- Joint Town County meeting will take place on July 18th, starting about 1 pm.
- Will bring back the Board workshop results at a later date, probably mid to late July.

6. DEPARTMENT/COMMISSION REPORTS

Shannon Kendall, Clerk of the Board:

- It is her pleasure, excitement, and relief to introduce Scheereen Dedman, as the new Sr. Deputy Clerk.

Ingrid Braun, Sheriff:

- Mark Hanson has been chosen as the new Sergeant. Gave an overview of his history and qualifications.

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. Resolution Updating Community Corrections Partnership Executive Committee Members

Departments: Probation

Proposed resolution approving updated List of Community Corrections Partnership Executive Committee members.

Action: Adopt proposed resolution #R17-46, Declaring approval of the appointment of the following members assigned to the Mono County Community Corrections Partnership Executive Committee. Provide any desired direction to staff.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

R17-46

B. Mono County WIC Program Budget Amendment

Departments: Health Department

Initiation of contract amendment with California Department of Public Health (CDPH) Women Infants and Children (WIC) Program pertaining to contract amendment #15-10093, A02 and WIC Services.

Action: Approve and authorize the Board Chair to sign the Certification of Contract Amendment form pertaining to contract #15-10093, A02 with the California Department of Public Health (CDPH) Women, Infants and Children (WIC) Program.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-119

C. LEA Independent Hearing Panel

Departments: Environmental Health

The appointment of members of the LEA Independent Hearing Panel (IHP) must take place and receive BOS approval every four years. This action will name the members of the IHP for the next four year term to commence in November of 2017.

Action: Appoint Supervisor Peters, Lisa Isaacs and Tom Platz to the LEA Independent Hearing Panel for the next 4 year term.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-120

Supervisor Stump:

- Will there be a meeting in future?

Louis Molina:

- This should be the least time consuming panel. Just an independent hearing panel in case of consumer complaint.

D. Liberty Utilities LLC Claim for Refund

Departments: Treasurer-Tax Collector

Claim for Refund of Franchise Fees paid to County by Liberty Utilities (CalPeco Electric) LLC ("Liberty CalPeco").

Action: Reject claim to the extent that it refers to events or occurrences on or after September 30, 2016 and return claim as untimely to the extent that it refers to events or occurrences prior to September 30, 2016. Direct County Counsel to send notification of same.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-121

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. **Transient Occupancy Tax (TOT) Collections, Audit Efforts and Monitoring Solutions**

Departments: Finance

(Janet Dutcher, Ulrik Binzer (Host Compliance)) - Finance will present information about Mono County's TOT collections and audit enforcement efforts. Ulrik Binzer from Host Compliance LLC will make a presentation about their data mining application that identifies and brings non-permitted vacation rentals into compliance.

Action: Receive information about Mono County TOT collections and audit enforcement efforts. Receive presentation about Host Compliance short-term rental compliance monitoring and enforcement solutions. Provide any desired feedback to staff.

Janet Dutcher, Finance Director:

- Went through her staff report, gave background on what Transient Occupancy Tax is, where it comes from, what it funds.

Ulrik Binzer:

- Joined the meeting through teleconference. Went through his Power Point, available in the Agenda Packet.
- Presented the potential benefits to using Host Compliance.
- It's a software based solution, so the processes are all the same no matter what size the agency is.
- Cash is hard, but is becoming less prevalent in the industry. Websites monitor their traffic by taking a commission. 99% of the market is facilitated online and through credit cards.
- Has done a collaborative approach, but is more complicated. Would recommend going ahead with a county contract, but we could add TOML later if desired.

- Your code enforcement officer would have access to an online application with screenshots of the properties. Time spent identifying properties is reduced. Information is downloadable to Excel.

Supervisor Stump:

- Is there an issue with our small size, if we had a problem, could we get a quick response from your staff?
- How often do you encounter cash basis rentals and can you work with that?
- Questions how this can reduce our Code Compliance officer's workload?

Supervisor Gardner:

- TOML is concerned about the same things; open to a collaborative approach?
- He has feedback from at least one council member that they may be interested.

General Board discussion with **Janet Dutcher** regarding current enforcement, collections, and tracking of TOT rentals.

B. Ordinance Establishing the Department of Emergency Medical Services

Departments: Emergency Medical Services

(Chief Bob Rooks) - Proposed ordinance amending the Mono County Code to add Chapter 2.62 establishing the Department of Emergency Medical Services within the County.

Action: Introduce, read title, and waive further reading of proposed ordinance. Provide any desired direction to staff.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-122

Bob Rooks:

- First reading of the ordinance. Went through his staff report.

Supervisor Stump:

- Concerned that creating a new department requires a new ordinance.

C. Amendment of Personnel Rules

Departments: Human Resources, CAO

(Dave Butters) - Proposed resolution amending sections 100 and 110 of the Mono County Personnel rules to allow for a salary increase above 5% upon promotion or reclassification for existing employees possessing exceptional qualifications.

Action: Adopt proposed resolution #R17-47, amending sections 100 and 110 of the Mono County Personnel rules to allow for a salary increase above 5% upon promotion or reclassification for existing employees possessing exceptional qualifications. Provide any desired direction to staff.

Peters moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

R17-47

Dave Butters:

- Went through his staff report. This resolution creates the ability to promote an employee above an A step for exceptional qualifications, currently only available to new hires.

D. Contract Award for the 2017 Pavement Preservation Project – North Shore Drive, June Lake Highlands, and Bryant Field Airport Apron

Departments: Public Works - Engineering

(Paul Roten) - This project will provide pavement preservation to North Shore Drive, the June Lake Highlands, and the airport apron at Bryant Field.

Action: Based on staff report concerning bids received in response to a solicitation for bids: 1) identify Pavement Coatings Co. as responsible bidder submitting the lowest responsive bid; 2) approve and authorize Public Works Director's signature on contract with Pavement Coatings Co. for the 2017 Pavement Preservation Project in an amount not to exceed \$228,347; 3) authorize the Public Works Director, in consultation with County Counsel, to administer that contract, including making minor amendments to said contract from time to time as the Public Works Director may deem necessary, and issue change orders to the contract in accordance with Public Contract Code §20142, in an amount not to exceed \$22,834.70 per change order, provided such amendments do not substantially alter the scope of work, do not cause spending on the project to exceed the budgeted authority, and are approved as to form and legality by County Counsel.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-123

Paul Roten, Senior Engineer:

- Went through his staff report. Identified goal to complete projects so there is no interference with events in the county, i.e. 4th of July, June Lake Triathlon. He is trying to obtain funding for other projects.

Supervisor Gardner:

- Clarified that the June Lake Highlands Zone of Benefit is residents paying an extra amount of money that can be used to benefit their streets since they are not county streets.

Supervisor Stump:

- Asked for clarification of the fiscal impact.

Supervisor Peters:

- Will air service coming and going affected?

E. County Surveyor Services

Departments: Public Works - Engineering

(Garrett Higerd) - A Contract County Surveyor is needed to perform quality control reviews of land surveying maps on behalf of the County.

Action: 1. Appoint John “Steve” Parrish, employee of Lumos and Associates, as the Contract County Surveyor for Mono County and approve filing the required Notice of Department Designation form. 2. Authorize the Public Works Director (in consultation with County Counsel) to execute and administer a three-year professional services agreement with Lumos and Associates of Carson City, Nevada to perform Contract County Surveyor functions in an amount not to exceed \$75,000. This authorization shall include making minor amendments to said agreement from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work or budget and are approved as to form and legality by County Counsel.

Stump moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-124

Garrett Higerd, Associate Engineer:

- Went through staff report.

Supervisor Stump:

- The person does not need to be onsite?

Garrett Higerd:

- Almost all of the work is done remotely.

F. Employment Agreement with Jason Canger as Deputy County Counsel II

Departments: Human Resources, County Counsel

(Stacey Simon) - Proposed resolution approving a contract with Jason Canger as Deputy County Counsel II and prescribing the compensation, appointment and conditions of said employment.

Action: Announce Fiscal Impact. Approve Resolution #R17-48, approving a contract with Jason Canger as Deputy County Counsel II, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Fiscal Impact: The cost of this position for a full fiscal year is \$163,720.39, of which \$104,964 is salary; \$11,676.20 is the employer portion of PERS, and \$47,080.19 is the cost of the benefits.

Gardner moved; Stump seconded

Vote: 4 yes; 0 no; Absent: Johnston

R17-48

Stacey Simon:

- Pleased and relived to bring this contract to the Board.
- Went through her staff report.

Supervisor Corless:

- Read the fiscal impact into the record.

E. Review of Need for Continuation of Local Emergency - Severe Winter Storms

Departments: CAO, Sheriff

(Leslie Chapman, Ingrid Braun) - On January 31, 2017 the Mono County Sheriff declared a state of local emergency as a result of extreme winter weather. The Board of Supervisors ratified this declaration on February 7, 2017, and further declared a continuing state of emergency. Mono County Code Section 2.60.080 requires that the Board of Supervisors review the need for continuing the local emergency every 14 days, and Government Code section 8630 requires that the Board review the need at least every 30 days until it is terminated. This item is provided for that purpose.

Action: Review need for continuing the local emergency. If Board determines that need no longer exists, direct staff to prepare a declaration terminating local emergency.

Janet Dutcher, Finance Director:

- Provided FEMA update. Discussed financial impact of flooding.
- Land owners can go through the SBA which provides low cost loans, but they can only qualify if there are enough candidates. Mono County didn't have enough candidates to qualify during the last storm. California Disaster Assistance Act is another option. Not sure if flood insurance is an option.

Supervisor Gardner:

- What options are there for financial relief for private landowners?

F. Review of Need for Continuation of Local Emergency - Snowmelt and Runoff

Departments: CAO, Sheriff

(Leslie Chapman, Ingrid Braun) - On March 20, 2017 the Mono County Sheriff declared a state of local emergency as a result of continuing snowmelt and runoff from severe winter storms beginning in January 2017. The Board of Supervisors ratified this declaration on March 21, 2017, and further declared a continuing state of emergency. Mono County Code Section 2.60.080 requires that the Board of Supervisors review the need for continuing the local emergency every 14 days, and Government Code section 8630 requires that the Board review the need at least every 30 days until it is terminated. This item is provided for that purpose.

Action: Review need for continuing the local emergency. If Board determines that need no longer exists, direct staff to prepare a declaration terminating local emergency.

Ingrid Braun, Sheriff:

- Not out of the woods with snow, will be warming up, melt will be coming back up. Issues with Walker River, Flood state flows being reached.

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 - CAO Performance Evaluation

Departments: Human Resources

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

THE AFTERNOON SESSION WILL RECONVENE AT 1:30 P.M.

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

Gary Nelson:

- There is a deep pothole in Mono City that could cause front end damage to vehicles and bikes. It was filled, but water had gotten into it beforehand. There are now a series of cracks, and the road has started to sink down. The road is in need of replacement. It's the main entry into Mono City. The emergency road has steel gates that cannot be moved (without tools). The road is too narrow for emergency vehicles, barely wide enough for two regular vehicles, and is not maintained or plowed in the winter. The road needs to be functional, and the gate needs to be so that a normal person would be able to move it in an emergency.

13. **REGULAR AGENDA - AFTERNOON**

A. IMACA Annual Report

Departments: Clerk of the Board

(Charles Broten) - This item is sponsored by Supervisor Larry Johnston. Presentation by Charles Broten of IMACA regarding the impact of

proposed FY 2018 Administration Budget on programs operated by IMACA, which has provided services to low-income Inyo Mono residents since 1981.

Action: Receive presentation and provide direction to staff.

Charles Broten, Director:

- Discussed impact to IMACA budget.
- Estimated 1000 residents would be affected; will provide better numbers later.

Supervisor Gardner:

- Can you specify how many Mono county residents who would be affected?

B. Cannabis Workshop

Departments: Community Development, et al.

(Wendy Sugimura, Michael Draper, Nate Reade, Christian Milovich) - Presentations from various departments will be given on the current state of cannabis-related affairs, including legislative and regulatory overviews as well as a preliminary land use framework for cannabis activities from Community Development.

Action: Receive presentations from various departments on the current state of cannabis-related affairs, including legislative and regulatory overviews as well as a draft local regulatory scheme from Community Development. Provide any desired direction to staff.

Christy Milovich, Assistant County Counsel:

- Went through staff report.

Nate Reade, Agricultural Commissioner:

- Presented his PowerPoint.
- The commissioner in Yolo County said that they have 22 employees, and will have to add 22 employees because of the new regulation.

Supervisor Stump:

- Please clarify the fee differential between counties.
- Complimented the extensive list of references.

Stacey Simon, County Counsel:

- It's a regulatory fee to cover the cost of operation. It can vary by county due to size of the county. Each county would have to justify their fee based on their cost.

Dr. Rick Johnson, Medical Health Director:

- Presented staff report.
- Colorado has had increased usage of the ER due to incidents such as accidental edibles overdose - 9% increase in ER use. The main age was nine.

Supervisor Gardner:

- Have other states adopted this level of regulation?

Louis Molina, Health Director:

- Discussed regulations for edibles, keeping sale of cannabis separate from food, pesticide applications, water supply, and the need for a waste management plan.

Wendy Sugimura, Community Development Analyst, Michael Draper, Planning Analyst I:

- Went through PowerPoint presentation. Are working to get community feedback.

Public comments:

Gary Nelson:

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- Discussed the medical benefits of CBD.

Lynn Bolton:

- Concerned with the commercial aspect.

Jeph Gundzik:

- Discussed the potential market and benefits cannabis could have to small farmers.

Delinda Briggs:

- Stated she would like the board to take into consider the difference between medical and recreational cannabis.
- There are job opportunities - and we need extra staffing that could be paid for with that taxes.

Janet Dutcher:

- Not prepared to talk about the fiscal impact. Would like HDL to do the analysis.

Supervisor Gardner:

- Discussed nine principles he was considering.

Supervisor Stump:

- Discussed the feelings of the residents in his district, due to an illegal grow in a residential area.

Supervisor Peters:

- Thanked the staff for all of their efforts. Wants to make sure that everyone can maintain their way of life.

Supervisor Corless:

- Supports regulatory framework.

Supervisor Stump:

- Requested a quick poll of the Board. Board members Gardner, Corless, and Peters in favor of a regulatory approach. Supervisor Stump supports a ban on commercial cannabis activities in Mono County due to a lack of County capacity to fulfill the regulatory role.

ADJOURN at 4:28 p.m. in memory of Mike Levine

ATTEST

STACY CORLESS
CHAIR OF THE BOARD

HELEN NUNN
ASSISTANT CLERK OF THE BOARD