



County of Inyo Board of Supervisors

November 8, 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, November 8, 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. Ms. Beth Porter, Olancha Resident, addressed the Board to complain about the choice Caltrans made with regard to the Olancha 4-lane project to by-pass the community of Olancha, saying the community did not support this choice and that Caltrans will not answer the questions posed to them regarding why this choice was made. Ms. Susan Patton, Olancha Resident, also disagreed with the choice to by-pass the community of Olancha, saying that the government is not taking into account the community's wishes. Mr. Troy Patton, Olancha Resident, also objected to the by-pass choice for the 4-lane project and provided the Board with a time-line for the project which shows why this choice is the most costly. Mr. Jeffrey Bohl, Olancha Resident, objected to the process being used by Caltrans in making the choice for the 4-lane project, saying that he did not believe that the public had the ability to provide input on the choice because it was not one of the option presented to the public for consideration. Mr. Scott Palamer, Cartago Resident, echoed the remarks made by Mr. Bohl and read a letter he had prepared opposing the by-pass option for the project. Mr. Stohl of Independence, informed the Board that his contractual relationship with Bright Source ended last month and he is still a strong supporter of the project.

County Department Reports The Chairperson announced the County Department Report period. Dr. Bob Harrington, Water Director, addressed the Board to report on the Water Commission Meeting and to inform the Board that an application for water exportation in Rose Valley has been submitted by Coso. Ms. Jean Turner, Director of Health and Human Services, updated the Board on the impacts of the State budget situation on her programs and to report on the status of the EMT service in the Tecopa area.

Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Fortney and seconded by Supervisor Cervantes to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion unanimously passed and adopted.

Library/Books, Subscriptions & Publications P.O. Moved by Supervisor Fortney and seconded by Supervisor Cervantes to approve the purchase of books, subscriptions and legal publications for the County Library and Law Library through blanket purchase orders to the following in the amounts indicated: A) Alibris - \$10,000; and B) West Group - \$14,000. Motion unanimously passed and adopted.

Library/Holiday Branch Closures Moved by Supervisor Fortney and seconded by Supervisor Cervantes to authorize that library branches may close on Saturdays: November 26, December 24, and December 31, because of the Thanksgiving, Christmas and New Year's holidays. Motion unanimously passed and adopted.

HHS-Inyo First Five Comm./Altrusa Contract Moved by Supervisor Fortney and seconded by Supervisor Cervantes to ratify and approve the Contract between the County of Inyo and Altrusa International of the Eastern Sierra Foundation for the provision of family strengthening services for the period of October 1, 2011 through June 30, 2012, in an amount not to exceed \$25,000; and authorize the Chairperson to sign. Motion unanimously passed and adopted.

P.W./So. Mono Healthcare Office Building Lease Moved by Supervisor Fortney and seconded by Supervisor Cervantes to approve the Lease between the County of Inyo and Southern Mono Healthcare District for an office building located at 130 Short Street in Bishop, at the rate of \$1000 per month, on a month-to-month basis, effective November 8, 2011; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion unanimously passed and adopted.

Recess/Reconvene The Chairperson recessed the regular meeting at 9:30 a.m., to reconvene in the Special Meeting of November 7, 2011, which had been continued (see separate minutes). The Chairperson reconvened the regular meeting at 10:30 a.m., with all Board Members present.

BofS/GBAPCD Clean Air Projects Ms. Lisa Isaacs, Administrator of the Great Basin Unified Air Pollution Control District's Clean Air Projects Program, presented the Program to the Board.

CAO-Gen/Film Comm. Contract The Board discussed the contract for Film Commissioner services. Supervisor Fortney explained that he had thought this contract should go out to an RFP because he had constituents who had expressed an interest in providing film commissioner services. The County Administrator clarified that if that was the Board's direction, he would recommend that Mr. Langley's Contract be confirmed beginning July 1, 2011 through January 31, 2012 in order to provide continuity and minimize the time the County is without contracted Film Commissioner Services. Supervisor Cervantes commented on Mr. Langley's local filming experience, saying he was not in favor of this contract going out to RFP. It was moved by Supervisor Cervantes with no second to ratify and approve the sole-source Contract with Chris Langley. The motion failed on a roll call vote, with Supervisor Cervantes and Cash voting yes, and with Supervisors Arcularius, Fortney and Pucci voting no. The Board and County Administrator talked about the RFP process for these services. Moved by Supervisor Fortney and seconded by Supervisor Pucci to declare Chris Langley a sole source contractor for providing Film Commissioner Services to the County of Inyo and ratify and approve a contract between Chris Langley and the County of Inyo for Film Commissioner services, for the period of July 1, 2011 through January 31, 2012, and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and direct Staff to develop an RFP for Film Commissioner services. Motion unanimously passed and adopted.

P.W./Amendment to Olancha CSD Property Lease The Interim Public Works Director, Mr. Doug Wilson, noted that the Contractor had dated the contract 10-20-11 and recommending that the Board either ratify the Contract from the 10-20-11 date or approve the Contract for the period beginning 11-08-11, with direction to Staff to circulate a new contract. Moved by Supervisor Arcularius and seconded by Supervisor Pucci to approve Amendment No. 1 to the Lease between the County of Inyo and the Olancha Community Service District for partial use of leased property, for the period beginning November 8, 2011; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion unanimously passed and adopted.

County Counsel/ Budget Amendment Mr. Randy Keller, County Counsel, explained that the budget amendment will facilitate payment for a settlement agreement approved by the Board in the *Inyo Citizens for Better Planning v. Inyo County matter*. Moved by Supervisor Arcularius and seconded by Supervisor Pucci to A) amend the FY 2011-12 County Budget as follows: increase appropriations in County Counsel Budget Unit 010700, Legal Service, (*Object Code #5267*) by \$40,000 and reduce Contingencies Budget Unit 087100, Contingencies, (*Object Code #5901*) by \$40,000, to enable payment pursuant to the Settlement Agreement and Release in the matter of *Inyo Citizens for Better Planning v. County of Inyo*. Motion unanimously passed and adopted.

HHS-Senior Prgm./ Part-Time Position Eliminated Ms. Jean Turner, Director of Health and Human Services, explained that the reduction in staffing in the Senior Program is a direct result of the Bishop Tribe's decision to not participate in the senior meals program. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to A) eliminate one BPAR Food Cook, Range 046PT (\$12.65 - \$15.42 per hour), from the authorized strength effective at the end of the workday on December 30, 2011, pursuant to Article XI, Layoffs and Reductions in Force of the Inyo County Personnel Rules and Regulations, as a result of funding reductions; and B) direct the Personnel Department to provide written Layoff Notices to the impacted employee. Motion unanimously passed and adopted.

BofS/Minute Approval Moved by Supervisor Fortney and seconded by Supervisor Pucci to approve the minutes of the October 24, 2011 and October 26, 2011 Special Meetings of the Board of Supervisors. Motion unanimously passed and adopted.

Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:55 a.m., to reconvene in open session at 11:00 a.m., with all Board Members present.
BofS/Public Hearing Tecopa Music and Arts Festival	<p>The Chairperson opened the public hearing at 11:00 a.m., per Inyo County Code §5.12.050, on a request by Tecopa Entertainment, LLC to conduct a Music and Arts Festival to be held at the Tecopa Hot Springs Resort, April 27 through 29, 2012. The County Administrator reviewed the Staff report on the County's requirements regarding the Music Festival. Ms. Jacqueline Lennon of Tecopa Entertainment, LLC, and Ms. Amy Noel of the Tecopa Hot Springs Resorts, addressed the Board to provide additional information and respond to questions on the Festival. The Board acknowledged the written responses received from the Sheriff, the Health Officer, the Planning Director, the Environmental Health Director, the Public Works Director, and the Director of Parks and Recreation, as required by the Code, noting the various recommendations concerning the activities pertaining to the Festival, which included (a) a recycling plan; (b) food sales requirements, verification of adequate restroom facilities and trash handling plan; (c) more comprehensive layout and plans for vehicle parking, vehicle access, on-site traffic control, and illumination; (d) enhanced security plan, including the addition of paying for Inyo County Sheriff required activities. The Board also identified its concerns with adequate medical facilities and emergency response capabilities. The Board went on to talk about the need to establish a license fee schedule for future outdoor music events. The Board wished the organizations good luck with this event and requested to be kept updated on the event.</p> <p>Moved by Supervisor Cervantes and seconded by Supervisor Pucci to, per Inyo County Code §5.12.060 and based upon the testimony of the witnesses and evidence presented, grant a license to the Tecopa Entertainment, LLC for the Tecopa Music and Arts Festival, to be held at the Tecopa Hot Springs Resort, April 27 through 29, 2012, upon verification to and certification by the County Administrator that the conditions set by the Board, as identified in the reports from Parks and Recreation, Public Works, Environmental Health, and Sheriff, including the Board of Supervisors identified enhanced medical facilities and emergency response plans, have been met; authorize the Treasurer-Tax Collector to issue the license for the Tecopa Music and Arts Festival, without the collection of a fee, per Inyo County Code §5.12.070; and direct staff to develop a license fee resolution for outdoor music festivals to be returned for the Board's consideration. Motion unanimously passed and adopted.</p>
P.W./2012 RTIP Projects List	The Interim Public Works Director, Mr. Doug Wilson, provided additional information and further justification for the projects recommended for the 2012 RTIP, including the See Vee Lane Project and the Gill Station Coso Road. Supervisor Cervantes reiterated his concern with Gill Station Road being taken off the list, with Mr. Wilson explaining that Gill Station Road has been rescheduled for rehabilitation under 1B funds which will allow the project to move forward much sooner than if the County were to attempt to have the road reconstructed with RTIP funds. He went on to explain that the environmental issues associated with the reconstruction work would delay the project into 2015 and maybe beyond, whereas the rehabilitation work is scheduled to begin in 2012. The Board briefly discussed the See Vee Lane Project and the need for Caltrans to put a traffic signal on 395 at the entrance of the Highlands Mobile Home Park. The Board and staff continued to discuss the projects identified for the 2012 RTIP. Moved by Supervisor Fortney and seconded by Supervisor Arcularius to, upon review of the County projects to be programmed in the 2012 RTIP, approve the list of projects as recommended, including the See Vee Lane Extension project, authorize Staff to forward to the Inyo County Local Transportation Commission (LTC); and authorize the Interim Public Works Director to sign any documents related to the 2012 RTIP. Motion unanimously passed and adopted.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:00 p.m., to reconvene in the November 7, 2011 Special Meeting which had been continued. The Chairperson reconvened the regular meeting at 2:35 p.m., with all Board Members present.
Planning/Zoning Code Workshop	The Board convened in a workshop regarding draft sections of the updated Zoning Code to provide input to staff and the Planning Commission. The Chairperson recessed the workshop at 3:20 p.m., to reconvene in open session, with all Board Members present.
Board Members and Report	The Board Members reported on their activities during the preceding week, including a Bright Source Meeting in Tecopa, an employee retirement party, a Northern Inyo Airport Advisory Committee meeting, a Quad State Meeting, and a request that today's meeting be adjourned in memory of long time Lone Pine Resident Amolee Weatherly.

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

Closed Session The Chairperson recessed the regular meeting at 3:35 p.m., to reconvene in closed session, with all Board members present to discuss and take action as appropriate on Agenda Items No. 18. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]** - Public Employee Performance Evaluation - Title: Interim Public Works Director; No. 19. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]** - Public Employee Appointment - Title: Director Public Works; No. 20. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - 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. 21. **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; No. 22. **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; No. 23. **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 of Child Support Services Susanne Rizo, Chief Probation Officer Jeff Thomson; No. 24. **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: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 25. **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. 26. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits – Title: IHSS - Negotiators: Director of Health and Human Services, Jean Turner, Labor Relations Administrator Sue Dishion, Employer of Record – Anne Parkinson Noda and Bill May; and No. 27. **REAL PROPERTY NEGOTIATIONS (CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE §54956.8)** – Property: APN 001-104-11, 556 No. 2nd Street, Bishop Property California (Bank owned) – Negotiating Parties: County Administrator, HHS Director, Interim Public Works Director, Interim Deputy Public Works Director and Bank of America – Negotiations: Terms and Conditions.

Report on Closed Session The Chairperson recessed closed session at 4:00 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 meeting at 4:00 p.m., in memory of long-time Lone Pine Resident Amolee Weatherly who passed away recently. The meeting was adjourned to 9:00 a.m., Tuesday, November 15, 2011 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

Chairperson, Inyo County Board of Supervisor

Attest: *KEVIN D. CARUNCHIO*
Clerk of the Board

by: _____