

MINUTES

County of Inyo Board of Supervisors

July 28, 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, July 28, 2009, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Beverly Brown presiding, Susan Cash, Marty Fortney and Richard Cervantes. Supervisor Arcularius was absent. Supervisor Cervantes provided the Invocation, and retiring County Counsel, Paul Bruce led the Pledge of Allegiance.

- Public Comment** The Chairperson announced the public comment period. Mr. Gavin Wilkinson of Lone Pine addressed the Board. He said that on July 16, 2009 he had received a letter from the County informing him that his application for a septic system had been denied, and then on July 28, 2009, he received a letter informing him that his appeal of that decision had also been denied. Mr. Wilkinson went on to provide additional information regarding the problem he is having in obtaining a permit for his septic system. The Board explained that they were precluded from discussing this because it was not agendized. The Board talked about alternatives to resolve Mr. Wilkinson's problem, with the Board directed that the Planning Director and the Director of Environmental Health to work with the applicant to see if the issues can be resolved prior to the action moving into the appeals process and should no resolution be reached to have this item agendized for a future discussion of the Board.
- County Department Reports** The Chairperson announced the County Department report period. Ms. Jean Turner, Director of Health and Human Services updated the Board on the State budget impacts. Ms. Turner also thanked retiring County Counsel Paul Bruce for his help and assistance over the years. Mr. Ted Pedersen, Public Works Director, updated the Board on the State budget impacts, noting that in some areas the news is better than anticipated.
- Emerg. Serv./Mud Flow Emergency Continued** Moved by Supervisor Cervantes and seconded by Supervisor Fortney to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously, with Supervisor Arcularius absent.
- Planning Dept./ Planning Comm. Appointment** Moved by Supervisor Cervantes and seconded by Supervisor Fortney to reappoint Mr. Rich White as the Fourth District Planning Commissioner to complete a four-year term ending January 4, 2013. Motion carried unanimously, with Supervisor Arcularius absent.
- Planning/Solar Energy and RETI Comment Letters** Mr. Josh Hart, Senior Planner, explained that this item is a follow up to the Board's discussions regarding the Desert Renewable Energy Conservation Plan and the BLM's development of an energy corridor. Mr. Hart submitted amended letters and resolution, noting minor clerical changes that were made to the documents. Supervisor Cervantes asked that the Board direct he and Supervisor Fortney to attend the upcoming meeting in Ridgecrest scheduled for August 26th. Moved by Supervisor Fortney and seconded by Supervisor Cash to approve the following A) a letter to Solar Energy PEIS regarding the PEIS Solar Energy Process; and B) a letter to the California Energy Commission on the RETI Comments – Draft Phase 2A Report. Motion carried unanimously, with Supervisor Arcularius absent. Supervisor Cash suggested that possibly a subcommittee of the Board should be formed to address these issues, and requested that a discussion regarding the formation of a subcommittee be agendized for a future meeting. Moved by Supervisor Cash and seconded by Supervisor Fortney to direct Supervisors Fortney and Cervantes to attend the upcoming meeting in Ridgecrest scheduled for August 26, 2008. Motion carried unanimously, with Supervisor Arcularius absent.
- Resol. #2009-29/ BLM Coordination Request** On a motion by Supervisor Fortney and a second by Supervisor Cash, Resolution No. 2009-29, titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Regarding County of Inyo and Bureau of Land Management (BLM) Coordination Process Concerning the Solar PEIS to Develop and Implement Agency Specific Programs for Solar Energy Development and for the Processing of Existing and Future Solar Applications," was adopted: motion unanimously passed and adopted, with Supervisor Arcularius absent.

Treasurer/Tax Collector Supervisor Fortney acknowledged the informational item, the Treasury Status Report for the Quarter Ending June 30, 2009, submitted by the Treasurer-Tax Collector, was on today's agenda Supervisor Fortney, noting that today was the Treasurer-Tax Collector, Ms. Alisha McMurtrie's birthday.

Recess/Reconvene The Chairperson recessed the regular meeting at 9:45 a.m., to reconvene in open session at 9:55 a.m., with all Board Members present except Supervisor Arcularius.

Board Members and Staff Reports The Board Members reported on their activities during the preceding week, including a Bishop City Council Meeting, a Southern Inyo Airport Advisory Committee Meeting, and a meeting with the Sierra Business Council representative. In very emotional presentations, the Board Members went on to honor retiring County Counsel, Paul Bruce. At the conclusion of the Board Members remarks, the Chairperson presented Mr. Bruce with retirement plaques from the County of Inyo and CSAC, a resolution from the State Assembly, and a framed Gallen Rowell print which was a gift from the Board of Supervisors. The County Administrator, Mr. Kevin Carunchio, read a letter to Mr. Bruce from Supervisor Arcularius, who was absent, and present Mr. Bruce with a personal gift from Supervisor Arcularius. Mr. Bruce offered his heartfelt thanks to the Board of Supervisors, the employees of the County and the citizens.

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 10:30 a.m., to reconvene in closed session at 10:50 a.m., with all Board members present, except Supervisor Arcularius.

Closed Session The Board convened in closed session to discuss and take action as appropriate on Agenda Items No. 7. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(a) – Inyo Citizens for Better Planning v. Inyo County; Inyo County Board of Supervisors et al. Court of Appeal, 4th District Division Two, Riverside County Case No. E046646 (Inyo County Superior Court Case No. SICVPT05-38164); No. 8. 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. 9. **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. 10. **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. 11. **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. 12. **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 11:30 a.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 11:30 a.m., to 9:00 a.m., Tuesday, August 4, 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