

MINUTES

County of Inyo Board of Supervisors

June 10, 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., on Tuesday, June 10, 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 Cervantes 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 Dept.
Reports The Chairperson announced the County Department Report period. Mr. Chuck Hamilton, Deputy County Administrator, notified the Board that the Mendenhall Park Restroom Replacement Project had been completed and the he has submitted the appropriate paperwork to DWP for reimbursement. Mr. Jon Klusmire, Museum Director, updated the Board on activities associated with the County's public relations and marketing contracts. Dr. Bob Harrington, Acting Water Director, informed the Board that the June 16, 2008, Standing Committee Meeting has been canceled because of a conflict in the DWP's General Manager's travel schedule.
- Public Defender/
Schneider
Contract Moved by Supervisor Bilyeu and seconded by Supervisor Cash to ratify the Agreement between the County of Inyo and Charles Schneider for the provision of professional services as the Welfare and Institutions and Juvenile Court Public Defender for the period June 1, 2008, through December 31, 2008, in an amount not to exceed \$59,500, contingent upon the Board's adoption of a FY 2008-09 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- CAO-Personnel/
CAO Appt.
Ratification Moved by Supervisor Bilyeu and seconded by Supervisor Cash to ratify the appointment of Kevin D. Carunchio as the County Administrative Officer for the County of Inyo, effective December 16, 2007, and all official actions of the County Administrator since his appointment. Motion carried unanimously.
- HHS-Behavioral
Hlth./JPA
Regional Mental
Health System Moved by Supervisor Bilyeu and seconded by Supervisor Cash to A) with regard to the JPA which is a part of California Regional Mental Health System, approve the additional expenditure for the period of July 1, 2007 through June 30, 2008, of up to \$5,000 for an amount not to exceed \$75,000; and B) authorize the increased expenditures of \$70,000 in FY 2008-09, 2009-10 and 2010-11, for the County's participation in the multi-year Joint Powers Agreement as part of the nine counties Mental Health Data System Microcomputer Users Association contingent upon the Board's adoption of future budgets. Motion carried unanimously.
- HHS-Soc. Serv./
MOU SAWS
Costs Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve Amendment No. 1 to the Memorandum of Understanding between the County of Inyo and the California Statewide Automated Welfare System (SAWS) Consortium IV (C-IV) to delineate Inyo County's financial obligation for C-IV project-related costs designated by the State as ineligible for reimbursement to the Consortium by the State, and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Soc. Serv./
UC Davis Training
Contract Moved by Supervisor Bilyeu and seconded by Supervisor Cash to ratify the Contract between the County of Inyo and the Regents of the University of California, on behalf of its Davis Campus University Extension, for consulting and technical services in an amount not to exceed \$12,400, for the period of June 1, 2008 through June 30, 2008; and authorize the Chairperson to sign. Motion carried unanimously.

- P.W./Dept. Update Mr. Doug Wilson, Acting Public Works Director, updated the Board on the Department's activities during the preceding week.
- P.W./Indy Airport Apron Contract The Acting Public Works Director presented the Board with Staff's recommendations regarding the Independence Airport Apron Project. He said that the low bidder was a new company, that the bid was 1% below the engineer's estimate, and that the bid is responsive. He went on to qualify that the bid did not have the appropriate certification of the required Disadvantaged Business Enterprise documents and asked that the Contract be approved contingent upon the County receiving the appropriate documentation. Moved by Supervisor Bilyeu and seconded by Supervisor Cervantes to award and approve the Contract between the County of Inyo and Pacific Asphalt Services for the Independence Airport Apron Improvement Project in the amount of \$543,917.50, contingent upon the County's receipt of the required Disadvantaged Business Enterprise documents and the Board's adoption of a FY 2008-09 Budget; authorize the Chairperson to sign the Contract contingent upon the appropriate signatures being obtained; and authorize the Public Works Director to execute all other Contract documents, including Contract Change Orders, to the extent permitted by Public Contract Code §20142 and other applicable law. Motion carried unanimously.
- P.W. Indy Airport Apron Project Grant Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve the Grant Agreement between the County of Inyo and the Federal Aviation Administration (FAA) for the Independence Airport Apron Improvement Project Grant, and authorize the Public Works Director to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- BofS/ES Wild Heritage Act Supervisor Arcularius explained that as a result of the recently introduced Eastern Sierra and Northern San Gabriel Wild Heritage Act legislation, and her concerns on how that legislation was written, she had sent a letter to Congressman McKeon noting her reservations with the legislation. Supervisor Arcularius read her letter into the record and the remaining Board Members expressed their desire to see a similar letter sent from the Inyo County Board of Supervisors. The individual Board members noted areas they wanted to see included in the letter, including the definition of "wilderness" from the 1964 Wilderness Act, that additional language needs to be included to protect recreational uses on lands that abut the wilderness, the need for defensible boundaries, the importance of not denying access to our mineral resources in order to maintain our self-reliance, as well as the need for local participation through meetings held in Inyo County. Mr. Joe Andrews, Independence Resident, supported local meetings and questioned the legislation's ambiguities. Margaret Graham of Homewood Canyon asked the Board to address the impact this legislation will have on our PILT funding. Mr. Sophia Merk, Ridgecrest Resident, expressed her concerns with the overall legislation, the attempt to eliminate access to public lands and stressed the need for defined boundaries. Supervisor Arcularius noted that a meeting regarding this issue is being held in Lee Vining today. The Board talked about hosting two meetings in Inyo County to provide a public forum for comments on the legislation. The Board directed Staff to work with the Chairperson to draft a letter similar to her letter and including those items noted during today's discussion, to be brought back next week for the Board's consideration. The Board went on to check their calendars and tentatively schedule July 1, 2008 in Independence and July 2, 2008 in Bishop for the two meetings. *(Note the dates were later revised and confirmed for June 24 at the Legion Hall in Independence and June 25 at the Charles Brown Auditorium at the Tri-County Fairgrounds in Bishop).*
- Recess/
Reconvene The Chairperson recessed the regular meeting at 10:15 a.m., to reconvene in open session at 10:30 a.m., with all Board Members present.
- CAO-Adv. Co. Resc./2008-09 Comm. Grants Mr. Jon Klusmire, Museum Director, reviewed the Review Panel and Staff's recommendations for award of this round of the Community Project Sponsorship Program Grants. Representatives of those organizations receiving grant awards addressed the Board to briefly describe their projects and thank the Board for their support. Moved by Supervisor Cervantes and seconded by Supervisor Cash to award the 2008-09 Community Project Sponsorship Program Grants recommended by the Community Project Sponsorship Program Grant Review Panel, in the amount recommended by Project Staff; and approve the Contract between the County of Inyo and the recipients of the Grants, in the amounts recommended, contingent upon the Board's adoption of a FY 2008-09 Budget; and authorize the County Administrator to sign, contingent upon the appropriate signatures being obtained.

Forest Serv.-Title III Funding/2007-08 Funding Allocation	The Board and Staff discussed the alternative of using the money not allocated in the Fire Prevention and County Planning Grants for search and rescue activities. Sheriff Bill Lutze explained that the additional funds would be used to replace and upgrade equipment in the Search and Rescue Program. The Board talked about another round of notices of projects. Moved by Supervisor Brown and seconded by Supervisor Bilyeu to A) recognize that a total of \$72,613.68 was received from Forest Reserve Funds – Title III for fiscal Year 2007-08 and on April 1, 2008, the Board approved distribution of the funds as follows: (a) \$23,962.52 for Fire Prevention and County Planning Grants; (b) \$12,344.32 for Inyo County Search and Rescue; and (c) \$36,306.84 for Inyo County Office of Education; B) award \$7,500 of the \$23,962.52 Fire Prevention and County Planning Grant monies to the Lone Pine Volunteer Fire Department; C) approve a Contract between the County of Inyo and the Lone Pine Volunteer Fire Department in an amount not to exceed \$7,500; and authorize the County Administrator to sign, contingent upon the appropriate signatures being obtained; and D) direct Staff to publish the required 45-day notice, beginning June 17 and ending August 1, 2008, of the Board's intention to use \$16,462.52 of the FY 2007-08 Title III Funding for the Inyo County Search and Rescue Program, with the final decision to be considered during the August 5, 2008, Board of Supervisors Meeting. Motion carried unanimously.
County Counsel/ GBAPCD Contract	Moved by Supervisor Brown and seconded by Supervisor Cash to approve the Agreement between the County of Inyo and Great Basin Unified Air Pollution Control District for the County Counsel's Office to provide certain legal services to the District during the period of July 1, 2008 through June 30, 2009, for the sum of \$12,500 and authorize the Chairperson to sign. Motion carried unanimously.
CAO-Personnel/ Moskowitz Contract Amendment	Moved by Supervisor Cervantes and seconded by Supervisor Bilyeu to approve Amendment No. 1 to the Contract between the County of Inyo and Marvin Moskowitz for the provision of personal services as a County Officer, authorizing a motor vehicle for use during the performance of his job duties and authorize the Chairperson to sign. Motion carried unanimously.
CAO-Personnel/ Moffett Contract Amendment	Moved by Supervisor Brown and seconded by Supervisor Bilyeu to approve and ratify Amendment No. 2 to the Agreement between the County of Inyo and James W. Moffett for the provision of personal services as a County Officer authorizing an additional \$250.00 for each additional full monthly period he remains employed as the Inyo County Chief Probation Officer, beginning June 15, 2008 through June 15, 2009; and authorize the Chairperson to sign. Motion carried unanimously.
CAO-Personnel/ Harrington Contract	Moved by Supervisor Bilyeu and seconded by Supervisor Cash to ratify and approve the Contract between the County of Inyo and Robert F. Harrington for the provision of personal services as the Water Director at a monthly salary of \$8,814, effective June 3, 2008 and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
BofS/Minute Approval	Supervisor Bilyeu asked that the minutes of the May 20, 2008 meeting be amended to reflect that a constituent had informed him of a Wild Heritage Act which was going to be introduced. Moved by Supervisor Bilyeu and seconded by Supervisor Brown to approve the minutes of the Board of Supervisors Meetings of A) May 20, 2008, Regular Meeting as amended; B) May 27, 2008, Regular Meeting; C) May 28, 2008, Special Meeting and D) May 30, 2008, Special Meeting. Motion carried unanimously.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including a Civic Club Meeting, a tour of the new restrooms at Mendenhall Park, a Unified Command Meeting, and OHV Leadership Meeting, Bishop City Council Meeting, a State Budget update, an update on efforts to build a handicap access fishing deck at Diaz Lake, meeting with Bob Haueter of Congressman McKeon's office, and a request to agendaize a letter opposing the elimination of AB 443 Rural Sheriff's funding for next week.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 11:55 a.m., to reconvene in a workshop at 1:00 p.m., with all Board Members present.
Solid Waste Program Analysis Workshop	The Board met in a workshop with Staff to receive a presentation on an analysis of the Solid Waste Program and to discuss the Program. The Chairperson recessed the workshop at 2:30 p.m., to convene in closed session, with all Board Members present.

- Closed Session The Board met in closed session to discuss and take action as appropriate on closed session items No. 21. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title – Planning Director; No. 22. **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. 23. **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; and No. 24. **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.
- Report on Closed Session The Chairperson recessed closed session at 4:10 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 regular meeting at 4:10 p.m., to 9:00 a.m., Tuesday, June 17, 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*