

MINUTES

County of Inyo Board of Supervisors

February 10, 2009

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, February 10, 2009, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Beverly Brown presiding, Linda Arcularius, Susan Cash, Marty Fortney and Richard Cervantes. Supervisor Cervantes provided the Invocation, and Supervisor Arcularius 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 and there were no reports forthcoming.
- BofS/Alabama Hills Stewardship Group The Chairperson announced that the presentation by representatives of the Alabama Hills Stewardship Group on the group's activities has been postponed.
- Sheriff/Tetra Tech Contract Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve the Contract between the County of Inyo and Tetra Tech, Inc., to provide terrain-corrected aerial photography ("orthoimagery") in an amount not to exceed \$78,495 for the period of January 28, 2009 through June 30, 2009; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- Ag Comm./SCI Benefit Assessment Contract Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve the Contract between the County of Inyo and SCI Consulting Group to provide Benefit Assessment Engineering and Administration for the 1998 Owens Valley Mosquito Abatement Program Assessment and the 2005 Mosquito Control and Disease Prevention Assessment for the period July 1, 2009 through June 30, 2010, July 1, 2010 through June 30, 2011 and July 1, 2011 through June 30, 2012, in an amount not to exceed \$35,500, 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.
- P.W.-Planning/Update The Acting Public Works Director, Mr. Doug Wilson, reported on the Public Works and Planning Departments activities during the preceding week, including that Southern California Edison has informed the County that energy costs will be increasing 6-8% in March, update on efforts to find an operator for the Bishop Airport restaurant, a LAFCO Meeting, impending State budget actions and their effect on road projects.
- Resol #2009-06 SNC Strategic Opportunity Grant Application On a motion by Supervisor Arcularius and a second by Supervisor Fortney, Resolution 2009-06 entitled "A Resolution of the Board of Supervisors, County of Inyo, State of California Approving the Application for Grant Funds for the Sierra Nevada Conservancy Grant Program Under Proposition 84" and authorizing the Agricultural Commissioner to submit the grant application under the Strategic Opportunity Grant (SOG1) Program up to the amount of \$140,159, was adopted: motion unanimously passed and adopted.
- Resol. #2009-08/ \$5-Million Treasury Loan The Auditor-Controller, Ms. Leslie Chapman, provided additional information and further justification for the recommendation that the Board approve an interim loan from the County Treasury for purposes of financing FY 08-09 County operations. She explained that this loan would only be made if the State funds are reinstated and the County is assured that the funds will be available to repay the loan. She said that this loan would be a stopgap measure to allow the County to be proactive in responding to the States budget actions. Ms. Chapman explained that one of the reasons Inyo County is not as seriously impacted as other counties as a result of the State's actions is because we are a pay as you go county that does not borrow to pay its debt.

On a motion by Supervisor Cash and a second by Supervisor Arcularius, Resolution 2009-08 was approved pursuant to the provisions of Article XVI, Section 6 of the California Constitution, requesting and approving a \$5,000,000 interim loan from the County Treasury for the purpose of financing County operations during the 2008-09 Fiscal Year: motion unanimously passed and adopted.

- Closed Session The Chairperson recessed open session at 9:50 a.m., to convene in closed session at 9:55 a.m., with all Board Members present to discuss and take action as appropriate on Agenda Items No. 3. **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. 4. **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. 5. **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. 6. **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; and No. 7. **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.
- Agricultural Comm. Workshop The Chairperson recessed closed session at 11:30 a.m., to convene in a workshop, with all Board Members present. The Board met in a workshop to receive an update on the Agricultural Commissioner's programs.
- Recess/ Reconvene The Chairperson recessed the regular meeting at 12:15 p.m., to reconvene in open session at 1:00 p.m., with all Board Members present.
- Emergency Sev./ Oak Creek Mud Flow Emergency The County Administrator recommended that the Board continue the Inyo Complex Oak Creek Mud Flows for the reasons given in the preceding weeks. Moved by Supervisor Fortney and seconded by Supervisor Arcularius to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows; No. 14. Motion carried unanimously.
- CAO-Gen./Project Funding Request to Congressman McKeon The County Administrator explained that representatives of Congressman McKeon had met with he and Supervisor Brown to discuss funding opportunities for potential projects to be submitted to the Congressman for FFY 2010 funding. He said that the projects being recommended were the ones that the Staff members seemed to draw to. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to authorize the submittal of Federal Fiscal Year 2010 (FFY 2010) Project Request Forms to Congressman McKeon for (a) County Animal Shelter improvements; (b) Federal Land Use Coordination; (c) Millpond County Park Amphitheater development; and (d) Inyo County Emergency Operations Center construction. Motion carried unanimously.
- BofS/Minute Approval Moved by Supervisor Cash and seconded by Supervisor Fortney to approve the minutes of the January 20, 2009, Board of Supervisors Meeting. Motion carried unanimously, with Supervisor Cervantes abstaining.
- Moved by Supervisor Cash and seconded by Supervisor Fortney to approve the minutes of the January 27, 2009 Board of Supervisors Meeting.
- Public Comment The Chairperson announced the second public comment period. Mr. David Tanksley addressed the Board to talk about his concern with the wilderness designations that are denying access to the mineral resources in the County. Mr. Doug Hicks of Avocet addressed the Board to talk about the law suit he has against the County and to briefly touch on the Settlement Offer he has made and which he believes the Board will be considering in closed session.

- Board Members and Staff Reports Board Members reported on their activities during the preceding week including a First Five Commission meeting, a Lone Pine Fire Safe Council Meeting, the Forest Service meeting on the Oak Creek area restoration, a meeting with representatives of the Carson and Colorado Railroad, a Big Pine Civic Club meeting, an Arts Council meeting, the Round Valley School Library dedication, and a Mental Health Board Meeting.
- Closed Session The Chairperson recessed open session at 2:00 p.m., to reconvene in closed session to continue discussions on previously noted items and to consider and take action as appropriate on Agenda Items No. 19. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - [Pursuant to Government Code §54956.9(a)] – Avocet Tungsten, Inc., v County of Inyo**, Inyo County Superior Court Case No. CVPT-05-38112; No. 20. **REAL PROPERTY NEGOTIATIONS (Conference with Real Property Negotiators Pursuant to Government Code §54956.8)** – Property: Eastern Sierra Regional Airport (Bishop) – Negotiating Parties – Department of Water and Power – Negotiations – Lease Price and Terms; and No. 21. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Appointment - Title – Director of Planning.
- Report on Closed Session The Chairperson recessed closed session at 5:07 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 5:07 p.m., to 9:00 a.m., February 17, 2009, 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