

MINUTES

County of Inyo Board of Supervisors

August 7, 2012

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, August 7, 2012, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Marty Fortney presiding, Linda Arcularius, Susan Cash, Rick Pucci, 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 and there was no one from the public wishing to address the Board.
- County Department The Chairperson announced the County Department Report period. Ms. Leslie Chapman, Auditor-
Reports Controller, reported on the change in the payroll going from semi-monthly to a bi-weekly pay period. Mr. Doug Wilson, Interim Public Works Director, reported that he is working with the Bishop and Big Pine Tribes to repair roads on the reservations. He said that the Tribes had obtained grant funds where they would buy the materials and the County would apply it. He said that Barlow Lane in Bishop may experience some delays as a result of the work. He went on to report on the Sabrina Bridge Project. He said that depending upon the rigging the Contractor selects to perform the work, road closures may not be required. Mr. Wilson also reported on storm activity in the Tecopa area that caused some damage on State Line Road and China Ranch. Mr. Jean Turner, Director of Health and Human Services, reported on State budget issues, including the Foster Care Program and 4E waivers, catastrophic inmate insurance, realignment funding, the Eastern Sierra Agency on Aging and she provided a handout on upcoming community meetings in Inyo and Mono counties, with clarification by the County Administrator that next year's budget has \$95,000+ in Inyo County general fund money for administration of ESAAA as well as over a half a million dollars of general fund money to fund the ICGold senior programs. Dr. Harrington noted that the next Standing Committee Meeting is scheduled for September 26th in Inyo County. Dr. Harrington went on to talk about water going to the County's Big Pine property. He explained that because of the drought DWP has had to cut back water to the property. He said that DWP has traditionally provided more water than it was required to and they are currently providing the property with more than its share dictates. He explained about the relationship between the water and the Big Pine Water Association. He said that in hopes of helping the lessee with his water issues the County is attempting to borrow water from another association water user. The Chief Probation Officer provided a handout to the Board from the CPOC regarding realignment and AB109. Chief Thomson also clarified that people being electronically monitored are not in custody therefore will not qualify for in custody medical care. Ms. Kammi Foote, Clerk-Recorder, reported on the Clerk's Annual Conference she had attended. Ms. Foote talked about the same day voter registration legislation. Mr. Josh Hart, Planning Director, reported on the BrightSource Project. Mr. Jon Klusmire, Museum Services Administrator, reported on LA Times articles on museum exhibits. He also reported on the upcoming workshops in Independence and Lee Vining concerning sharing resources. Mr. Klusmire informed the Board that the Motor Touring Guide is being revamped. The County Administrator reminded the Board of tomorrow's budget workshop beginning at 9:00 a.m., in the Board Room, at the County Administrative Center, in Independence.
- Introductions Ms. Darla Bonine, Social Worker, and Ms. Dakota Clair, Account Technician, in the Health and Human Services Department, were introduced to the Board.
- BofS/Jack Pound Mr. Jack Pound, an Independence Resident, discussed with the Board his ideas to use the Pines
Pines Café Café property. Mr. Pound expressed concern that the building is deteriorating and that if action
Property isn't taken, the building might suffer the same fate as the "Hair and Now" structure, in that it could
Discussion be demolished. He said he felt that DWP should clean up the building, restoring and replacing
items, like the roof, the floors, etc., so that the County could then lease the building and use it for a
Water Interpretive Center, or maybe a Water Museum. When the Board asked about financing for
just a project, Mr. Pound suggested selling literature and books similar to the Visitor's Center in

Lone Pine and the Eastern California Museum in Independence. The Board and Mr. Pound discussed his suggestion with Supervisor Arcularius expressing her concern that what is being suggested is a change in policy regarding the Board's stated policy for DWP commercial property to be released for sale. The Board talked about several areas of concern regarding changing the policy. Supervisor Pucci acknowledged Mr. Pound's desire to see the building repaired so it will not detract from the other structures on Main Street, suggesting that DWP could be approached about this concern. Supervisor Fortney said that he had spoken with DWP regarding this building and there may be historic issues at play also. The County Administrator provided further clarification saying that in his conversations with DWP regarding the property, DWP is planning on moving forward with the sale of this property. He said that with the upcoming 100th Anniversary of the Aqueduct, possibly the building could be used to house a temporary exhibit if it should be repaired. The Board thanked Mr. Pound for his suggestions and concern about the building.

- Emeg. Serv./Oak Creek Mud Flows Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- CAO-Info. Serv./IGIS Technologies GIS Training Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to award the bid to and approve the Contract between the County of Inyo and IGIS Technologies, Inc., to purchase Geographic Information System (GIS) training services, in an amount not to exceed \$18,150, contingent upon the Board's adoption of a FY 2012-13 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- CAO-Info. Serv./SunGuard Software Maintenance Agreement Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve the renewal of a Software Maintenance Agreement between SunGuard Public Sector and the County of Inyo for the County's enterprise accounting system IFAS for the period of July 1, 2012 through June 30, 2013, in an amount not to exceed \$31,410, contingent upon the Board's adoption of a FY 2012-13 budget; and authorize the Chairperson to sign. Motion carried unanimously.
- CAO-Personnel/LEAA MOU Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to ratify and approve the January 1, 2012 through December 31, 2012 Memorandum of Understanding between the County of Inyo and the Law Enforcement Administrators Association (LEAA); and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Misc./ESTA Bus Passes Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve an annual bulk purchase of ESTA bus passes for Health & Human Services Programs in an amount not to exceed \$16,452, contingent upon the Board's adoption of FY 2012-13 budget. Motion carried unanimously.
- HHS-Behavioral Hlth. Serv./Alpine Counseling Contract Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to rescind the February 7, 2012 Board Order concerning the Alpine Counseling Center contract for drug court related services; and ratify and approve the Contract between the County of Inyo and Alpine Counseling Center for the provision of drug court related services in an amount not to exceed \$20,639; for the period of January 1, 2012 through December 31, 2012, and authorize the Chairperson to sign. Motion carried unanimously.
- P.W./ESRA Lighting Plans Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve the plans and specifications for the ESRA Airport Lighting Vault Improvements and authorize the Interim Public Works Director to advertise for bids for the project. Motion carried unanimously.
- P.W/Fire Extinguisher Contract Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve Amendment No. 1 to the Contract between the County of Inyo and Blizzard Fire Protection for fire extinguisher services, to amend the amount of the Contract from \$10,000 to \$13,100 for the period of November 1, 2011 through October 31, 2014; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- Sheriff/RIMS Support Serv. Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to declare Sun Ridge System, Inc., a sole source provider of RIMS support services and approve the purchase of RIMS annual support services from Sun Ridge System, Inc., in an amount not to exceed \$18,750, contingent upon the Board's adoption of a FY 2012-13 budget. Motion carried unanimously.

Rd. Dept./Annual Road Report Contract w/State	Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve the Contract between the County of Inyo and the Controller of the State of California for preparation of the annual Road Report for fiscal year ending June 30, 2012, in an amount not to exceed \$4,000, contingent upon the Board's adoption of a FY 2012-13 budget, and authorize the Road Commissioner to sign; and authorize the Road Commissioner to sign the Road Report per State Law. Motion carried unanimously.
Integ. Waste/ Recycling Workshop	The Chairperson recessed open session at 11:10 a.m., to convene in a workshop, with all Board Members present to talk with staff from the Integrated Waste Management Program on current recycling efforts in Inyo County and possible future recycling opportunities. The Chairperson recessed the workshop at 11:50 a.m., to reconvene in open session, with all Board Members present.
Integ. Waste/Sierra Conservation Lease Amendment	The Board and staff discussed the Amendment to the Sierra Conservation Project. Mr. Dale Comontofski of Preferred Septic and Mr. Bryan Robinette of Sierra Conservation Project, addressed the Board regarding the lease amendment. It was noted during the discussion that the Amendment provides that whatever recycling services are provided under the contract to take one waste hauler's recyclables will be provided to other haulers and the public at the same level. It was also noted that the amendment did not control how Sierra Conservation Project deals with its own recyclables, which meant that Sierra Conservation Project is free to contract with one waste hauler and not the others to, for example, pick up and delivery of Sierra Conservation's own recycling containers. Mr. Comontofski suggested that he be given a piece of land at the landfill lease free, similar to the Sierra Conservation Project's lease, where he can process his recyclables. The County Administrator strongly urged the Board to not get in the business of providing landfill space for individual recycling businesses, reminding the Board that the landfill property is needed for the County's solid waste footprint, and future demand for similar leases could far exceed availability. Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve Amendment No. 1 to the Lease between the County of Inyo and Sierra Conservation Project for the operation of a recycling facility at the Bishop Sunland Landfill, which requires the lessee to accept the County's recyclables and provides equal access to the facilities for the public; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:40 p.m., to reconvene in open session at 1:30 p.m., with all Board Members present.
D.A./Position Request	Moved by Supervisor Cash and seconded by Supervisor Arcularius to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position exists as certified by the District Attorney and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Criminal Investigator, the vacancy could possibly be filled through an internal recruitment, however, an open recruitment is more appropriate to ensure the position is filled with the most qualified applicant; and C) approve the hiring of one District Attorney Criminal Investigator I or II at Range 071SA – 074SC (\$4,981 - \$6,217). Motion carried unanimously.
HHS-Behavioral Hlth. Serv./Position Request	Moved by Supervisor Cervantes and seconded by Supervisor Cash to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position exists in the Mental Health Budget as certified by Health and Human Services Director and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Residential Care Giver at Progress House, the vacancy could possibly be filled through internal recruitments, however, an open recruitment is more appropriate to ensure a sufficient number of qualified candidates apply, if the position cannot be filled from existing lists; and C) approve the hiring of one B-Par Residential Caregiver at Range 53PT (\$14.89 - \$18.12/hour). Motion carried unanimously.
HHS-Misc./Position Request	Moved by Supervisor Arcularius and seconded by Supervisor Cash to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position exists in the Health Budget as certified by the Health and Human Services Director and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Account Technician, the vacancy can be filled through an internal recruitment, however, an open recruitment is more appropriate to ensure a sufficient number of qualified candidates apply; and C) approve the hiring of one Account Technician I at Range 55 (\$2,910 – \$3,537) or II at Range 59 (\$3,194 - \$3,880) depending upon qualifications. Motion carried unanimously.

HHS-
Soc.Ser./Temp.
Position Moved by Supervisor Pucci and seconded by Supervisor Cervantes to authorize the Department to extend the temporary employment of one Social Worker III at Range 067PT Step E (\$25.07/hour), for a period not to exceed six months. Motion carried unanimously.

P.W./Position
Request Moved by Supervisor Cash and seconded by Supervisor Cervantes to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position exists in the Public Works budget as certified by the Interim Public Works Director and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Engineering Assistant I, the vacancy can be filled through an internal recruitment, however, an open recruitment is more appropriate to ensure a sufficient number of qualified candidates apply; and C) approve the hiring of one Engineering Assistant I, at Range 71 (\$4,234 - \$5,137). Motion carried unanimously.

P.W./Hunter Road
Offer of Dedication Supervisor Cervantes recused himself and left the meeting. Mr. Doug Wilson, Interim Public Works Director, provided additional information and further explanation on the request to consider an offer of dedication for Hunter Road in the Alabama Hills. Mr. John Bard, a Hunter Road homeowner and spokesperson for the homeowners, explained that the homeowners had submitted and received a Clean Air Act Grant to pave Hunter Road. He said that the homeowners wanted to improve the road so that it could be accepted into the County's Maintained Mileage. He also said that the homeowners had agreed to pay the difference between what they had received in grant funds and the amount it would take to bring it up to County road standards. Moved by Supervisor Cash and seconded by Supervisor Pucci to express the Board's interest in accepting the offer of dedication of right of way and improvements on Hunter Road in the Alabama Hills, if the improvements can be made as such to meet the standard for the County Maintained Road System. Motion carried unanimously, on a four-to-zero vote, with Supervisors Arcularius, Cash, Pucci and Fortney voting yes and with Supervisor Cervantes absent. At the conclusion of the motion, Supervisor Cervantes rejoined the meeting.

Treasurer/PTMS
Project
Management
Contract Ms. Alicia McMurtrie, Treasurer-Tax Collector, provided additional information and further justification for approving the Contract for PTMS Project Management to C. Toeller Consulting. Moved by Supervisor Arcularius and seconded by Supervisor Cash to accept the recommendation of the Property Tax Management System (PTMS) Working Group and award the bid to and approve the Contract with Carie Toeller of C. Toeller Consulting, for project management services related to the implementation of a new property tax system, for the period of September 20, 2012 through December 14, 2014, in an amount not to exceed \$218,020, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign contingent upon the appropriate signatures being obtained. Motion carried unanimously.

Resol. #2012-30/So.
Inyo Fire Protection
District Loan On a motion by Supervisor Cervantes and a second by Supervisor Cash to approve Resolution No. 2012-30, pursuant to the provisions of Article XVI, Section 6 of the California Constitution, thereby approving an interim loan from the County Treasury to the Southern Inyo Fire Protection District in the amount of \$23,000 for the purpose of financing the District's operational costs during FY 2012-13 prior to receipt of their annual property tax apportionment: motion unanimously passed and adopted.

Planning/James
Contract
Amendment Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve Amendment No. 1 to the Contract between the County of Inyo and Gregory L. James for water/environmental/natural resources/Inyo County attorney services, amending the Scope of Work to include project #10 (BrightSource General Plan Amendment and Zoning Reclassification), and increasing the Contract by \$29,450 to a total amount not to exceed \$59,450, contingent upon the Board's adoption of a FY 2012-13 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

Planning/NEPA
Exclusions Mr. Josh Hart, Planning Director, reviewed the correspondence concerning the Forest Service's proposal to exclude certain soil and water restoration activities from the NEPA process. Supervisor Cash requested that Sustainable Forest Action Coalition be added to the copy list. Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the correspondence regarding the Forest Service's proposal to exclude from National Environmental Policy Act reviews certain soil and water restoration activities, provide input, with the addition of the Sustainable Forest Action Coalition to the copy list, and authorize the Chairperson to sign. Motion carried unanimously.

Water/MIG Contract Amendment	Moved by Supervisor Cervantes and seconded by Supervisor Pucci to approve the Amendment to the Contract between the County of Inyo and MIG Inc., for recreational use planner consultation services, amending the scope of work to authorize the completion of the LORP Recreational Use Plan, and increasing the Contract amount by \$38,000, contingent upon the Board's adoption of a FY 2012-13 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
CAO-Adv. Co. Resources/Comm. Sponsorship Grant Payments	Moved by Supervisor Cash and seconded by Supervisor Pucci to authorize final payments for completed Community Project Sponsorship Grant Projects as follows: \$1,797.97 to the Friends of the Mt. Whitney Fish Hatchery for the Independence Father's Day Fishing Derby; \$750 to the Bishop Museum and Historical Society for its fourth annual Benefit Concert; \$2,500 to the Lone Pine Chamber of Commerce for its Hospitality Training Program; and to the Death Valley Chamber of Commerce \$3,500 for the Death Valley Visitors Guide, and \$3,500 for translation of portions of its webpage into several European languages. Motion carried unanimously.
CAO/Secured Rural Schools Funding Option	The County Administrator thanked his Administrative Assistant, Ms. Kelley Williams, for her work in bringing the Secured Rural Schools funding item before the Board. He explained that staff is recommending the Board continue to receive the allocation under the 25% option which he feels provides the best benefit to the County. Moved by Supervisor Cash and seconded by Supervisor Pucci to consider payment options for the County to receive funding from the Secure Rural Schools and Community Self-Determination Act and authorize the Chairperson to sign and transmit a letter notifying the Forest Service of the payment option elected by the County to continue receiving the Federal Fiscal year 2012 allocation under the 25% Seven Year Rolling Average payment method. Motion carried unanimously.
BofS/Minute Approval	The Assistant Clerk requested that the July 17 minutes be approved with a correction in the spelling of "Tawny" to "Tawni." Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the minutes of the Board of Supervisors meetings of A) July 10, 2012; and B) July 17, 2012, as corrected. Motion carried unanimously.
CAO-Planning/ Gruen Gruen + Assoc. Contract Amendment	Moved by Supervisor Cervantes and seconded by Supervisor Cash to approve Amendment No. 5 to the Contract between the County of Inyo and Gruen Gruen + Associates, increasing the amount of the Contract by \$161,250 to a total not to exceed \$346,250 and revising the Scope of Work to include additional analysis work, contingent upon the Board's adoption of a FY 2012-13 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 2:40 p.m., to reconvene in open session at 2:45 p.m., with all Board Members present.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including a Southern Inyo Hospital Meeting, and Interagency Visitor's Center Meeting, a Northern Inyo Airport Advisory Committee Meeting, meetings with Seniors in Bishop, a Digital 395 briefing, an Adventure Trails Meeting, a CSAC Executive Committee Meeting, a Great Basin Air Pollution Control District Meeting, a report on implementation of SRA Fees, a report on Dr. Lind's Retirement Party, an EMCC Meeting, a Southern Inyo Airport Advisory Committee Meeting, a Fire Safe Council Meeting, and a Big Pine Adventure Trails Route Designation Meeting.
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 3:20 p.m., to convene in closed session, with all Board Members present to discuss and take action as appropriate on Agenda Items No. 32. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] – Center for Biological Diversity, a non-profit public interest corporation; Public Employees for Environmental Responsibility, a national non-profit alliance of local, state, and federal resource professions, v. Inyo County and Inyo County Board of Supervisors, Inyo County Superior Court Case No. SICVPT 12-53821; 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: Labor Relations Administrator Sue Dishion, Information Services Director Brandon Shults, and Planning Director Josh Hart; 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; No. 39. **REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8)** – Property – APN010-490-08, Bishop, California – Negotiating Parties – County Administrator and Joseph Enterprises – Negotiations – Terms and Conditions; and No. 40. **REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8)** – Property – APN0008-240-01, Jay Street Property, Bishop, California (County Owned) – Negotiating Parties – County Administrator and Mammoth Brewing Company – Negotiations – Terms and Conditions.

- Report on Closed Session The Chairperson recessed closed session at 5:40 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 5:40 p.m., to 9:00 a.m., Tuesday, August 14, 2012, 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