

MINUTES

County of Inyo Board of Supervisors

February 16, 2010

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 16, 2010, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Richard Cervantes presiding, Linda Arcularius, Susan Cash, and Marty Fortney. Supervisor Brown was absent. Supervisor Cervantes provided the Invocation, and Supervisor Cash led the Pledge of Allegiance.

- Public Comment The Chairperson announced the public comment and read into the record an article on the fiscal status of the City of Los Angeles.
- County Department Reports The Chairperson announced the County Department Report period. The Water Director, Dr. Bob Harrington, updated the Board on the Coso Hay Ranch pumping.
- Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Arcularius 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 Brown absent.
- Parks/Lone Pine Park Craft Fair Approval Moved by Supervisor Arcularius and seconded by Supervisor Fortney to authorize the exclusive use of the Lone Pine Park to The Craft Fair for an art and craft event scheduled for August 7 and 8, 2010, at a rental rate of \$525 per day, contingent upon the County receiving the event planning documentation and The Craft Fair obtaining the necessary permits and providing the required agency notifications. Motion carried unanimously, with Supervisor Brown absent.
- Resol. 2010-08/ Appointed Officials Salary On a motion by Supervisor Arcularius and a second by Supervisor Fortney, Resolution No. 2010-08 titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Amending Resolution 2006-09, Changing Salary and/or Terms and Conditions of Employment for Appointed Officials Employed in the Several Offices or Institutions of the County of Inyo," was approved: motion unanimously passed and adopted, with Supervisor Brown absent.
- HHS-Hlth. Serv./ CMS Plan Moved by Supervisor Arcularius and seconded by Supervisor Fortney to ratify the 2009/2010 Children's Medical Services (CMS) Plan and budgets and authorize the Chairperson to sign the Certification Statements. Motion carried unanimously, with Supervisor Brown absent.
- Resol. 2010-09/Off-Highway Vehicle Grant On a motion by Supervisor Arcularius and a second by Supervisor Fortney Resolution No. 2010-09, titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Authorizing the Submittal of the State of California, Department of Parks and Recreation, Off-Highway Vehicle Grant Application," was approved: motion unanimously passed and adopted, with Supervisor Brown absent.
- BofS/Boothe Proclamation Supervisor Arcularius read into the record the proclamation honoring Jill Kinmont Boothe. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve a Proclamation honoring Jill Kinmont Boothe. Motion carried unanimously, with Supervisor Brown absent.
- Treasurer/Internet Land Auction The Treasurer-Tax Collector, Ms. Alisha McMurtrie, provided additional information and further justification for the request to hold internet land auctions for tax defaulted properties. The Board and Ms. McMurtrie discussed the specific parcels to be auctioned. The Board expressed concern with allowing some of the parcels to be re-offered at a lower price should the first auction not be successful. Ms. McMurtrie shared the Board's concern, explaining that she did not intend to use the second auction process for the parcels that were being auctioned for the first time. Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve a public auction to be conducted via the internet, to offer for sale to the highest bidder certain parcels of land that are subject to the Tax Collector's Power to Sell and authorize the Treasurer-Tax Collector to re-offer only those parcels on the list that have been unsuccessfully auctioned more than once. Motion carried unanimously, with Supervisor Brown absent.

Treasurer/Internet Auction Services Contract	Moved by Supervisor Fortney and seconded by Supervisor Cash to declare Bid4Assets, Inc., a sole-source provider of internet tax defaulted land auction services and approve a Contract between the County of Inyo and Bid4Assets, Inc., for conducting an internet tax-defaulted land auction; and authorize the Treasurer-Tax Collector and County Counsel to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously, with Supervisor Brown absent.
Planning/CA Desert Protection Act of 2010 Letter	Mr. Josh Hart, Senior Planner, reviewed the correspondence to Senator Feinstein on the proposed California Desert Protection Act of 2010. The Board and Mr. Hart discussed the correspondence in detail, with the Board noting several changes and additions, including punctuation changes, inclusion of a statement regarding not supporting changed legislation, discussion of protection of ability to utilize and develop production of resources (rare earth metals) needed for self reliance, and access and full use of private in-holdings. Moved by Supervisor Cash and seconded by Supervisor Fortney to approve correspondence to Senator Dianne Feinstein regarding the proposed California Desert Protection Act of 2010 as amended by Staff to incorporate items noted by Board during this discussion; and authorize the Chairperson to sign. Motion carried unanimously, with Supervisor Brown absent.
Recess/Reconvene	The Chairperson recessed the regular meeting at 10:00 a.m., to reconvene in open session at 10:10 a.m., with all Board Members present, except Supervisor Brown, who was absent.
Parks/Budget Amendment Millpond Park Playground Equipment	Moved by Supervisor Arcularius and seconded by Supervisor Cash to A) amend the FY 2009-10 Lone Pine Park Improvements Budget Unit 670103 by increasing appropriations in Operating Transfer Out (<i>Object Code #5801</i>) by \$31,701 from fund balance, (4/5's vote required); B) amend the FY 2009-10 Parks and Recreation Budget Unit 076998 by increasing estimated revenue in Operating Transfers In (<i>Revenue Code #4998</i>) by \$31,071 and increasing appropriations in Equipment (<i>Object Code #5650</i>) by \$31,071, (4/5's vote required); and C) authorize Parks and Recreation to seek proposals and bids for the purchase of new playground equipment for the Millpond Recreation Area. Motion carried unanimously, with Supervisor Brown absent.
Parks/Seasonal Employees	Moved by Supervisor Cash and seconded by Supervisor Fortney to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested positions come from the General Fund, as certified by the Deputy County Administrator and concurred with by the County Administrator and Auditor-Controller; and B) approve the open recruitment and hiring of two seasonal Park and Campground Maintenance Helpers at Range PT42 (\$11.55 per hour) for the season beginning April 1, 2010 through September 30, 2010, and direct Personnel to counsel County employees who may be candidates for the positions of the effect of the County's lay off procedures on changes in position. Motion carried unanimously, with Supervisor Brown absent.
Recess/Reconvene	The Chairperson recessed the regular meeting at 10:25 a.m., to reconvene in open session at 10:30 a.m., with all Board Members present, except Supervisor Brown who was absent.
Planning/General Plan Governmental Element Update Public Hearing	The Chairperson opened the public hearing at 10:30 a.m., regarding the General Plan Government Element Update (General Plan Amendment No. 2009-04/Inyo County). Mr. Josh Hart, Senior Planner, reviewed the Staff Report and recommendations. At the conclusion of his remarks, Mr. Hart requested that the Staff Report and all attachments be entered into the record and they were marked as Exhibit A. Mr. Dave Tanksley addressed the Board to support the Update. There was no one else wishing to address this item. The Chairperson closed the public hearing at 10:44 a.m. The Board and Staff discussed the Update in detail and at length with the Board making recommendations for specific technical changes to provide better clarification. Additionally, Supervisor Arcularius requested that once the Update is finalized that copies be forwarded to RCRC, CSAC and NACo.
Resol. #2010-10/G.P. Government Element Update	On a motion by Supervisor Arcularius and a second by Supervisor Cash, Resolution No. 2010-10 was approved (a) finding the project (General Plan Amendment No. 2009-04/Inyo County) exempt from the requirements of the California Environmental Quality Act (CEQA), as amended by staff to incorporate items identified by the Board during the discussion of this item, and (b) making certain findings with respect to and approve the General Plan Government Element Update (General Plan Amendment No. 2009-04/Inyo County): motion unanimously passed and adopted, with Supervisor Brown absent. At the conclusion of this item Mr. Dave Tanksley and Mr. Jim Scott addressed the Board to make additional remarks about protecting the ability to use the natural resources found in Inyo County.

Ordinance 1152/ Elected Officials Salaries	On a motion by Supervisor Arcularius and a second by Supervisor Fortney, Ordinance 1152, titled "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 Salaries for Certain Elected County Officials, Excluding Members of the Board of Supervisors," was enacted: motion unanimously passed and adopted, with Supervisor Brown absent.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 11:45 a.m., to reconvene at 11:50 a.m., in open session, with all Board Members present.
Ag. Commissioner/ Program Updates	The Board received the annual updates on the Eastern Sierra Weed Management Program and the Mosquito Abatement Program from representatives of the Agricultural Commissioner's Office.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:35 p.m., to convene at 1:30 p.m., in closed session, with all Board Members present, except Supervisor Brown who was absent.
Closed Session	The Board met in closed session to discuss and take action as appropriate on Agenda Items No. 19. REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR Pursuant To Government Code §50956.8) – Property – S.E. 1.07 acres of APN 002-133-02, Independence, California (Jail and Road Yard) – Negotiating Parties – County Administrator and Director of Public Works and Administrative Offices of the Courts (AOC) – Negotiations – Terms and Conditions of Potential Lease; No. 20. PERSONNEL (Pursuant to Government Code §54957) - Public Employee Performance Evaluation – Title – Director of Child Support Services; and No. 21. CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6) – Instructions to Negotiators re: wages, salaries and benefits – Title – Director of Child Support Services. The Chairperson recessed closed session at 3:00 p.m., to reconvene in open session.
Public Comment	The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.
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 3:00 p.m. to 9:00 a.m., Tuesday, February 23, 2010, 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