



County of Inyo Board of Supervisors

May 27, 2008

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 9:00 a.m., Tuesday, May 27, 2008, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Linda Arcularius presiding, Susan Cash, Beverly Brown, Jim Bilyeu and Richard Cervantes. Supervisor Bilyeu provided the Invocation, and Supervisor Brown led the Pledge of Allegiance.

Public Comment The Chairperson announced the public comment period and there was no one wishing to address the Board.

County Department Reports The Chairperson announced the County Department Report period. Mr. Pat Cecil, Planning Director, updated the Board on the Coso Project. The Auditor, Ms. Leslie Chapman, reported that the HR module conversion has been successfully completed. She thanked her staff, Personnel staff and IH staff who had assisted with the conversion. She also thanked the Sheriff for his assistance. Museum Director, Mr. Jon Klusmire, reported on museum activities. Sheriff Bill Lutze reported that the recent activities surrounding the Barker Ranch investigation have been concluded and there were no bodies found.

Introduction The Planning Director, Mr. Pat Cecil, introduced Mr. Joshua Hart, Senior Planner, to the Board

HHS-First 5 Comm./Contract Amend. Supt. Of Schools Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve Amendment No. 1 to the Contract between the County of Inyo and the Inyo County Superintendent of Schools, extending the contract from a term ending May 31, 2008 to a term ending June 30, 2009, contingent upon the Board's adoption of a FY 2008-09 Budget; and authorize the Chairperson to sign. Motion carried unanimously.

HHS-Soc. Serv./ Family Child Care Licensing Agreement Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve the Contract between the County of Inyo and the State of California for the provision of Family Child Care Licensing functions, for the period of July 1, 2008 through June 30, 2010, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign the Agreement and the Contractor Certification. Motion carried unanimously.

HHS-Behav. Hlth./ MHSA Reserve Fund Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve the submission of the Mental Health Services Act (MHSA) Community Services and Supports (CSS) request to dedicate funds to a Local Prudent Reserve fund in the amount of \$191,134; and authorize the Mental Health Director to sign. Motion carried unanimously.

HHS-Behav. Hlth./ MHSA Contract Amendment Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve the Modification to the Mental Health Act (MHSA) Agreement between the County of Inyo and the State Departmental of Mental Health for the provision of mental health services and activities extending the contract from a term ending June 30, 2008 to a term ending June 30, 2009, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.

HHS-Hlth. Serv./ HIV Education & Prev. Contract Amendment Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve Amendment No. 1 to the Agreement between the County of Inyo and the State of California for HIV education and prevention increasing the grant by \$57,325 to a total amount of \$106,150 for the period of June 1, 2007 through June 30, 2010, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.

HHS-Hlth. Serv./ School Based Medi-Cal Admin Contract Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve the Agreement between the County of Inyo and the State of California for School Based Medi-Cal Administrative Activities from July 1, 2008 through June 30, 2011, in an amount not to exceed \$118,624, contingent upon the Board's adoption of future budgets; and authorize the Director of Health and Human Services to sign the appropriate forms. Motion carried unanimously.

P.W./Bishop
Offices Tenant
Improvement Plans Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve the plans and specifications for the Bishop Offices Tenant Improvement Project; and authorize the Public Works Director to advertise for bids for the project. Motion carried unanimously.

Road Dept./N.
Round Valley Rd.
Closure Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve the closure of a portion of North Round Valley Road on Friday, May 30, 2008 between the hours of 8:30 a.m., and 10:00 a.m., for the Round Valley School "School Jog-a-Thon." Motion carried unanimously.

P.W./P.W. Update The Board received an update from the Acting Public Works Director regarding Department activities and operations.

HHS-Misc./Change
in Authorized
Strength Moved by Supervisor Cash and seconded by Supervisor Brown to change the authorized strength by deleting one full time Social Worker position based in the Tecopa office and by adding one B-Par Social Worker position at level I at Range 61 (\$17.06/hr), II at Range 64 (\$18.31/hr.), III at Range 67 (\$19.65/hr.) or IV at Range 69 (\$20.60/hr.) depending upon the qualifications of the candidate, and one B-par HHS Specialist position at Range 53 (\$14.17/hr), both to be based in Tecopa; and authorize the recruitment and hiring of the two positions. Motion carried unanimously.

Planning/Land
Tenure Planning
Participant Moved by Supervisor Bilyeu and seconded by Supervisor Cervantes to appoint Ms. Arlene Grider to serve on the steering committee for the Strategic Opportunity Grant for Inyo and Mono Counties Community-Based Land Tenure Planning process. Motion carried unanimously.

Water/Standing
Committee Meeting
Agenda Mr. Bob Harrington, Acting Water Director, reviewed the agenda items proposed for discussion at the upcoming Standing Committee meeting scheduled for June 16, 2008. The Board agreed with the Staff reports and recommendations.

Recess/
Reconvene The Chairperson recessed the regular meeting at 10:00 a.m., to reconvene at 10:05 a.m., with all Board Members present.

P.W./Pound Appeal
to Encroachment
Notice Mr. Doug Wilson, Acting Public Works Director, updated the Board on his efforts to resolve the notice of removal of encroachment sent to Mr. Jack Pound. He said that as a result of Mr. Pound stating that he wanted to bring his case to the Board, he had ceased discussions and placed this item on today's agenda. Mr. Jack Pound, Independence Resident, addressed the Board to present his reasons for why he did not believe that he should have to remove permanent and non-permanent structures and items in the County's right-of-way at his property at 306 South Edwards in Independence. He said he felt the Constitution protects his right to "life, liberty and the pursuit of happiness," stating that art is his life and he does not believe his displays are impeding pedestrian access. Mr. Pound continued to state the reasons he should not have to move his property from the County's right-of-way. The Board and Mr. Pound discussed deliberate actions taken by Mr. Pound in violation of the encroachment notice. Supervisor Cash suggested that if Mr. Pound wanted to pursue this further, he could apply for an encroachment permit. Moved by Supervisor Bilyeu and seconded by Supervisor Brown to deny the verbal appeal by Mr. Jack Pound of the County's Notice to Remove Encroachment at 306 South Edwards in Independence and direct Staff to pursue the removal of the said encroachment. Motion carried unanimously.

HHS/Workshop
Cost of Doing
Business The Chairperson recessed the regular meeting at 10:50 a.m., to reconvene in a workshop with Health and Human Services Department Staff to discuss the cost of doing business in the Department. The Chairperson recessed the workshop at 11:40 a.m.

Recess/
Reconvene The Chairperson recessed the regular meeting at 11:40 a.m., to reconvene at 11:50 a.m., with all Board Members present.

CAO-Terra Jen
Power Presentation Representatives of Terra-Jen Power made a presentation to introduce their Company to the Board of Supervisors and discuss local operations.

Recess/
Reconvene The Chairperson recessed open session at 12:20 p.m., to reconvene at 1:15 p.m., with all Board members present.

CAO-Advertising
County Resources/
Grant Year End
Reports Representatives of the Death Valley Chamber of Commerce, Susan Sorrell, and Southern Inyo Community Foundation, Chris Langley, made their Community Project Sponsorship Grant year-end reports. The Board and Staff discussed the County's recognition of funding for these grants. The County Administrator provided revised language for next year's grant application, which will require that the recipients have all printed material and/or advertising information approved by County Staff to ensure that the County's requirements are met.

Moved by Supervisor Brown and seconded by Supervisor Cervantes to approve the final payments for the Community Project Sponsorship Grant recipients as follows: \$2,460 to the Death Valley Chamber of Commerce for one completed project; and \$2,175 to the Southern Inyo Community Foundations for one completed project. Motion carried unanimously.

County Counsel/
Walters Contract
Amend. Moved by Supervisor Cervantes and seconded by Supervisor Bilyeu to approve Amendment No. 2 to the Agreement with Jim Walters for defense of Inyo County in *Save Round Valley Alliance vs. County of Inyo et al.* Motion carried unanimously.

CAO-Emg. Serv./
EMP Grant
Application Moved by Supervisor Cash and seconded by Supervisor Bilyeu to A) authorize the submittal of the FY2008 Emergency Management Performance Grant (EMPG) Program in the amount of \$82,177; B) adopt a resolution in support of the application to obtain federal financial assistance provided by the Federal Department of Homeland Security and sub granted through the State of California; and C) authorize the County Administrative Officer to sign the grant application and the Grant Assurances, Certifications, Terms and Conditions. Motion carried unanimously.

BofS/Minute
Approval Moved by Supervisor Bilyeu and seconded by Supervisor Cervantes to approve the minutes of the May 13, 2008, Board of Supervisors Meeting. Motion carried unanimously.

Public Comment The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.

Board Members
and Staff Reports The Board Members reported on their activities during the preceding week, including the CSAC Legislative Conference, an IMAAA Meeting, Inyo Associates, a Great Basin Air Pollution Control Board Meeting, an LTC Meeting, Mule Days, the LADWP auction for land in Independence, a Big Pine Civic Club Meeting, an update on the Governor's May Revise, and the Memorial Day Art's in the Park event.

Closed Session The Chairperson recessed open session at 2:30 a.m., to convene in closed session, with all Board Members present, to discuss and take actions as appropriate on Agenda Items No. 24. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** Instructions to Negotiators re: wages, salaries and benefits - Employee Organization - ICEA; Negotiators - CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 25. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** Instructions to Negotiators re: wages, salaries and benefits - Employee Organization - Deputy Sheriff's Association (DSA); Negotiators - CAO Kevin Carunchio, Sheriff Bill Lutze and Labor Relations Administrator Sue Dishion; No. 26. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** Instructions to Negotiators re: wages, salaries and benefits - Employee Organization - Law Enforcement Administrators' Association (LEAA); Negotiators - CAO Kevin Carunchio, and Labor Relations Administrator Sue Dishion; No. 27. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title - Acting Water Director; No. 28., as corrected to delete the word "Acting," **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Appointment - Title - Acting Water Director; No. 29. **CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6)** - Instructions to Negotiators re: wages, salaries and benefits - Title: Water Director - Negotiator - as designated by the Board of Supervisors.

Report on Closed
Session The Chairperson recessed closed session at 5:10 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported there were no actions taken in closed session, which are required by law to be reported on in open session.

Adjournment The Chairperson adjourned the meeting at 5:10 p.m., to 9:00 a.m., June 3, 2008, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

Chairperson, Inyo County Board of Supervisors

Attest: *KEVIN D. CARUNCHIO*
Clerk of the Board

by: _____
Patricia Gunsolley, Assistant