

# MINUTES

# County of Inyo Board of Supervisors

## July 13, 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, July 13, 2010, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Richard Cervantes presiding, Linda Arcularius, Susan Cash, Beverly Brown, and Marty Fortney. 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 from the public wishing to address the Board.
- County Department Report Period      The Chairperson announced the County Department Report period. Ms. Jean Turner, Director of Health and Human Services, provided a weekly State budget update. Dr. Bob Harrington, Inyo County Water Director, reported that as a result of the LORP Seasonal Habitat Flows the fish are showing some stress as a result of low oxygen levels. The County Administrator reported on the IRWMP meeting in Big Pine.
- Emerg. Serv./Oak Creek Mud Flow      Moved by Supervisor Brown and seconded by Supervisor Arcularius to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- CAO-Info Serv./ Software Maintenance Agreement      Moved by Supervisor Brown and seconded by Supervisor Arcularius to ratify and approve the renewal of a Software Maintenance Agreement between the County of Inyo and SunGuard Public Sector for the County's enterprise accounting system IFAS for the period of July 1, 2009 through June 30, 2010, in an amount not to exceed \$28,653; and authorize the Chairperson to sign. Motion carried unanimously.
- CAO-Info Serv./ Copier Agreement Amendment      Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve an amendment to the existing Agreement with American Business Machines of Bishop, CA, a Canon authorized dealer, replacing Attachment A of the Agreement with the version that indicates the cost per color copy and additional capacity features and increasing the amount not to exceed from \$96,264 per year to \$535,000 over the life of the 5-year Agreement, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.
- Resol. #2010-31/ Used Oil Grant      On a motion by Supervisor Brown and a second by Supervisor Arcularius, Resolution No. 2010-31 was approved to allow Inyo County to participate in the 2010-2011 Used Oil Payment Program (OPP), totaling \$15,000 for continued program maintenance and transportation expense for the County's Used Oil Collection and Recycling Program: Motion carried unanimously.
- Integ. Waste/Diesel Filter P.O.      Moved by Supervisor Brown and seconded by Supervisor Arcularius to authorize the purchase of a Diesel Particulate Emission Control Filter from Smith Power Products, Inc., in the amount of \$24,050.82, to be installed by the Vendor on a Waste Management 850 John Deere Dozer. Motion carried unanimously.
- E. Health/Water Testing Supplies P. O.      Moved by Supervisor Brown and seconded by Supervisor Arcularius to declare IDEXX Laboratories, Inc., a sole-source provider of certain water testing laboratory supplies for FY 2010-2011; and B) approve the purchase of water testing supplies from IDEXX Laboratories, Inc., through a blanket purchase order not to exceed \$14,500 for the period of July 1, 2010 through June, 30, 2011, contingent upon the Board's adoption of a FY 2010-2011 budget. Motion carried unanimously.

- HHS-Mental Hlth. Serv./Mental Health Consultants Contract  
 Moved by Supervisor Brown and seconded by Supervisor Arcularius to A) declare I.D.E.A. Consulting a sole-source provider of certain mental health consultation for FY 2010-2011; B) approve the Contract between the County of Inyo and I.D.E.A. Consulting for mental health consultation services for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$25,000, contingent upon the Board's adoption of a FY 2010-2011 budget, and authorize the Chairperson to sign; and C) approve the HIPAA Business Associate (BA) Agreement between the County of Inyo and I.D.E.A. Consulting, and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Mental Hlth. Serv./Mental Health Fiscal Consultant Contract  
 Moved by Supervisor Brown and seconded by Supervisor Arcularius to A) declare Gary C. Ernst a sole-source provider of certain mental health fiscal consultation for FY 2010-2011; B) approve the Contract between the County of Inyo and Gary C. Ernst for fiscal consulting services for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$20,000, contingent upon the Board's adoption of a FY 2010-2011 budget; and authorize the Chairperson to sign; and C) approve the HIPAA Business Associate (BA) agreement between the County of Inyo and Gary C. Ernst; and authorize the Chairperson to sign. Motion carried unanimously.
- Planning-Yucca Mt./Gruen Gruen + Associates Contract Amendment  
 Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve Amendment One, a no cost amendment, to the Contract between the County of Inyo and Gruen Gruen + Associates for professional services to prepare a Socio-Economic Impact Assessment Report and providing assistance to Inyo County's legal counsel in support of the County's petition to intervene in the Yucca Mountain License Hearing, changing Attachment A – Scope of Work and Attachment B – Schedule of Fees, contingent upon the Board's adoption of a FY 2010-2011 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- Resol. #2010-32/ JABG Grant Application  
 On a motion by Supervisor Brown and a second by Supervisor Arcularius, Resolution No. 2010-32 titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Authorizing the Chief Probation Officer to Submit and/or Sign the County's Juvenile Accountability Block Grants (JABG) Program Application and Related Contracts, Amendments, or Extension with the State of California Corrections Standards Authority (Hereafter Referred to as CSA)," was approved: motion unanimously passed and adopted.
- P.W./Eastern Sierra Engineering Contract Amendment  
 Moved by Supervisor Brown and seconded by Supervisor Arcularius to ratify Amendment No. 11 to the Contract between the County of Inyo and Eastern Sierra Engineering (ESE) for engineering services, increasing the Contract amount from \$447,000 to \$454,000, contingent upon the Board's adoption of a FY 2010-2011 budget; and authorize the Public Works Director to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- P.W./IndyAnnex Re-Roof Plans & Specs  
 Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the Plans and Specifications for the Independence Annex Building Re-Roofing Project. Motion carried unanimously.
- Sheriff/Fire & Safety Equipment Service and Maintenance Agreement  
 Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the Contract between the County of Inyo and Siemens for the provisions of services and maintenance of fire and safety equipment for the period of July 1, 2010 through June 30, 2011 in an amount not to exceed \$22,216, contingent upon the Board's adoption of a FY 2010-2011 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- Resol. #2010-33/ Oak Creek Mud Flow Debris Disposal Fee Waiver  
 The Deputy County Administrator, Mr. Chuck Hamilton, provided additional information and further justification pursuant to Resolution No. 2008-44 regarding the waiving disposal and gate fees for debris generated as a result of the Oak Creek Flood Event, which is due to sunset on July 13, 2010. Supervisor Fortney explained that he was in favor of extending the waiver of the fees because of the magnitude of the clean-up projects, which are being undertaken. On a motion by Supervisor Fortney and a second by Supervisor Arcularius, Resolution No. 2010-33, titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Waiving Solid Waste Disposal and Gate Fees for Debris Generated as a Result of the Oak Creek Flood Event," was approved: motion unanimously passed and adopted.

CAO/Advertising Co. Resources/Community Grants	Mr. Jon Klusmire, Museum Services Director, presented the report on the Death Valley Chamber of Commerce's Southeast Inyo Brochure Printing and Distribution Project. Moved by Supervisor Fortney and seconded by Supervisor Cash to approve a \$4,195 final payment to the Death Valley Chamber of Commerce for the successful completion of the Community Project Sponsorship Grant for the Southeast Inyo Brochure Printing and Distribution Project. Motion carried unanimously.
HHS-IMAAA/Part-Time Program Services Assistants	Moved by Supervisor Cash and seconded by Supervisor Arcularius to find that consistent with the adopted Authorized Position Review Policy, contingent upon the Board's adoption of a FY 2010-2011 Budget: A) the availability of funding for the requested positions exists, as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancies could be filled through an internal recruitment, however, there may not be sufficient internal applicants to fill the requested positions, thus necessitating an open recruitment; and C) approve the hiring of two APAR Program Services Assistants, either at level I at Range 039PT (\$10.80 – \$13.12/hour) or level II at Range 042PT (\$11.55 - \$14.05/hour), depending upon qualifications. Motion carried unanimously.
HHS-Mental Hlth. Serv./MHS Act Info Technology Plan.	Ms. Jean Turner, Director of Health and Human Services reviewed the Mental Health Services Act Information Technology Plan in detail. She responded to questions from the Board regarding privacy protections and thanked Mr. Brandon Shults, Information Services Director, for his assistance in developing the Plan. Moved by Supervisor Brown and seconded by Supervisor Fortney to approve the submission of the Mental Health Services Act Information Technology (IT) Plan to access \$670,510 under the approved MHSA Agreement; and authorize the Behavioral Health Director and Information Technology Director to sign, contingent upon the adoption of future budgets. Motion carried unanimously.
Recess/Reconvene	The Chairperson recessed the regular meeting at 9:48 a.m., to reconvene in open session at 9:53 a.m., with all Board Members present.
P.W./No. Inyo Airport Advisory Committee Appointments	The Public Works Director, Mr. Ted Pedersen, noted that there were two vacancies and three applicants. He explained that there may be a third vacancy but because it could not be confirmed at this time another recruitment would have to happen should the vacancy occur. The Board requested that the Clerk contact the applicant that is not appointed today to see if they are amenable to having their request for appointment considered should a third vacancy occur. Moved by Supervisor Cash and seconded by Supervisor Brown to appoint the following to the Northern Inyo Airport Advisory committee: Mr. Dave Patterson to complete an unexpired four year term ending October 31, 2012 and Mr. Harold Kleiforth to complete a four year term ending October 31, 2011. Motion carried unanimously.
Planning/USFS Land Management Planning Rule Meeting	The Board and staff discussed the information provided by the Planning Director regarding the upcoming fourth National Roundtable for the USFS Land Management Planning Rule, in detail and at length, reiterating the need for the County's representatives to have the County's comments be reflected as stated and not edited. The County Administrator also informed the Board that in addition to himself, the Planning Director and Supervisor Fortney attending the meeting, County Counsel, Mr. Randy Keller would also be traveling to Washington, D.C., to represent the County of Inyo at the meeting.
BofS/Minute Approval	Moved by Supervisor Brown and seconded by Supervisor Cash to approve the minutes of the June 29, 2010 Special Meeting. Motion carried unanimously.
Clerk-Elections/City of Bishop Election Consolidation	Moved by Supervisor Cash and seconded by Supervisor Brown to order the consolidation of a City of Bishop Special Municipal Election with the Statewide General Election to be held on November 2, 2010, in order for the City to place Measure C relating to the keeping of chickens and rabbits before the City of Bishop voters. Motion carried unanimously.
Resol. #2010-34/ Arts Council Partner Designation	On a motion by Supervisor Arcularius and a second by Supervisor Cash, Resolution No. 2010-34 titled "A Resolution of the Board of Supervisors, County of Inyo, State of California Designating Inyo Council for the Arts as the County's Partner to the California Arts Council," was approved: motion unanimously passed and adopted.
Recess/Reconvene	The Chairperson recessed the regular meeting at 11:00 a.m., to reconvene in open session at 11:05 a.m., with all Board Members present.

Board Members and Staff Reports The Board Members reported on their activities during the preceding week, including an EMCC Meeting, the Friends of the Mt. Whitney Fish Hatchery BBQ, the IRWMP meeting in Big Pine, an Inyo County Fish and Wildlife Advisory Commission meeting, an ESTA meeting, an RCRC legislative update, and a Lone Pine Fire Safe Council Meeting.

Forest Serv./Inyo Forest Update Mr. Jim Upchurch, Inyo Forest Supervisor updated the Board on Inyo National Forest projects and issues, including the need for Inyo County to make a payment selection for its Secure Rural Schools funding by August 1, 2010, and reviewing the number of projects scheduled for the Eastern Sierra. *(This is an update requested by USFS. It should not be construed to serve as coordination as requested by the County.)*

Ord. 1157/Zone Reclassification 2010-02/Barker. On a motion by Supervisor Fortney and a second by Supervisor Arcularius, Ordinance 1157 titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2010-02/Barker and Amending the Zoning Map of the County of Inyo by Rezoning a 5-acre Parcel (APN 038-340-20) in the Community of Trona from Rural Residential (RR) to Heavy Commercial (C-4)," was enacted: motion unanimously passed and adopted.

Public Comment The Chairperson announced the public comment period and there was no one from the public wishing to address the Board.

Closed Session The Chairperson recessed open session at 1:00 p.m., to convene in closed session, with all Board Members present to discuss and take action as appropriate on Agenda Items No. 28. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, Undersheriff Jim Jones, Deputy County Counsel Susanne Rizo, Chief Probation Officer Jeff Thomson; No. 29. **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. 30. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistants Association (EOAA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 31. **REAL PROPERTY NEGOTIATIONS [Conference with Real Property Negotiator Pursuant to Government Code §54956.8]** – Property – APN010-490-08, Bishop, California – Negotiating Parties – County Administrator and Joseph Enterprises – Negotiations – Terms and Conditions; No. 32. **REAL PROPERTY NEGOTIATIONS [Conference with Real Property Negotiator Pursuant to Government Code §54956.8]** – Property – APN008-240-01, Bishop, California – Negotiating Parties – County Administrator and Mitchell Asset Group – Negotiations – Terms and Conditions; and No. 33. **REAL PROPERTY NEGOTIATIONS [Conference with Real Property Negotiator Pursuant to Government Code §54956.8]** – Property – Independence and Eastern Sierra Regional Airport (Bishop), Bishop, California – Negotiating Parties – Public Works Director and Inyo National Forest Service – Negotiations – Lease Price and Terms.

Report on Closed Session The Chairperson recessed closed session at 2:45 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 2:45 p.m., to 9:00 a.m., Tuesday, July 27, 2010 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*