

MINUTES

County of Inyo Board of Supervisors

December 6, 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, December 6, 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 Pucci led the Pledge of Allegiance.

- Public Comment The Chairperson announced the public comment period. Supervisor Cervantes read a letter from Ms. Lu-Ellen Hays, an Olancho constituent, commending the Public Works and Road Department staff. Mr. Allen Bacock, Big Pine Paiute Tribe Water Program Coordinator, addressed the Board to read a letter into the record regarding the Standing Water Committee, the Drought Recovery Policy, the Green Book, the Interim Management Plan, and to recommend the make-up of the committee include representatives of the Tribes.
- County Department Reports The Chairperson announced the County Department Report period. Ms. Amy Shepherd, representing the Auditor-Controller, distributed the final County Budget Book to the Board. Mr. Jeff Ahlstrom, Managing Landfill Engineer, updated the Board on the status of the new Gatehouse at the Bishop-Sunland Landfill. Mr. Doug Wilson, Interim Public Works Director, updated the Board on access to Saline Valley road barrow pits to facilitate road repairs in the area. Ms. Susan Rizo, Regional Director of Child Support Services, reported on the Child Support Services Director's Annual Meeting. Mr. Jean Turn, Director of Health and Human Services, reported on her participation in the CSAC Conference, as well as other Department activities. The County Administrator advised the Board that he was approving out-of-state travel for a DA Staff Member to attend Victim Witness training. Mr. Jon Klusmire, Museum Administrator, distributed copies of the 2012 Museum calendar to the Board. Mr. Josh Hart, Planning Director, reviewed the community meeting schedule for upcoming meetings regarding energy efficiencies opportunities.
- Closed Session The Chairperson recessed open session at 9:25 a.m., to convene in closed session, with all Board Members present to discuss and take action as appropriate on Agenda Item No. 3. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]** - Public Employee Performance Evaluation - Title: Director of Health and Human Service. The Chairperson recessed closed session at 10:25 a.m., to reconvene in open session at 10:35 a.m., with all Board Members present, except Supervisor Fortney.
- Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Cervantes and seconded by Supervisor Pucci to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion unanimously passed and adopted. Motion unanimously passed and adopted, with Supervisor Fortney absent.
- Ag. Comm./All-Terrain Vehicle P.O. Moved by Supervisor Cervantes and seconded by Supervisor Pucci to award the bid for and approve the purchase of one Honda 2011 Big Red Side-by-Side all-terrain vehicle from Golden State Cycle of Bishop, as the low bidder, in an amount not to exceed \$12,402.50. Motion unanimously passed and adopted, with Supervisor Fortney absent.
- Ag. Comm./SCI Contract Amendment Moved by Supervisor Cervantes and seconded by Supervisor Pucci to approve Amendment No. 1 to the Contract with SCI Consulting Group for benefit assessment services for the period of July 2, 2009 through June 30, 2012, to increase the Contract by \$2,000, to a total amount not to exceed \$37,500; and authorize the Chairperson to sign. Motion unanimously passed and adopted, with Supervisor Fortney absent.
- Coroner/Orange County Autopsy Service Contract Moved by Supervisor Cervantes and seconded by Supervisor Pucci to approve the Agreement between the County of Inyo and the County of Orange for supplemental autopsy services for the period of February 1, 2012 through January 31, 2017, in an amount not to exceed \$12,000, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign. Motion unanimously passed and adopted, with Supervisor Fortney absent.

HHS-Soc. Serv./
Computers P.O. Moved by Supervisor Cervantes and seconded by Supervisor Pucci to approve the purchase of 10 CWS/CMS Desktop computers from INX in an amount not to exceed \$10,070.90. Motion unanimously passed and adopted, with Supervisor Fortney absent.

P.W./Bobcat P.O. Moved by Supervisor Cervantes and seconded by Supervisor Pucci to award the bid for and approve the purchase of one Bobcat Fastcat 52" Zero Turn commercial riding mower, from Golf Ventures West of Las Vegas, NV, in an amount not to exceed \$6,445.61. Motion unanimously passed and adopted, with Supervisor Fortney absent.

Rd. Dept./Blanket
P.O.'s Moved by Supervisor Cervantes and seconded by Supervisor Pucci to authorize blanket purchase orders as follows: A) \$40,000 to Britt's Diesel, for miscellaneous parts and tires; B) \$30,000 to Dave's Auto Parks for miscellaneous parts and supplies; C) \$15,000 to Silver State International for miscellaneous parts; D) \$20,000 to Steve's Auto Parks for miscellaneous parts and supplies; and E) \$40,000 to Mission Linen Supply for laundry services. Motion unanimously passed and adopted, with Supervisor Fortney absent.

Sheriff/Ford Truck
P.O. Moved by Supervisor Cervantes and seconded by Supervisor Pucci to authorize the purchase of one Ford Crew Cab F350 4x4 Short Bed Truck from Eastern Sierra Motors in an amount not to exceed \$29,909. Motion unanimously passed and adopted, with Supervisor Fortney absent.

Sheriff/Custody
Manual P.O. Moved by Supervisor Cervantes and seconded by Supervisor Pucci to authorize the purchase of one Lexipol Custody Manual in an amount not to exceed \$11,009 and authorize the Sheriff or his designee to enter into an agreement for the service. Motion unanimously passed and adopted, with Supervisor Fortney absent.

Sheriff/Ammunition
P.O. Moved by Supervisor Cervantes and seconded by Supervisor Pucci to declare Dooley Enterprises, Inc., as a sole-source provider of ammunition and authorize the purchase of ammunition from Dooley as recommended by staff in an amount not to exceed \$14,000, including tax and shipping. Motion unanimously passed and adopted, with Supervisor Fortney absent. Supervisor Fortney rejoined the meeting at 10:40 a.m.

BofS/SRA Fees
Comment Letter The Board discussed the proposed letter commenting on California Department of Forestry and Fire Protection's proposed emergency regulations for SRA fees. The Board requested that the reference to the County include 10,000 square miles. The Board continued to discuss the letter and the impact of SRA fees. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve the letter to the California Department of Forestry and Fire Protection regarding its proposed emergency regulations regarding State Responsibility Area (SRA) fees as amended and authorize the Chairperson to sign. Motion unanimously passed and adopted.

DA/Budget
Amendment Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to amend the FY 2011-12 Statutory Rape/Vertical Prosecution Grant 2010/11 Budget Unit 620910 by increasing estimated revenue in State Grants (*Revenue Code #4498*) by \$16,676 and increasing appropriations in Intra County Charges (*Object Code #5121*) by \$14,637 and General Operating (*Object Code #5311*) by \$2,039. Motion unanimously passed and adopted.

P.W./Mitigated Neg.
Dec. Sabrina Bridge
Project Moved by Supervisor Arcularius and seconded by Supervisor Pucci to adopt the Mitigated Negative Declaration of Environmental Impact for the Sabrina Road Bridge Replacement Project and certify that the requirements of the California Environmental Quality Act (CEQA) have been met in accordance with the findings identified in the Staff Report. Motion unanimously passed and adopted.

P.W./Position
Request Moved by Supervisor Fortney and seconded by Supervisor Arcularius to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested positions comes from the Public Works Budget, as certified by the Public Works Director and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancies could possibly be filled through an internal recruitment, however a current eligibility list exists for both positions; and C) approve the hiring, from existing lists, of one Senior Engineer at Range 81 (\$5,364 - \$6,522) with authority to hire up to Step E; and one Assistant Civil Engineer at Range 73 (\$4,437 - \$5,398). Motion unanimously passed and adopted.

Sheriff/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 comes from the General Fund, as certified by the Sheriff and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, however an open recruitment is more appropriate to ensure that the position is filled with the most qualified applicant; and C) approve the open recruitment and hiring of one Correctional Officer position at Range 64 (\$3,590 - \$4,363). Motion unanimously passed and adopted.
Sheriff/Budget Amendment	Moved by Supervisor Fortney and seconded by Supervisor Pucci to amend the FY 2011-12 CALMET Task Forest 2010-11 Grant, Budget Unit 671410 by increasing estimated revenue in State Grants (<i>Revenue Code #4498</i>) by \$43,209 and increasing appropriations in Salary and Wages (<i>Object Code #5001</i>) by \$38,556 and General Operating (<i>Object Code #5311</i>) by \$4,653. Motion unanimously passed and adopted.
Museum/Position Request	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested position as certified by the Museum Services Administrator and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate for this position; and C) approve the open recruitment and hiring of one B-Par (up to 29.9 hours a week) Part-Time Museum Assistant at Range PT 44 (\$12.09 - \$14.74 per hour). Motion unanimously passed and adopted.
Treasurer/Oversight Comm. By-Laws	Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to approve the By-Laws for the Inyo County Treasury Oversight Committee. Motion unanimously passed and adopted.
HHS-IMAAA/ Program Update	Ms. Jean Turner, Director of Health and Human Services and Executive Director of IMAAA, informed the Board that the County of Mono has decided to not provide funding to offset the cost for the regional administration of the IMAAA Program. Ms. Turner reported that the bare-bones regional cost for administration is approximately \$125,000, of which Mono proportionate share would just under \$38,000. The Board and Ms. Turner went on to discuss the program situation in light of this information, including reaffirming the County's decision to notify the IMAAA Governing Board that Inyo County will not continue to provide the regional administration services when the current contract expires, and the timing for notifying the State that the County is pulling out of the JPA. In response to a question from the Board, Ms. Turner confirmed that the actions being proposed will affect the regional administration and will have no impact on senior services provided in Inyo County. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to notify the IMAAA Governing Board and the State of California of the County of Inyo's decision to no longer provide IMAAA Program regional administration services after the current contract expires and that the County of Inyo will proceed with the appropriate steps to dissolve the IMAAA JPA. Motion unanimously passed and adopted.
BofS/Minute Approval	Moved by Supervisor Cervantes and seconded by Supervisor Fortney to approve the minutes of the Board of Supervisors Meeting of A) November 8, 2011; B) November 15, 2011; and C) November 21, 2011. Motion unanimously passed and adopted.
Planning/Z.R. 2011-02/Crispin	The Chairperson opened the public hearing at 11:15 a.m., on a proposed ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2011-02/Crispin and Amending the Zoning Map of the County of Inyo by Rezoning the Minimum Lot Size of Two 19,880 square Foot Parcels Located at 221 West Street (APN 004-050-20) and 231 West Street (APN 004-050-21), in the Community of Big Pine, From Residential Mobile Home (RMH), 10,000 Square Foot Minimum Lot Size to Residential Mobile Home (RMH), 9,900 Square Foot Minimum Lot Size." Ms. Tanda Gretz, Senior Planner, reviewed the staff report and recommendations. There was no one from the public wishing to speak on this matter. The Chairperson closed the public hearing at 11:20 a.m. Moved by Supervisor Fortney and seconded by Supervisor Arcularius to waive the first reading of the ordinance and schedule the enactment for 11:15 a.m., Tuesday, December 13, 2011, in the Board of Supervisors Room, at the County Administrative Center, in Independence. Motion unanimously passed and adopted.

Resol. #2011-46/ Zone Reclass 2011- 02/Crispin CEQA	On a motion by Supervisor Fortney and a second by Supervisor Arcularius, Resolution No. 2011-46 was approved certifying that the requirements of the California Environmental Quality Act (CEQA) have been met and approving Zone Reclassification #2011-02/Crispin: motion unanimously passed and adopted.
Planning/BLM EIS Hidden Hills Transmission Project	Moved by Supervisor Cervantes and seconded by Supervisor Fortney to approve correspondence to the Bureau of Land Management (BLM) regarding the Notice of Intent (NOI) to Prepare an Environmental Impact Statement (EIS) for the Proposed Valley Electric Association Hidden Hills Transmission Project, Clark and Nye Counties, NV; and authorize the Chairperson to sign. Motion unanimously passed and adopted.
Water/Water Commission Letter	Dr. Bob Harrington, Water Director, reviewed the letter from the Water Commission to the Board seeking Inyo County's intent and direction regarding the Drought Recovery Policy, lagging Green Book revision schedule, and the lack of an Interim Management Plan; and requesting the Board provide direction to staff regarding the request. Dr. Harrington reviewed the history and status of each of the items identified by the Water Commission and discussed those items with the Board. Mr. Mike Prather, Inyo County Water Commission Member, addressed the Board to provide additional insight into the intent of the Water Commission's request. The Board thanked the Water Commission for the letter and asked Dr. Harrington to relay the content of today's discussion to the Water Commission, including that the Drought Recovery Policy's goals correspond to the LTWA's goals and the County seeks to fulfill those goals, that the Green Book revisions are proceeding within the scope of the Board's directions to the Water Department regarding priorities, and the Interim Management Plan was put in place for a specific term which has ended, which means that the IMP is terminated.
CAO-Quarterly Film Commissioner Report	Mr. Chris Langley, Inyo County Film Commissioner, presented the Film Commissioner's Quarterly Report. He reported on recent commercials that filmed in the area, as well as reporting on a major film production that is currently working in the Valley. At the conclusion of his remarks as the Film Commissioner, Mr. Langley switched hats to represent the Lone Pine Film Museum. Mr. Langley shared some of the Museum's script memorabilia with the Board.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:07 p.m., to reconvene in open session at 1:15 p.m., with all Board Members present.
Water/Standing Committee Agenda	Dr. Harrington provided the Board with a draft copy of the agenda for the upcoming Standing Committee Meeting scheduled for December 9, 2011 in Los Angeles. The Board and Dr. Harrington discussed each of the items, including item No. 5 – Policy for addressing questions posed by the public during Standing Committee meetings. The Board concurred with Staff's recommendations.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including a Southern Inyo Hospital Meeting, a Great Basin APCD Meeting, an IAVC Meeting, various holiday activities, and multiple reports on the CSAC Conference.
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 open session at 1:55 p.m., to reconvene closed session, to discuss and take action as appropriate on Agenda Items No. 28. PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957] - Public Employee Performance Evaluation - Title: Interim Public Works Director; No. 29. PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957] - Public Employee Appointment - Title: Director Public Works; No. 30. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(a) – Dispute Resolution with Los Angeles Department of Water and Power; No. 31. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c) – Decision Whether to Initiate Litigation (two cases); No. 32. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c) – Decision Whether to Initiate Litigation (one case); No. 33. 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. 34. 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. 35. **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. 36. **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. 37. **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. 38. **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; and No. 39. **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. Supervisor Cash declared a conflict and left closed session at 3:00 p.m., rejoining the meeting at 4:00 p.m.

- Report on Closed Session The Chairperson recessed closed session at 5:05 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 5:05 p.m., to 9:00 a.m., Tuesday, December 13, 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: _____
Patricia Gunsolley, Assistant