



**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.  
Teleconference Only - No Physical Location

**Regular Meeting  
October 20, 2020**

9:03 AM Meeting Called to Order by Chair Corless.

*Supervisors Present: Corless, Gardner, Kreitz, Peters, and Stump (all attended via teleconference).*

*Supervisors Absent: None.*

*All votes were conducted by roll call.*

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

Pledge of Allegiance led by Supervisor Gardner.

**Supervisor Corless**

- "It's possible to understand the world from studying a leaf. You can comprehend the laws of aerodynamics, mathematics, poetry and biology through the complex beauty of such a perfect structure. It's also possible to travel the whole globe and learn nothing." – Joy Harjo

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

None.

**2. RECOGNITIONS - NONE**

**3. COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments

**Bob Lawton, CAO:**

- Thanked Dave Wilbrecht for stepping in as acting CAO

**4. DEPARTMENT/COMMISSION REPORTS**

**Ingrid Braun, Mono County Sheriff:**

- Introduced Malinda Huggans with Animal Control
- Thanked Malinda and her team for amazing work on the rescue

**Malinda Huggans, Animal Control:**

- Shared dog rescue story from over the weekend involving SAR team

**Jason Canger, Assistant County Counsel:**

- Mill/Wilson Creek update – draft letters to parties involved will be coming to the Board for approval at November 3 meeting

**Wendy Sugimura, Community Development Director:**

- Planning Commission Secretary/Officer Manager update
- Met with LADWP and Fish and Wildlife Service to discuss irrigation management in Long Valley area as part of sage-grouse conservation effort
- At the last Planning Commission meeting on 10/15, Commission approved a use permit for new sign at Meadow Cliff Lodge and received a presentation on the Regional Transportation Plan and Circulation Element update
- Completed SB2 contracting process

**5. 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. Proposed Amendment to Southern Mono Healthcare District Conflict of Interest Code**

Departments: Clerk of the Board, County Counsel

The 2020 amended conflict of interest code adopted by the Southern Mono Healthcare District requires approval by the Board of Supervisors, the code reviewing body.

**Action:** Approve amended conflict of interest code for the Southern Mono Healthcare District.

**Peters moved; Kreitz seconded**

**Vote: 5 yes, 0 no**

**M20-206**

**B. Authority to Hire Health Program Manager/Public Health Nurse at Step B**

Departments: Public Health

Authorize the Public Health Director to fill the Health Program Manager/Public Health Nurse position at Step B (82B).

**Action:** Authorize the Public Health Director to hire Ms. Lucia Niepagen at a B step in the position of Health Program Manager/Public Health Nurse.

**Peters moved; Kreitz seconded**

**Vote: 5 yes, 0 no**

**M20-207**

**C. Appointment to Tri-Valley Groundwater Management District**

Departments: Clerk of the Board

The Mono County Tri-Valley Groundwater Management District (TVGMD) is requesting that the Board appoint Matt Doonan to fill the current vacancy on the Board of Directors created by Board Member Frank Ormiston leaving the Board before the term was complete. A letter from the TVGMD Board has been attached to this item requesting that Mr. Doonan be appointed through November 30, 2024. However, the Board's authority is only to appoint for the current term - which expires on November 30, 2020.

**Action:** Appoint Matt Doonan to fill the current vacancy on the Board of Directors of the Mono County Tri-Valley Groundwater Management Districted, effective October 20, 2020 and expiring November 30, 2020.

**Peters moved; Kreitz seconded**

**Vote: 5 yes, 0 no**

**M20-208**

**6. CORRESPONDENCE RECEIVED**

Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

*The Board acknowledged receipt of the correspondence.*

Moved to Item 7C.

**A. Federal Energy Regulatory Commission (FERC) Letter re: Poole Powerhouse Penstock Repair**

A letter from Frank L. Blackett, P.E., Federal Energy Regulatory Commission Regional Engineer, to James A. Buerkle, Southern California Edison Company Director of Generation, in response to a letter from Wayne Allen who submitted a Poole Penstock Repair Plan downstream of Rhinedollar Dam, which is part of the Lee Vining Creek Project, FERC Project No. 1388.

**B. Federal Energy Regulatory Commission (FERC) Letter re: Status Update for Feasibility Study for Video Surveillance of Dams and Time Sensitive Emergency Action Plans (EAP)**

A letter from Frank L. Blackett, P.E., Federal Energy Regulatory Commission Regional Engineer, to James A. Buerkle, Southern California Edison Company Director of Generation, in response to a letter from Wayne Allen who submitted a status update for installation of surveillance cameras and a plan and schedule to submit revised time sensitive EAPs for the dams and projects listed in the enclosure.

**C. Wildlife Conservation Board (WCB) Letters re: Proposed Projects**

Projects proposed to the Wildlife Conservation Board for its November 18, 2020, Board Meeting that fall within the jurisdiction of Mono County: (1) Large tree mapping across the Sierra Nevada; and (2) Ansel Adams Wilderness Restoration.

**D. Letter re: Mill and Wilson Creeks Water Management**

A letter from Tim Bue to the Board regarding Mill and Wilson Creeks and DeChambeau Ponds water management.

**7. REGULAR AGENDA - MORNING**

**A. Winter Outlook Briefings and Services Refresher**

Departments: Sheriff

(Chris Smallcomb, NWS Reno) - Presentation by Chris Smallcomb of the National Weather Service in Reno regarding the winter outlook and services refresher.

**Action:** None.

**Chris Smallcomb, NWS Reno:**

- Presentation

*Break: 10:33 AM*

*Reconvened: 10:40 AM*

**B. Update on Wildfires and Review of Open Fire Ban**

Departments: Sheriff, Public Works

(Sheriff Braun, County Counsel Simon) - Update and discussion regarding status of wildfires across the State and in Mono County. Weekly review of need for Urgency Ordinance Prohibiting Open Fires on Private Property Within the Unincorporated Area of Mono County Due to Extreme Fire Danger.

**Action:** None.

**Ingrid Braun, Mono County Sheriff:**

- Update on conditions
- Recommend continuation of open fire ban

Moved to Item 7D.

**C. Election Update and CTCL Grant Funding Approval**

Departments: Elections

(Shannon Kendall, Clerk-Recorder-Registrar) - Update on November 3, 2020 General Election. Seeking Board of Supervisors approval of grant agreement with the Center for Tech and Civic Life (CTCL) and an increase

in appropriations for the Elections FY 2020-21 budget (requires 4/5ths approval). Election offices can use the funds to cover certain 2020 expenses incurred between June 15, 2020 and December 31, 2020.

**Action:** Approve, and authorize the Mono County Clerk-Recorder-Registrar of Voters to sign the Grant Agreement with the Center for Tech and Civic Life for receipt of up to \$8,401.50 of unanticipated funding. Approve increase of \$8,402 in the Election's FY 2020-21 budget (requires 4/5ths vote).

**Kreitz moved; Stump seconded**

**Vote: 5 yes, 0 no**

**M20-209**

**Shannon Kendall, Clerk-Recorder-Registrar:**

- Hilton Creek Community Services District ballot update
- Current registration: 7,780 voters
- 1,716 returned ballots
- Three election observers
- Poll place setup update

**Scheereen Dedman, Assistant Clerk-Recorder-Registrar:**

- Approval of Special District appointees will be coming to the Board for approval at November 3 meeting
- Reviewed grant agreement

Moved to Item 7A.

**D. COVID-19 (Coronavirus) Update**

Departments: CAO and Public Health

(Dave Wilbrecht, Acting CAO, Dr. Tom Boo, Mono County Health Officer) - Update on Countywide response and planning related to the COVID-19 pandemic, including reports from the Emergency Operations Center (EOC), Unified Command (UC), and the various branches of the EOC, including Community Support and Economic Recovery, Joint Information Center (JIC), and Public Health. Specific topics include, but are not limited to: Update on Community Financial Assistance Programs.

**Action:** None.

**Dr. Tom Boo, Mono County Health Officer:**

- Tier status from State has not changed, no positive cases in the last few days
- State released guidance allowing gatherings of up to 12 people from a maximum of three households
- Changes to testing statewide
- No current changes to lodging order in Mammoth

**Public Comment:**

- No Name

**Alicia Vennos, Economic Development Director:**

- Mono CURE business assistance program update – accepting applications today (10/20) before midnight, Review Committee will begin review process tomorrow (10/21)

**Janet Dutcher, Finance Director:**

- Planning to bring to Board the annual general fund financial performance presentation in November – at that time, would be able to comment more accurately on TOT, sales tax, and property tax
- Update on other financial assistance programs, funds spent

**E. Employment Agreement with Tom Perry as Part-Time Building Official**

Departments: Community Development

(Wendy Sugimura, Community Development Director) - Proposed resolution approving a contract with Tom Perry as part-time Building Official, and prescribing the compensation, appointment and conditions of said employment.

**Action:** Announce Fiscal Impact. Approve Resolution R20-29, approving a contract with Tom Perry as Building Official, 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:** Total cost of salary and benefits for FY 2020-21 is \$38,588, of which \$33,132 is salary, and was included in the Community Development Department's budget.

**Gardner moved; Kreitz seconded**

**Vote: 5 yes, 0 no**

**R20-95**

**Wendy Sugimura, Community Development Director:**

- Presented item

**F. Letter re: Filling the Humboldt Toiyabe National Forest Law Enforcement Position**

Departments: Community Development

(John Peters, Supervisor 4th District) - Letter to the Humboldt Toiyabe National Forest requesting that a vacant law enforcement position on the forest be filled.

**Action:** Approve, and authorize the Chair to sign, proposed letter.

**Peters moved; Kreitz seconded**

**Vote: 5 yes, 0 no**

**M20-210**

**Supervisor Peters:**

- Introduced item
- Coming up on a year since the Humboldt-Toiyabe National Forest had a law enforcement officer

Moved to Item 10.

**G. Corrected Resolution Certifying the Tioga Inn Specific Plan Amendment #3 Final Subsequent Environmental Impact Report (FSEIR)**

Departments: Community Development

(Wendy Sugimura, Community Development Director) - Corrected resolution certifying the Final Subsequent Environmental Impact Report for Tioga Inn Specific Plan Amendment #3. This resolution includes all changes directed by the Board at its October 14th meeting and supersedes and replaces Resolution R20-94 from October 14th which inadvertently omitted a portion of the Board's direction. Additional typographical/grammatical changes have been made for clarity.

**Action:** Adopt proposed Resolution R20-96 certifying the Tioga Inn Specific Plan Amendment #3 FSEIR and making required findings as set forth in the Resolution.

**Peters moved; Stump seconded**

**Vote: 3 yes, 1 no, 1 abstain**

Roll call:

Gardner: No

Kreitz: Yes

Peters: Yes

Stump: Yes

Corless: Abstain

**R20-96**

**Supervisor Corless:**

- Recused herself because her family is an owner of the Tioga Pass Resort and some of the employees of the Resort are housed at the Tioga Inn property, thereby creating a financial conflict of interest.

**Supervisor Kreitz:**

- Resumed chairing the meeting

**Wendy Sugimura, Community Development Director:**

- Presented item

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

None.

**9. CLOSED SESSION**

*Closed Session: 12:09 PM*

*Reconvened: 2:20 PM*

Nothing to report out of Closed Session.

**A. Closed Session - Labor Negotiations**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Dave Butters, Janet Dutcher, and Anne Frievalt. 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). 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: County of Mono v. Amerisourcebergen Drug Corp. Cardinal Health, McKesson Corporation, Purdue Pharma L.P., Purdue Pharma, Inc, The Purdue Frederick Co., Inc. et al., U.S. Dist. Court for Eastern California, Case No. 2:18-cv-00149-MCE-KJN.

**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.

**10. BOARD MEMBER REPORTS**

**Supervisor Corless:**

9/17-10/5:

- RCRC Board of Directors Meeting: See the meeting highlights memo ([https://www.rcrcnet.org/sites/default/files/useruploads/Meetings/Board\\_of\\_Directors/2020/September\\_16\\_2020/BoardMeeting\\_Highlights\\_September\\_16\\_2020\\_FINAL.pdf](https://www.rcrcnet.org/sites/default/files/useruploads/Meetings/Board_of_Directors/2020/September_16_2020/BoardMeeting_Highlights_September_16_2020_FINAL.pdf)) for more meeting details. Actions include voting to take a "no position" position to Proposition 22, and adopting the findings of RCRC's ad-hoc Homeowners Insurance Committee. Here are the recommendations:
  - The Committee requests that the RCRC Board of Directors adopt and approve the following recommendations:
    1. Instruct RCRC staff to remain engaged with the Legislature, the Department of Insurance and the insurance industry on potential legislation or administrative proposals to appropriately represent the impacts of insurance nonrenewals on rural homeowners and communities in the wake of the failure to pass AB 2167 and SB 292 in their pre-amended forms.
    2. Communicate the following list of wildfire mitigation actions to member counties for their consideration:
      - Adopt local ordinances that reinforce and strengthen existing state defensible space mandates.

- Reinforce the new fire-resistant standards adopted by the state for new building construction.
  - Work in concert with local fire prevention agencies such as Fire Safe Councils and Resource Conservation Districts to establish financial assistance programs for low income, elderly and disabled residents that cannot feasibly maintain their own defensible space or afford home hardening upgrades.
  - Encourage community-wide fire mitigation activities along with individual homeowner efforts, such as shaded fuel breaks, and work with local fire prevention agencies to leverage state and federal grant funding to complete projects.
3. Instruct RCRC's advocacy team to pursue the following state legislative priorities:
- Support a statewide, permanent funding mechanism for land use planning, home hardening and defensible space efforts for wildfire prevention.
  - Support legislative proposals that will facilitate insurer market penetration into high fire hazard severity zones that also ensure insurance affordability.
  - Support modifications to current insurance reimbursement practices that make it easier for homeowners to recover losses after a catastrophic fire event.
  - Support legislative proposals that include feasible, implementable standards to strengthen defensible space, home hardening and local land use planning requirements for wildfire mitigation.
- 9/18 Golden State Natural Resources Board of Directors
  - 9/21 Yosemite Area Regional Transportation System board meeting--continuing to address covid and wildfire related challenges, including amending the agreement with the VIA transit (the bus operator), and agreeing to fund an update to the transit plan.
  - 10/1 California Association of Local Behavioral Health Boards and Commissions Meeting/Training
  - 10/4 Planning meeting for Diversity, Equity, Inclusion work, re: resolution and actions for board consideration at the 10/13 meeting.
- 10/7-19:
- Rural County Representatives of California Meetings: Golden State Natural Resources meeting in Mariposa, Executive Committee in Sacramento and legislator meeting, various planning calls regarding CEO/President recruitment and planning for 2021. RCRC is working on a wildfire prevention/insurance solutions legislative proposal for 2021. RCRC economic development staff working on broadband program.
  - Yosemite Area Regional Transportation System JPA Board Meeting: short range transit plan update, service ended for 2020.
  - Mammoth Lakes Chamber of Commerce Women in Business discussion on Diversity and Equity--thank you to county staff members Kassandra Montes (Behavioral Health) and Wendy Guzman-Rangel (Social Services) for leading and participating in this important discussion.

- Eastern Sierra Council of Governments JPA: approved contract for consulting services, resolution for proposed new position focused on sustainable recreation and forest/ecosystem management.
- NACo Public Lands Steering Committee/WIR meeting
- Behavioral Health Advisory Board: support for inclusion of county-funded permanent supportive housing in Phase I of the Parcel housing development in Mammoth.
- CBS This Morning interview last week on DWP/Long Valley issues.
- 10/31 project submittal deadline for sustainable recreation and tourism initiative projects—go to [essrp.org](http://essrp.org).

**Supervisor Gardner:**

- Will report at next meeting on November 3

**Supervisor Kreitz:**

- September 9, I attended a special meeting of the Mammoth Lakes Housing Board to review the stewardship of deed restricted homes in Mammoth Lakes.
- Later that day, I attended the NACo Census webinar.
- On September 11th I attended the CCRH Board of Directors meeting.
- September 21 toured Northern Mono Basin with Mono County Public Works Director, Tony Dublino .
- Wednesday, September 23, I participated in the NACo CEWD meeting. The Committee has a new Chair that is going to roll out a committee survey to see where to focus efforts this upcoming year.
- September 29, I sat in on the Mono County Tourism and Film Commission meeting.
- September 30, Continuum of Care meeting - Project Roomkey is being ran by IMACA and they are offering non-congregate housing while they look for permanent housing. Since early May they've been offering safe-parking on Main Street while they wait for their permit application, which was appealed to be heard by the Inyo County Board of Supervisors for the Church of the Nazarene. The Board discussed future grant funding RFPs for homeless prevention programs and heard from the Bishop Indian Legal Affairs attorney on possible funding that could help serve residents beyond Native American and Seniors, but low-income as well.
- October 5th, I attended the CCRH Legislative Committee meeting where the committee supported Proposition 21, which would return rent control policies back to local jurisdictions from the State's Costa Hawkins Act.
- Later that evening I attended the Mammoth Lakes Housing (MLH) Board meeting where we received a presentation for the newest CCRH intern, Edwardo Bribiesca, approved two resolutions authorizing MLH to apply for a combined 2.4 million dollars under two applications for CalHome funding - one for Mono County and another for use in Inyo County.
- On October 13, at 5:30 PM the Town of Mammoth Lakes held a community conversation meeting to update the public on The Parcel development progress. There is a new Master Plan being developed for the site. The Plan is scheduled to be before the Town Council for consideration at their first meeting in January 2021.
- I engaged in an interview with NACo staff on the County's work to link health outcomes with housing policy. The data collected will be used in NACo

publication in the future. Later in the morning I attended the ESTA Board meeting. ESTA has agreement with MMSA on a contract for the coming season. The contract does include a COVID clause. In the afternoon, I participated in an ad-hoc committee with MLH for the annual ED performance evaluation.

- Monday, October 19th I attended the LTC monthly meeting.

**Supervisor Peters:**

- RPACs, Fisheries Commission
- CSAC – regularly attending the Wednesday Rural Caucus workgroup
- Attended NACo west region meetings, NACo rural action caucus meetings, NACo elections webinar
- Met with District Attorney Tim Kendall
- Western Interstate Region monthly meetings
- IHSS Advisory Board meeting
- Human Services NACo meeting
- In Senator Feinstein's office, there is a staff person that is helping IMACA with the Head Start grant that they were not awarded this year
- Digital divide meeting – what we've accomplished, what we need to accomplish in order to get good broadband for everyone
- Hunewill Ranch is now officially under conservation easement
- Will be attending Wildlands Conservancy – Bodie Hills Reserve, property built in 2000

**Supervisor Stump:**

- 2 - Tri Valley Water Commission meetings. 1- Owens Valley Groundwater Authority Meeting. Water issues continue to emerge. Prior to my leaving the Board I will request that Jason and I have agenda time to give updates.
- Zoom local government conference call sponsored by CSAC with DWR and State Water Board. Thanks to Supervisor Peters
- 2- CSA1 meetings. Among other things the CSA is seeking to install a "purple air" monitor at the Crowley Community Center
- I was part of CPUC Hearing on the Frontier Bankruptcy - Panel 1 (Local Government and Tribal). Frontier is proposing, as part of its reorganization, to split its service territories into two parts. Part one is called "Invesco" and will promote fiber optic deployment in areas that are deemed "more profitable". Part two is called "Improveco" and proposes to bring non-fiber improvements (not specified) to other areas. Rural areas are on the "Improveco" list. To make matters worse for rural areas, Frontier has been exercising its veto over grant funding proposals by smaller entities to improve local service by bringing in fiber optic capacity. As part of my testimony I requested the PUC to remove this veto authority as part of approved Frontier reorganization. Frontier appears to have been asleep at the switch when the Race Communications grants were authorized by the PUC. I have asked Nate Greenberg to bring back information. It may be time for this Board to comment to the PUC on Frontier's proposals.
- Related to phone service, I have been given a spread sheet of current AT&T cell tower projects (attached). Staff (County, SO, Mammoth Fire) have been working with AT&T on this. Improvements in all portions of the County but still a ways to go for complete County coverage.
- Tioga Inn meetings - compliments to staff on their ability to respond quickly for requests for information and language changes. Their integrity shown through.

- 10-19 - LTC - approved letter to Cal Trans asking it to reconsider funding so that rural tourist areas do not get left out.
- Thank you to the County Clerk's office for helping sort out two elections issues in District 2.
- A few days ago, received unfortunate call in Benton area, resulted in four patients needing to be transported to the hospital. Wanted to note that our funded ambulance program at White Mountain transported three of those patients, utilizing both ambulances. It has been a very beneficial addition to that region of the County. Thanked all responders.

Moved to Item 7G.

**ADJOURNED AT 2:22 PM**

**ATTEST**

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**JENNIFER KREITZ  
VICE CHAIR OF THE BOARD**

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**QUEENIE BARNARD  
SENIOR DEPUTY CLERK OF THE BOARD**