

# MINUTES

# County of Inyo Board of Supervisors

## August 19, 2008

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 9:05 a.m., on Tuesday, August 19, 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 Department Reports      The Chairperson announced the County Department Report period. Mr. Jon Klusmire, Museum Services Director, reported that 120 people had attended the DeDecker sisters' presentation. Dr. Bob Harrington, Water Director, reported that the issues on Amendment #3 of the Water Plan have been resolved.
- Planning-Yucca Mt./Introductions      Mr. Pat Cecil, Planning Director, introduced Ms. Candice Trummell, Intergovernmental Relations Specialist, Office of Civilian Radioactive Waste Management and Ms. Bobbie Pope, Public Information Manager, Bechtel SAIC Co., LLC, Liaison to DOE, to the Board.
- Integ. Waste/Shred Pro Contract      Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve of the Agreement between the County of Inyo and Shred Pro, Inc., of Bishop, California, for document shredding services, for the period of July 1, 2008 through June 30, 2009, in an amount not to exceed \$17,384, contingent upon the Board's adoption of a FY 2008-09 budget; and authorize the Chairperson to sign. Motion carried unanimously.
- CAO-Inyo Complex Fire/Temp. Tank Continuation      Moved by Supervisor Bilyeu and seconded by Supervisor Cash to A) declare BakerCorp of Los Angeles as the sole-source provider of temporary water tanks for the Independence town water supply; and B) authorize the continued rental of 5 temporary water tanks at the rate of \$10,500 per month for an additional two months, for a total tank rental amount not to exceed \$136,500, contingent upon the Board's adoption of a FY 2008-09 budget. Motion carried unanimously.
- Clerk-Elections/Election Material Prepayment      Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve a payment to Sequoia Voting Systems in the amount of \$11,950 (estimated as 1/2 of the total printing cost for the November 4, 2008 election) prior to receipt of printed election materials in order to obtain a 3% discount on the total cost of printing election materials. Motion carried unanimously.
- P.W./Dept. Update      The Acting Public Works Director, Mr. Doug Wilson, updated the Board on the Department's activities, including notifying the Board that the culvert replacement on Oak Creek should be completed this week, an update on the Tecopa sewer ponds including notification that the leaking of the ponds has created a habitat, which creates its own issues relative to the sewer ponds, a report on the status of asbestos abatement and demolition of the Big Pine Convalescent Hospital.
- P.W./L.P. Park Hydroseeding Project      The Board and Staff discussed the request to approve a contract for the Lone Pine Park Irrigation and Hydroseeding Project. The Board noted that the request was not in sync with the previous action of the Board regarding the expansion of the Lone Pine Park. The Board directed Staff to bring the request for the award and approval of the Contract between the County of Inyo and Pacific Restoration Group Inc., for the Lone Pine Park Irrigation and Hydroseeding Project, in an amount not to exceed \$32,375, back next week for further discussion to include a review of the countywide Parks Plan and the previous actions of the Board regarding the Lone Pine Park Improvement Plan funding options.

Water Dept./Integ. Regional Water Management Plan	Dr. Bob Harrington, Water Director, updated the Board on efforts to develop an Integrated Regional Water Management Plan for the Inyo/Mono region. Representatives of water resource and land management agencies, local governments, and non-governmental organizations, addressed (a) the geographic extent of the Regional Plan, (b) status of the Sierra Nevada Conservancy (SNC) grant for developing a Planning Grant application, (c) status of California Department of Water Resources (DWR) guidelines for Proposition 84 Planning Grants, (d) the role of the Fiscal Agent of Regional Plans, and (e) governance structure for the plan. The Board expressed concerns with the size of the region being proposed because of a variety of reasons. The Board and staff discussed the possibility of dividing the area into two separate plans, with Dr. Harrington, explaining that it would then double the cost and the work. The Chairperson continued this discussion to later in the day.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:20 a.m., to reconvene at 10:30 a.m., with all Board Members present.
CAO-Personnel/ Auditor Salary Increase Ordinance	The County Administrator provided the Board with revised copies of the proposed ordinance, noting a clerical correction that the date of enactment was changed to reflect the October 1, 2008 date per the Board's order. Moved by Supervisor Cash and seconded by Supervisor Bilyeu to waive the first reading of an ordinance entitled "An Ordinance of the Board of Supervisors, County of Inyo, State of California, Amending Section 2.88.040 of the Inyo County Code to Provide for Increases in the Salary for Certain Elected County Officials, Excluding members of the Board of Supervisors," and schedule the enactment of the ordinance for 10:30 a.m., August 26, 2008, in the Board of Supervisors Room, at the County Administrative Center, in Independence. Motion carried unanimously.
Museum/Agent's House Restoration	<p>The Board received a presentation by Mr. Max Cox of the Bishop Museum and Historical Society on their proposal to restore the Agent's House. The Board, Staff and Mr. Cox discussed the proposal, including the level of the County's involvement in the project, including funding guidelines, administration and the Museum Director's participation in the project, and documentation requirements. Supervisor Cash volunteered to work with the Museum and County Staff to develop a more formal arrangement between the County and the Museum for this project.</p> <p>Moved by Supervisor Cash and seconded by Supervisor Brown to direct Supervisor Cash to work with County and Historical Society staff to develop documentation for a formal arrangement between the Bishop Museum and Historical Society and the County for the Agent's House Restoration Project to be brought back for further consideration by the Board. Motion carried unanimously.</p>
Water Dept./Integ. Regional Water Management Plan Continued	The Board and Staff continued to discuss the proposal for the Integrated Regional Water Management Plan. The County Administrator, Mr. Kevin Carunchio, said that he feels the MOU is premature, that the regional plan should be cost effective and not an institutional building mechanism. He suggested that a committee should develop the application, rather than have the application develop a new governing structure. Mr. Carunchio also said that the Integrated Regional Water Management Plan should be a function of local government, not a means in which to delegate the decision making to a group of non-legislative individuals. The Board continued to discuss the Plan, including the need to identify what legal entity the Plan is to be structured around and the Board's desire to see an application submitted for a Plan. The Board directed Dr. Harrington to go back to the group involved in the development of a Plan to discuss the Board's issues and report back to the Board.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 11:50 p.m., to reconvene at 1:00 p.m., in open session, with all Board Members present.
Planning-Yucca Mt./Workshop	The Chairperson recessed open session at 1:00 p.m., to convene in a workshop with Yucca Mountain Staff to receive an overview of the status of the Yucca Mountain Nuclear Repository Project and the Department of Energy's submittal of their Licensing Application to the NRC.
Resol. 2008-33/ RS 2477 Rights	On a motion by Supervisor Cash and a second by Supervisor Cervantes, Resolution No. 2008-23 supporting adoption of the RS 2477 Rights-of-Way Recognition Act, was approved: motion unanimously passed and adopted.

BofS/Response to Senator Feinstein's New Wilderness Proposal      The Board reviewed the maps, which were provided by Senator Feinstein's aids showing the boundaries of new wildernesses in Inyo County which are being proposed by the California Wilderness Coalition. The Board strongly opposed the development of further wilderness in Inyo County. The Chairperson asked that the Board Members review the maps, which have been provided, and bring back their specific comments to the proposals, for inclusion in a possible response to Senator Feinstein to be developed during the September 2, 2008 Board Meeting.

BofS/County's Response to E.S. and Northern San Gabriel Wilderness Legislation      The Board received an update on the Eastern Sierra and Northern San Gabriel Wilderness Act, with Supervisor Cash saying that she has spoken with Bob Haueter of Congressman McKeon's Office and there are new maps on their website. She said that some of the water rights issues in Mono County have been resolved and that September 11, 2008 is the deadline for responses to be submitted regarding the Wilderness. The Chairperson again asked the Board Members to look at the maps and bring back their specific comments to the information provided on the maps, to be included in a possible response to Senators Boxer and Feinstein and Congressman McKeon on this legislation, to be developed during the September 2, 2008 Board Meeting.

Resol. #2008-34/ No. Inyo Airport Advisory Comm.      Moved by Supervisor Cash and seconded by Supervisor Brown to approve the Resolution dissolving and re-establishing the Northern Inyo Airport Advisory Committee thereby reducing membership from 7 members (plus alternate) to 5 members (plus alternate) and direct the Clerk of the Board to advertise for members per the Board's appointment policy: motion unanimously passed and adopted.

Emer. Serv./Oak Creek Mud Flows      The County Administrator updated the Board on the status of projects associated with the Inyo Complex Oak Creek Mud Flows disaster, recommending that the emergency be continued until the culverts are completed and water is released from the diversion. Moved by Supervisor Bilyeu and seconded by Supervisor Cash to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.

BofS/Minute Approval      Supervisor Cash asked that the word "we" be changed on the 5<sup>th</sup> page, first paragraph, second to the last sentence to "he". Moved by Supervisor Brown and seconded by Supervisor Cash to approve the minutes of the August 5, 2008 Board of Supervisors meeting as amended. Motion carried unanimously.

Public Comment      The Chairperson announced the second public comment period. Fourth District Supervisor Elect, Mr. Marty Fortney, said that after hearing the comments made earlier regarding the Wilderness Legislation, he agreed with the Board's concerns regarding the local impact the expansion of wilderness will have in Inyo County. Mr. Fortney also told the Board that a BBQ was held to thank all those that worked on the Hatchery restrooms.

Closed Session      The Chairperson recessed open session at 2:50 p.m., to convene in closed session, to discuss and take action as appropriate on Agenda Items No. 20. **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. 21. **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. 22. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** Instructions to Negotiators re: wages, salaries and benefits - Employee Organization – Elected Officials Assistant Association (EOAA); 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 – Inyo County Probation Peace Officers Association (ICPPOA); Negotiators - CAO Kevin Carunchio, and Labor Relations Administrator Sue Dishion; 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 and No. 24A. **CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Pursuant to Government Code §54956.9(a) – County of Inyo v. Department of the Interior, et al., United States District Court for the Eastern District Case No. 1:06-CV-1502-AWI-DLB.**

Report on Closed Session      The Chairperson recessed closed session at 5:10 p.m., to convene 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 5:10 p.m., to 9:00 a.m., Tuesday, August 26, 2008, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

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*Chairperson, Inyo County Board of Supervisors*

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

*by: \_\_\_\_\_  
Patricia Gunsolley, Assistant*