

# MINUTES

# County of Inyo Board of Supervisors

## May 10, 2011

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:00 a.m., on Tuesday, May 10, 2011, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Susan Cash presiding, Linda Arcularius, Rick Pucci, 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. A Representative of the Friends of the Inyo invited the Board to the open house for their new offices at 819 N. Barlow Lane, in Bishop.
- County Department Reports** The Chairperson announced the County Department Report period. Dr. Bob Harrington, informed the Board that due to a possible posting problem regarding the Agenda for the Standing Committee Meeting scheduled for Friday, May 6, 2011, the meeting was rescheduled for this coming Wednesday, May 11, 2011, in Los Angeles.
- CAO-Budget Update** The County Administrator reported that the Governor's May revise will be out next week. He reported that because of CalMet funding shortfalls, there is approximately \$1-million in safety budges, i.e., District Attorney, Sheriff, Probation, at stake. Mr. Carunchio also informed the Board that Third Quarter would be presented next week, explaining that it has been challenging, and has required the use of salary savings to keep the budget balanced.
- Planning/Fifth District Appointment** The request to appoint Mr. George Fuller as the Fifth District Planning Commissioner, to complete an unexpired four-year term ending January 4, 2013, was pulled at the request of Supervisor Cervantes.
- 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.
- Motor Pool/Surplus Vehicles Disposal** Moved by Supervisor Arcularius and seconded by Supervisor Fortney to A) declare the vehicles and equipment recommended by Staff and identified in Exhibit A to the Staff Report as surplus; B) authorize Motor Pool to offer the surplus vehicles and equipment for sale utilizing the Sealed Bid process; C) authorize Motor Pool to utilize General Auction Company located in Buena Park, California, for the removal and sale of any remaining County owned surplus vehicles and equipment; and d) authorize the Deputy County Administrator to execute the consignment agreement for the sale of the surplus vehicles and equipment through the auction process. Motion carried unanimously.
- CAO-Personnel/ DSA MOU Thru 3-31-2012** Moved by Supervisor Arcularius and seconded by Supervisor Fortney to ratify and approve the May 1, 2011 through March 31, 2012, Comprehensive Memorandum of Understanding between the County of Inyo and the Deputy Sheriff's Association (DSA); and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Hlth. Serv./ Paradigm** Moved by Supervisor Arcularius and seconded by Supervisor Fortney to ratify and approve the Contract between the County of Inyo and Paradigm HealthCare Services for MediCal Administrative Activities, in an amount not to exceed \$80,000 for the period of January 1, 2011 through June 30, 2014, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.
- Probation/Dr. Andersen Contract** Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve the Contract between the County of Inyo and Dr. Keith Andersen, to provide professional services to the Inyo County Probation Department – Juvenile Institutions, for the period of May 11, 2011 through May 10, 2012, in an amount not to exceed \$50,000, contingent upon the Board adoption of a FY 2011-12 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

<p>Planning-Yucca Mt./Amend. #4 to Geoscience Contract</p>	<p>Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve Amendment No. 4 to the Contract between the County of Inyo and Geoscience Consultants for provision of volcanic hazard studies to: change the ending date of the Contract from June 30, 2011 to June 30, 2012, add a rhyolite study in the Greenwater Mountains to the scope of work at a cost of \$49,460, increase the Contract limit by \$49,460 to a total not to exceed \$126,957.50, contingent upon the Board adoption of future budgets, and make necessary adjustments to the schedule of fees in accordance with the above modifications; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.</p>
<p>Closed Session</p>	<p>The Chairperson recessed open session at 8:15 a.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 4. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]</b> - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) - Negotiators: Labor Relations Administrator Sue Dishion and Director of Child Support Services Susanne Rizo; No. 5. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]</b> - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Correctional Officers Association (ICCOA) - Negotiators: Labor Relations Administrator Sue Dishion; No. 6. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]</b> - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriffs Association (DSA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 7. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]</b> - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion; Director of Child Support Services, Susanne Rizo, and Chief Probation Officer Jeff Thomson; No. 8. <b>PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]</b> - Public Employee Performance Evaluation - Title: Director Public Works; No. 9. <b>PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]</b> - Public Employee Appointment - Title: Director Public Works; and No. 10. <b>CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6)</b> – Instructions to Negotiators re: wages, salaries and benefits – Title: Director Public Works – Negotiator – as designated by the Board of Supervisors.</p>
<p>Recess/Reconvene</p>	<p>The Chairperson recessed the regular meeting at 10:15 a.m., to reconvene in open session at 10:25 a.m., with all Board Members present.</p>
<p>Integ. Waste/Public Hearing on Fee Ordinance</p>	<p>The Chairperson opened the public hearing at 10:25 a.m., on a proposed ordinance titled “An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Repealing Inyo County Ordinance 1134, and Establishing Solid Waste Disposal Fees.” The Deputy County Administrator, Mr. Chuck Hamilton, reviewed the staff report and recommendations regarding the proposed fee changes. Mr. Hamilton explained that the Ordinance would take effect 30 days from the Board’s adoption of the ordinance. Mr. Pat Fenton, District Manager of Bishop Waste, informed the Board that Waste Management, in anticipation of the County’s rate increases, was raising their rates effective immediately. There was no one from the public wishing to speak in favor or against the ordinance. Supervisor Arcularius shared her constituent feedback, saying that one person suggested staggered increases for May 1, 2011 and then July 1, 2011 for the roll-off and residential increases. Supervisor Arcularius also noted the positive literature (notices) going out to the residents from providers, trying to show support for the increases. The Chairperson closed the Public Hearing at 10:30 a.m. The Board and Staff continued to discuss the proposed ordinance, with Supervisor Cervantes questioning how service in the desert communities with transfer stations would be affected. Mr. Hamilton explained that there would be no change in service at the present time, the County would continue to provide services through bins and contracting with waster haulers. Moved by Supervisor Cervantes and seconded by Supervisor Fortney to waive the first reading of the ordinance titled “An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Repealing Inyo County Ordinance 1134, and Establishing Solid Waste Disposal Fees.” and schedule the enactment for 10:00 a.m., Tuesday, May 17, 2011 in the Board of Supervisors Room, at the County Administrative Center, in Independence. Motion carried unanimously.</p>
<p>Auditor/Coso Impound</p>	<p>The Auditor-Controller, Ms. Leslie Chapman, provided further information and explanation regarding the recommendation to impound a portion of the disputed property taxes collected by the County from Coso Geothermal. She confirmed that in conversation with the Assessor, he had confirmed that no progress had been made towards resolution of the tax dispute and that the Superintendent of Schools was in agreement regarding the impound amount being proposed. The County Administrator, Mr. Kevin Carunchio, explained that it was prudent for the County to impound the</p>

funds. Moved by Supervisor Arcularius and seconded by Supervisor Pucci, to authorize impounding the disputed unsecured property taxes collected by the County from Coso Geothermal in the amount of \$1,136,320 of current unsecured taxes and \$325,182 of supplemental taxes for a total of \$1,461,502. Motion carried unanimously.

- BofS/Minute Approval The request for approval of the minutes of the Board of Supervisors Meetings of A) the Regular Meeting of April 26, 2011 and B) the Special Meeting of April 27, 2011, was pulled from consideration at the request of the Assistant Clerk.
- Recess/Reconvene The Chairperson recessed the regular meeting at 10:35 a.m., to reconvene in a workshop at 10:45 a.m., with all Board Members present.
- Planning/Census Demographic Report The Board met in a workshop with representatives of the Planning Department regarding the 2010 Census demographic report for Inyo County. At the conclusion of this workshop the Board continued to the next workshop.
- Planning/District Boundaries The Board met in a workshop with Planning Staff to discuss the information provided in the previous workshop as it pertains to the Supervisorial District boundaries. Mr. Josh Hart, Planning Director, explained that Staff was recommending no district boundary changes and if the Board agrees that public hearings be scheduled to inform the public that no changes are being made. The Board and staff discussed the district census information and the possibility of holding public hearings in the 2<sup>nd</sup> and 4<sup>th</sup> Districts because those were the districts most impacted by the changes. The Board asked staff to schedule one public hearing in Bishop and a second public hearing and action item for Independence to coincide with census requirements.
- Board Members and Staff Reports The Chairperson recessed the workshop to reconvene in open session at 11:15 a.m., with all Board Members present. The Board Members reported on their activity during the preceding week, including the Home Show at the Fairgrounds, a SNC and Mt. Whitney Fish Hatchery meeting, the LORP Workshop, the Mt. Whitney BBQ, the Wild West Marathon, the opening of the Charleston View Mission, the FAC Meeting, a Bishop City Council Meeting, and the Bishop Library Mural Dedication.
- Public Comment The Chairperson announced the second public comment period and there was no wishing to address the Board.
- Recess/Reconvene The Chairperson recessed open session at 11:35 a.m., to reconvene in closed session, with all Board Members present
- Closed Session The Board met in closed session to discuss and take action as appropriate on previously announced closed session items.
- Report on Closed Session The Chairperson recessed closed session at 12:50 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 12:50 p.m., to 9:00 a.m., Tuesday, May 17, 2011, 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*