

# MINUTES

# County of Inyo Board of Supervisors

## May 17, 2011

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, May 17, 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 Mr. Randy Keller, County Counsel, 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      The Chairperson announced the County Department Report period. Mr. Marvin Moskowitz, Reports      Environmental Health Director, reported on an illegal Hazmat incident that had occurred on DWP property in the Bishop area, that had resulted in the County receiving a Prop 65 incident report as well as a subsequent notification letter from DWP. Ms. Susanne Rizo, Director of Child Support Services, reported on departmental activities. Ms. Jean Turner, Director of Health and Human Services, reported on an upcoming IMAAA Governing Board Meeting. Chief Probation Officer, Jeff Thomson, reminded the Board of the upcoming Mock DUI program that will take place in Lone Pine. Mr. Jon Klusmire, Museum Services Manager, announced that the County has tentatively been awarded the Annenburg Grant to scan museum photos and help with a web page. Mr. Doug Wilson, Interim Public Works Director, announced that this is National Public Works Week.
- Emerg. Serv./Oak      Moved by Supervisor Cervantes and seconded by Supervisor Fortney to continue the local Creek Mud Flows      emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- Ag Comm./Use of      Moved by Supervisor Cervantes and seconded by Supervisor Fortney to approve the use of the Weight Truck for      weight truck for the Mule Pulling Contest, Sunday, May 29<sup>th</sup>, 2011, during the Mule Days event at Mule Days      the Tri-County Fairgrounds. Motion carried unanimously.
- HHS-Behavioral      Moved by Supervisor Cervantes and seconded by Supervisor Fortney to approve Amendment No. Hlth./Crestwood      1 to the Contract between the County of Inyo and Crestwood Behavioral Health, Inc. (for Behavioral Health      residential placement for adults in a locked facility and Mental Health Rehabilitation Centers) in an Contract      additional amount of \$7,000.00 for a total amount not to exceed \$37,000.00 for the period of July Amendment      1, 2010 to June 30, 2011, and authorize Chairperson to sign. Motion carried unanimously.
- HHS-Behavioral      Moved by Supervisor Cervantes and seconded by Supervisor Fortney to approve the lease Hlth./Lone Pine      agreement between the County of Inyo and Franz Properties for the property located at 126 N. Wellness Center      Washington St., Lone Pine, California for use as a wellness center site under the Mental Health Property Lease      Services Act in the amount of \$491.20 per month, for a total amount not to exceed \$5,894.40 for the period of June 1, 2011 through May 30, 2012, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Soc. Serv./CA      Moved by Supervisor Cervantes and seconded by Supervisor Fortney to approve payment of County Welfare      County Welfare Directors Association of California (CWDA) dues for fiscal year 2011-2012 in an Directors Assoc.      amount not to exceed \$13,300.00, contingent upon the Boards adoption of the FY 2011/2012 Dues      budget. Motion carried unanimously.
- P.W./Glacier Lodge      Moved by Supervisor Cervantes and seconded by Supervisor Fortney to A) accept the offer of and Hinds Roads      dedication for a portion of Glacier Lodge Road; and B) not accept the offer of dedication for Hinds Offers of Dedicat.      Road; and C) approve Parcel Map No. 384. Motion carried unanimously.

Road Dept./ Cascade Software Agreement	Moved by Supervisor Cervantes and seconded by Supervisor Fortney to approve the Agreement between the County of Inyo and Cascade Software Systems, Inc., for the provision of Software Maintenance and Support Services for the Road Department's Cost Accounting Program, in an amount not to exceed \$14,469.57 for the period of July 1, 2011 through June 30, 2012, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign. Motion carried unanimously.
HHS-EMCC/Annual Report	Ms. Jean Turner, Director of Health and Human Services, noted the members of the Emergency Medical Care Committee that were in the audience. She proceeded to briefly review the report. Supervisor Cash noted an error in the data on page 19 that Ms. Turner said would be corrected. At the conclusion of her remarks, Ms. Turner, recognized the local EMS volunteers who perform stellar work and who are so vital to the well being of our citizens and residents. Ms. Turner also told the Board that this is National EMS Week.
Resol. #2011-17A/ 2011 EMS Provider of the Year	On a motion by Supervisor Fortney and a second by Supervisor Cervantes, Resolution No. 2011-17A was approved honoring David Calloway as Inyo County 2011 EMS Provider of the Year and, after it's approval, present the Resolution to Mr. Calloway: motion unanimously passed and adopted. At the conclusion of the motion, Supervisor Fortney read the resolution into the record and presented the Resolution to Mr. Calloway.
BofS/Tri-County Fairgrounds/H.S. Rodeo Finals	Mr. Jim Tatum, CEO of the Tri-County Fairgrounds, reported on the upcoming California High School Rodeo State Finals. He provided a brief history of the event, acknowledged and thanked the numerous individuals and business that help to make this event such a success and announced that the Tri-County Fairgrounds has been awarded a one year extension to the current event contract and a new five year event contract. Mr. Tatum went on to talk a little bit about the value of the fairgrounds and the impact of the State budget crises on the facilities. The County Administrator explained that the County of Inyo has budgeted \$10,000 for this year's Rodeo Championship.
County Counsel/ Walters and Liebersbach Contract Amendments	Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to approve A) Amendment No. 7 to the Agreement Between the County of Inyo and Jim Walters for the reimbursement of Inyo County for defense litigation costs for <i>Save Round Valley Alliance v. County of Inyo et al.</i> , for the term from September 2, 2005 to completion of the lawsuit, in an amount not to exceed \$118,000.00 and authorize the Chairperson to sign on behalf of the County; and, B) Recognize \$10,000.00 of unanticipated revenue from the Walters Agreement and amend the County's 2010-11 Budget by increasing the County Counsel Budget (010700) Services and Fees (Object Code 4819) by \$10,000.00 and authorize the expenditure of the unanticipated revenue by increasing Services and Supplies – Professional and Other Legal Services (Object Code 5267) by \$10,000.00; and C) Approve and ratify Amendment No. 7 to the Agreement between the County of Inyo and Liebersbach, Mohun, Carney & Reed for the Provision of Legal Services in advising and representing the County of Inyo, and its Board, as Respondents in <i>Save Round Valley Alliance v. County et al.</i> , for the term from September 2, 2005 to completion of the lawsuit, in an amount not to exceed \$98,520.00 and authorize the Chairperson to sign the Contract contingent upon the appropriate signatures being obtained. Motion carried unanimously.
HHS-Soc. Serv./ Position Request	Moved by Supervisor Arcularius and seconded by Supervisor Fortney to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested position exists in the Social Services Budget, as certified by the Health and Human Services Director, and concurred with by the County Administrator and the Auditor-Controller; and B) recognizing that internal candidates may meet the qualifications for the position, the Department is authorized to conduct an open recruitment; and C) approve the hiring of one Office Assistant III, Range 48 (\$2,480-\$3,007). Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 9:45 a.m., to reconvene in open session at 10:00 a.m., with all Board Members present.
Ordinance 1163 Solid Waste Disposal Fees	Mr. Randy Keller, County Counsel, noted a minor correction on page two, paragraph one, asking that the word maximum be removed. On a motion by Supervisor Arcularius and a second by Supervisor Cervantes to enact an 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:" motion unanimously passed and adopted.

Resol. #2011-18/ Solid Waste Disposal Fees	On a motion by Supervisor Arcularius and a second by Supervisor Cervantes, Resolution No. 2011-18 was approved establishing either a maximum or a minimum rate schedule for residential and commercial solid waste collection and hauling services for permit areas A, B, C, D, E, and F: motion unanimously passed and adopted.
Planning/Owens Lake Master Plan	Mr. Josh Hart, Planning Director, provided a brief history of the County's involvement in the Owens Lake Master Plan. He went on to review the 13 issues of importance to the County concerning the Plan that are identified in the Staff Report. The Board and Mr. Hart discussed the various issues in detail and at length.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including a Great Basin Unified Air Pollution Control District Board Meeting, an Inyo Associates Meeting, an FFA Fundraiser, Mule Days update, a Bishop Reservation Meeting regarding Public Safety, Mt. Whitney Fish Hatchery Meeting, the Standing Committee Meeting, a LAFCO Meeting in Charleston View, and an update on the Child Support Services MOU with Mono County.
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.
BofS/DWP Discussion	Mr. Martin Adams, Director of Water Operations for the City of Los Angeles Department of Water and Power, addressed the Board to discuss issues of mutual importance to Inyo County and LADWP. The Board and Mr. Adams' discussion included the recent land auctions, the possible release of more DWP properties in the various communities throughout the Valley, the motocross track, release of business properties in as is condition to be sold at no minimum-low bid, the Independence Sewer System rates, the LORP recreational opportunities, and the closure of Haiwee Reservoir.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:00 p.m., to reconvene in open session at 1:00 p.m., with all Board Members present.
CAO-Budget/Third Quarter Budget Presentation	The County Administrator recognized the work of the Budget Team, especially Ms. Randi Chegwidgen, for their quick turn around of the Third Quarter Review. He reviewed a power point presentation highlighting Third Quarter figures. He explained that in order to maintain a balance budget, salary savings were used, which could ultimately negatively impact next year's fund balance. The Board thanked Mr. Carunchio, his budget team, the Department Heads for their work on the budget and reminded all of the Department Heads how important it is for the departments to meet the budget deadlines. Moved by Supervisor Arcularius and seconded by Supervisor Pucci to A) accept the Fiscal Year 2010-2011 County Third Quarter Financial Report as presented; B) approve the specific budget action items and recommendations discussed in the report and represented in Attachments A & B, and authorize the Auditor-Controller to make the budget adjustments as listed in Attachments A & B (4/5's vote required); C) authorize the County Administrator (CAO) and Auditor-Controller to make year-end adjustments, as necessary within each fund (4/5's vote required); D) approve the Preliminary FY 2011-2012 Budget Calendar with regard to the proposed dates for the Budget Hearings and adoption of the Final Budget; and E) direct the County Administrator (CAO) and Auditor-Controller to prepare a rollover budget for the start of FY 2011-2012 and present it for approval on June 21, 2011. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 1:45 p.m., to reconvene in open session at 1:55 p.m., with all Board Members present.
CAO-Budget/State Budget Update	The County Administrator provided a brief report on the latest reports regarding the State Budget and the Governor's May Revise. He said he was cautious about the reports of the State finding billions of dollars in additional revenue. Ms. Jean Turner, Director of Health and Human Services, provided the Board with an updated Budget Summary Sheet for her Department's programs. Ms. Randi Chegwidgen reported on the Murder Trial Budget. The Chief Probation Officer, Jeff Thomson, reported on impacts to reductions in VLF revenue.
Assessor/Kronick, Moskovitz, et al Contract Amendment	Moved by Supervisor Fortney and seconded by Supervisor Pucci to approve Amendment No. 3 to the Contract between the County of Inyo and Kronick, Moskovitz, Tiedemann & Girard which authorizes an increase in compensation to not exceed \$200,000.00 (an increase of \$25,000.00) and authorize the Chairperson to sign the contract contingent upon all signatures being obtained. Motion carried unanimously.

- Auditor/Single Audit Report Workshop    The workshop regarding the June 30, 2010 County of Inyo Single Audit Report was pulled from the Agenda at the request of the Auditor.
- Public Comment    The Chairperson announced a second public comment period and there was no one from the public wishing to address the Board.
- Closed Session    The Chairperson recessed open session at 2:35 p.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 23. **PERSONNEL [Pursuant to Government Code § 54957].** Public Employee Appointment - Title: Director Public Works; No. 24. **CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6)** – Instructions to Negotiators re: wages, salaries and benefits – Title: Director Public Works – Negotiator – as designated by the Board of Supervisors; No. 25. **PERSONNEL [PURSUANT TO GOVERNMENT CODE § 54957]** -Public Employee Performance Evaluation – Title: Director Public Works; No. 26. **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, Director Child Support Services Susanne Rizo, and Chief Probation Officer Jeff Thomson; No. 27. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Correctional Officers Association (ICCOA) - Negotiators: Labor Relations Administrator Sue Dishion; and No. 28. **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: Director Child Support Services Susanne Rizo and Labor Relations Administrator Sue Dishion.
- Report on Closed Session    The Chairperson recessed closed session at 4:45 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 4:45 p.m., to 9:00 a.m., Tuesday, June 7, 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*