

MINUTES

County of Inyo Board of Supervisors

September 7, 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, September 7, 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. Ms. Casey Willey of the Interagency Visitor Center addressed the Board to thank the Board for their continued support of the Visitor Center and to update the Board on Visitor Center activities and projects.
- County Department Report Period** The Chairperson announced the County Department Report period. Sheriff Bill Lutze updated the Board on a fire in Tecopa, which had warranted evacuations and the opening of an evacuation center. He thanked HHS for their quick response and informed the Board that there is a multi-agency arson investigation being conducted. Ms. Jean Turner, Director of Health and Human Services, reported on her Department's participation in the emergency, thanking her Staff and the Sheriff's Department for their efforts during this emergency. Ms. Turner thanked Ms. Susan Sorrels for her aid during the emergency, explaining that because of a glitch in the process Walmart in Pahrump was unable to respond to basic needs and Ms. Sorrels had opened her store to provide the needed staples. The Auditor-Controller, Ms. Leslie Chapman, reported that the 7-year property tax audit has been completed, with only two exceptions. She explained that the two exceptions are the same exceptions lodged by the State Auditor's Association and she is supporting the Association's determination. Ms. Chapman recognized and thanked Ms. Amy Shepherd for her efforts with regard to the audit. The County Administrator, Mr. Kevin Carunchio, thanked the Sheriff, the Undersheriff, and Lt. Keith Hardcastle for their handling of the recent high-speed chase through Inyo County, which minimized the danger to the public and liability to the County.
- Emerg. Serv./Oak Creek Mud Flows** Moved by Supervisor Cash and seconded by Supervisor Brown to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- District/Bishop Fire Protection/Appts.** Moved by Supervisor Cash and seconded by Supervisor Brown to appoint the following to the Bishop Rural Fire Protection District Board, to complete three unexpired four year terms ending July 1, 2014: Mr. Michael J. Holland, Mr. Jerry Hollowell and Mr. Lloyd Anderson. Motion carried unanimously.
- Resol. #2010-39/
Appropriation Limits** On a motion by Supervisor Cash and a second by Supervisor Brown, Resolution No. 2010-30 was approved accepting the calculations of the appropriation limitation for the County of Inyo for Fiscal Year 2010-2011: motion unanimously passed and adopted.
- Resol. #2010-40/
Property Tax Rates** On a motion by Supervisor Cash and a second by Supervisor Brown, Resolution No. 2010-40 was approved setting the property tax rates for 2010-2011, per California Government Code §29100: motion unanimously passed and adopted.
- HHS-Behavioral Hlth./Drug Court Grant** Moved by Supervisor Cash and seconded by Supervisor Brown to acknowledge State award of a Comprehensive Drug Court Implementation Grant in the amount of \$24,259 for the period of January 1, 2011 through December 31, 2011, contingent upon the Board's adoption of future budgets; and authorize Linda Benson, Alcohol and Drug Administrator to sign the Notice of Grant Award. Motion carried unanimously.

P.W./Q&D Construction Contract Riverside Road Bridge Replacement Project	Moved by Supervisor Cash and seconded by Supervisor Brown to award and approve the Contract between the County of Inyo and Q&D Construction, Inc., for the Riverside Road Bridge Replacement Project, in the amount of \$698,000, 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; and authorize the Public Works Director to execute all other Contract documents, including contract change orders, to the extent permitted by Public Contract Code §20142 and other applicable law. Motion carried unanimously.
Rd. Dept./Granite Construction Plant Mixed	Moved by Supervisor Cash and seconded by Supervisor Brown to award and approve the Contract between the County of Inyo and Granite Construction Company for the purchase of plant mixed asphalt products for the period of August 15, 2010 through December 31, 2010, in an amount not to exceed \$384,000, 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.
Sheriff/Indentix Agreements	Moved by Supervisor Cash and seconded by Supervisor Brown to approve the maintenance agreements and pre-payment authorization between the County of Inyo and Indentix, Inc., for the provision of services and maintenance of Indentix Equipment, as follows, contingent upon the Board's adoption of a FY 2010-2011 budget: 24/7 coverage System ID 1706-00418 in an amount not to exceed \$7,256 for the period of July 1, 2010 through June 30, 2011; 24/7 coverage System ID 4503-020135 in an amount not to exceed \$3,628 for the period of July 1, 2010 through December 31, 2010; and 9/5 coverage System ID 4603-00139 in an amount not to exceed \$3,672.50 for the period of July 1, 2010 through December 31, 2010, for a total amount not to exceed \$14,556.50. Motion carried unanimously.
Sheriff/Nielsen's Portable Handheld Radio P.O,	Moved by Supervisor Cash and seconded by Supervisor Brown to declare Nielsen's Equipment Maintenance a sole-source provider of Kenwood portable radios and software and approve the purchase of 30 Kenwood portable (handheld) radios and software programs from Nielsen's Equipment Maintenance in an amount not to exceed \$28,461, before September 30, 2010. Motion carried unanimously.
Closed Session	The Chairperson recessed open session at 9:17 a.m., to convene in closed session with all Board Members present to discuss and take action as appropriate on Agenda Items No. 18. 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; and No. 19. 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: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion. The Chairperson recessed closed session at 10:05 a.m., to reconvene in open session, with all Board Members present.
Planning/Quadstate Membership	The Planning Director, Mr. Josh Hart, reviewed the Staff recommendation regarding the County joining the Quadstate Local Government Authority. Supervisor Cash volunteered to be the Board's representative to the group. Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the correspondence to the Quadstate Local Government Authority requesting membership in the Authority and the Joint Powers Agreement and authorize the Chairperson to sign; and appoint Supervisor Susan Cash as the Board's representative to the group to participate in the Authority's meetings, contingent upon the Board's adoption of future budgets. Motion carried unanimously.
BofS/SNC Initiative Support Letter	Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve a letter supporting the Sierra Nevada Conservancy Forest and Community Initiative; and authorize the Chairperson to sign. Motion carried unanimously.
BofS/Minute Approval	Moved by Supervisor Fortney and seconded by Supervisor Cash to approve the minutes of the July 27, 2010 Board of Supervisors Meeting. Motion carried unanimously, with Supervisors Arcularius and Brown abstaining. Moved by Supervisor Cash and seconded by Supervisor Fortney to approve the minutes of the August 17, 2010 and the August 24, 2010 Board of Supervisors Meetings. Motion carried unanimously.

Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:20 p.m., to reconvene in open session at 12:00 p.m., with all Board Members present. <i>(The Board convened in the Budget Hearings from 10:20 a.m. to 12:00 p.m.)</i>
Auditor/Ordinance for Time Limits on Presentation of Warrants	The Chairperson opened the public hearing an ordinance titled "an Ordinance of the Board of Supervisors of the County of Inyo, State of California, Repealing Inyo County Ordinance Number 765 and Enacting a New Section 3.10.010 of That Code Relating to Time Limits for Presentation of County Warrants." The Auditor-Controller provided further explanation on the request to change the time in which to present County warrants from 3 months to 6 months. There was no one wishing to speak to this issue and the Chairperson closed the public hearing at 12:05 p.m. Moved by Supervisor Cash and seconded by Supervisor Arcularius to waive the first reading of the ordinance; and schedule the enactment for 11:00 a.m., September 14, 2010, in the Board of Supervisors Room, at the County Administrative Center in Independence. Motion carried unanimously.
CAO/Photovoltaic Electric System Installation at County Owned Facilities	The Chairperson opened the public hearing at 12:05 a.m., to consider approving an agreement with Solar City Corporation to install a \$3,302,992, 612.8-kilowatt photovoltaic electric system at the following County-owned facilities in Independence: Historic Courthouse/Annex Building/Health Building; Administrative Offices; Jail; and, Juvenile Hall. The County Administrator explained that the details of the contracts for the system, were still being finalized. He suggested that the Board continue the public hearing and consideration of recommended action on this item to next Tuesday, September 14, 2010, at 10:30 a.m. The Chairperson called for comment in support and/or opposition of this project and there was no one wishing to comment on this item. It was moved by Supervisor Cash and seconded by Supervisor Brown to continue the public hearing on the consideration of photovoltaic electric system and the following actions to 10:30 a.m., Tuesday, September 14, 2010, in the Board of Supervisors Room, at the County Administrative Center, in Independence: (a) find that the anticipated cost of the energy provided under the contract will be less than the cost of energy that would be consumed absent the project; (b) find that a finding related to ground leases as required by Government Section 4217.12 is not necessary as the proposed work does not entail any ground leases; (c) concur with staff's findings that this project can not have a significant affect on the environment pursuant to Guideline Section 15061(b)(3), and that this project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Sections 15301, 15302, 15304, and 15311, and direct the Planning Director to sign and file a Notice of Exemption with the Inyo County Clerk-Recorder; (d) authorize the Chairman of the Board to sign a Solar Purchase and Installation Agreement (Commercial) with Solar City Corporation; (e) authorize the Chairman of the Board to sign the Term Sheet and subsequent Master Equipment/Lease Purchase Agreement with Saulsbury Hill Financial; (f) authorize the County Administrator to sign a rebate application to the Los Angeles Department of Water and Power, and submit the required, non-refundable application fees totaling \$8,908 for the four (4) billing meters that will be served by the photovoltaic electrical system; and (g) approve Resolution 2010-___ confirming the above actions. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:07 p.m., to reconvene in closed session at 1:00 p.m., with all Board Members present.
Closed Session	The Board convened in closed session to discuss and take action as appropriate on previously noted closed session items. The Chairperson recessed closed session at 2:00 p.m., to reconvene in closed session at 4:20 p.m., with all Board Members present, to continue closed session discussions.
Report on Closed	The Chairperson recessed closed session at 4:30 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 4:30 p.m. to 9:00 a.m., Tuesday, September 14, 2010, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

Attest: *KEVIN D. CARUNCHIO*
Clerk of the Board
 by: _____
Patricia Gunsolley, Assistant

Chairperson, Inyo County Board of Supervisors