

MINUTES

County of Inyo Board of Supervisors

September 16, 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, September 16, 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. Mr. Sam Wasson, Bishop area resident and Keeler property owner, addressed the Board to identify his concerns with the new wilderness proposal being made by the California Wilderness Coalition to Senator Feinstein, which would place additional lands in Inyo County into wilderness designations. Mr. Mike Patterson, owner of the Cerro Gordo Mine, addressed the Board to oppose the Wilderness Coalition's proposal for additional wilderness designations in Inyo County. Mr. Bob Herzog and Al Makin, Keeler residents, also opposed the new wilderness proposal.
- County Dept. Reports** The Chairperson announced the County Department Report period. The County Administrator reported on the State Budget, saying that at the present time the proposed State Budget does not suspend Prop 1A or 42 funds. He said the majority of the budget is balanced by deferring or delaying payments. Ms. Jean Dickinson, Director of Health and Human Services, reported that it appears that her programs will be able to absorb the proposed cuts in State funding without impacting services. Mr. Pat Cecil, Planning Director, reported on the Coso Project EIR process.
- BofS/Cal Expo** Rich and Kathy White reported on this year's Cal Expo Exhibit, which was handled through the Independence Chamber of Commerce. Mr. White reviewed some of the visitor numbers, and reported that this year's County exhibit had received a Silver Ribbon and a Best Experience Award.
- Org./Wild Iris Dom. Violence Proclamation** Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the proclamation declaring October as Domestic Violence Awareness month in Inyo County. Motion carried unanimously.
- HHS-WIC/Funding Application** Moved by Supervisor Bilyeu and seconded by Supervisor Brown to ratify the funding application for the County of Inyo to implement the next three-year Contract for (FFY 2009-2011) for the Inyo Mono WIC Program; and authorize the Director of Health and Human Services to sign. Motion carried unanimously.
- Rd. Dept./Road Closure** Moved by Supervisor Bilyeu and seconded by Supervisor Brown to authorize the closure of a portion of Pa Ha Lane on Saturday, September 27, 2008, from 4:00 p.m., to 11:00 p.m., for an event. Motion carried unanimously.
- Recess/Reconvene** The Chairperson recessed the regular meeting at 10:10 a.m., to reconvene in open session at 10:22 a.m., with all Board Members present.
- P.W./Dept. Update** The Acting Public Works Director, Mr. Doug Wilson, updated the Board on the Public Works and Road Departments activities during the preceding week.
- Ord. 1138/Solid Waste Fees Ordinance** Supervisor Brown declared a conflict because a local salvage company employs her husband and left the meeting. On a motion by Supervisor Bilyeu and a second by Supervisor Cervantes, Ordinance 1138, entitled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Authorizing the Board to Waive Solid Waste Disposal Fees by Resolution, Permitting the Removal of Salvage Material from County Landfills and Amending the Definition of Solid Waste," was adopted: motion unanimously passed and adopted, with Supervisor Brown absent.

Resol. #2008-44 Waiver of Disposal Fees	On a motion by Supervisor Bilyeu and a second by Supervisor Cervantes, Resolution No. 2008-44, waiving disposal and gate fees for the disposal of debris generated as a result of the July 12, 2008 Oak Creek flood event, was approved: motion unanimously passed and adopted, with Supervisor Brown absent. At the conclusion of this motion, Supervisor Brown rejoined the meeting.
Emeg. Serv./Oak Creek Emergency Continued	The County Administrator updated the Board on the continuing activities concerning the Oak Creek mudflow emergency, recommending the Board continue the emergency. 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.
CAO-Budget/ FY 2008-09 Final Budget Adoption	The County Administrator briefly reviewed the FY 2008-2009 Final Budget recommendations, including (a) those changes to the CAO Recommended Budget that were directed by the Board to be included in the Final Budget, including the elimination of the personnel actions which were not approved by the Board during the budget hearings; and (b) the changes the Board made to the Planning Department goals during the continued budget hearings conducted earlier today. Moved by Supervisor Brown and seconded by Supervisor Cash to adopt the FY 2008-2009 Final Budget as recommended by the County Administrator and as amended. Motion carried unanimously.
Resol. #2008-45/ Final Budget	The County Administrator gave the Board a new copy of the budget resolution noting minor clerical corrections. On a motion by Supervisor Cash and a second by Supervisor Cervantes, Resolution No. 2008-45 was approved, adopting the Final Budget for FY2008-09: motion unanimously passed and adopted.
CAO-Budget/GIS Contracts	Moved by Supervisor Cash and seconded by Supervisor Cervantes to authorize the County Administrator to sign contracts with FY 2008-09 Grants-in-Support Program applicants without deviation with regard to funding amount, in the amounts provided for in the FY 2008-09 Final Board Approved County Budget; contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Planning-Yucca Mt./Workshop	The Chairperson recessed open session at 11:00 a.m., to convene in a workshop with Yucca Mountain Staff and representatives of Hydrodynamics Group, LLC to receive a presentation on the results of the recently drilled monitoring wells and status of the hydrogeology research work plan. The Chairperson noted that the second part of this workshop would be conducted after the Board of Equalization Meeting and recessed the workshop at 11:45 a.m., to reconvene in open session, with all Board Members present.
Assessor/Bertolf Contract	Moved by Supervisor Bilyeu and seconded by Supervisor Brown to ratify and approve the Contract between the County of Inyo and Harold W. Bertolf, Inc., for mineral appraisal services for the period of August 1, 2008 through August 1, 2009, in an amount not to exceed \$50,000, contingent upon the Board's adoption of future budgets and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including a Mental Health Board Meeting, a CSAC Board of Directors Meeting, an ESCOG Meeting, the dedication ceremonies for the Jane Bright Memorial Rock Garden, various constituent meetings, an Alabama Stewardship Group Meeting, and a report on the Millpond Music Festival.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:15 p.m., to reconvene at 1:15 p.m., to convene as the Board of Equalization, (see separate minutes). The Chairperson reconvened the regular meeting at 2:15 p.m. to immediately recess open session and convene in a continued workshop on the Yucca Repository.
Planning-Yucca Mt./Workshop Continued	The Board met in a workshop to continue their discussions on the Yucca Mountain Repository and to receive an update on the financial and political climate of the Yucca Mountain Project, from a representative of Latir Energy Consultants. The Chairperson recessed the workshop at 3:00 p.m., to reconvene in open session with all Board Members present.
Public Comment	The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.

- Recess/
Reconvene The Chairperson recessed the regular meeting at 3:00 p.m., to reconvene at 3:05 p.m., in closed session, with all Board Members present, except Supervisor Brown.
- Closed Session The Board met in closed session to consider and take action as appropriate on closed session Agenda Items No. 15. **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. 16. **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. 17. **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. 18. **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. 19. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title – County Administrative Officer; and No. 20. **CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6)** – Instructions to Negotiators re: wages, salaries and benefits – Title: County Administrative Officer – Negotiator – as designated by the Board of Supervisors.
- Report on Closed Session The Chairperson recessed closed session at 3:25 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 3:25 p.m., to 9:00 a.m., Tuesday, October 7, 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