



County of Inyo Board of Supervisors

October 9, 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, October 9, 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 Fortney 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 Reports The Chairperson announced the County Department Report period. Ms. Jean Turner, Director of Health and Human Services, provided an update on her Department's programs. Chief Probation Officer, Jeff Thomson, addressed the Board to provide statistical data on offenders returned to the County under AB 109. Serena Dennis, Acting Farm Advisor, announced that the Program has hired Mr. Dustin Blakely to serve as Inyo County's Farm Advisor. She said that Mr. Blakely would assume his duties the first week of December. Dr. Bob Harrington, Water Director, informed the Board about meetings dates as follows: Technical Group Meeting October 10, 2012 at the DWP Offices in Bishop, the Standing Committee Meeting, November 8, 2012, in Los Angeles, and Water Commission Meeting, November 15, 2012 in Bishop. Dr. Harrington responded to questions from Board Members regarding well drilling in the Lone Pine and Big Pine areas, explaining that the work is being done as replacement wells and wells to provide water to mitigation projects.

**Resol. #2012-42/
Firefighter of the
Year** On a motion by Supervisor Cervantes and a second by Supervisor Cash, Resolution No. 2012-42 was approved honoring Charles Abbott as the Inyo County 2012 Firefighter of the Year and present the award to Mr. Abbott: motion unanimously passed and adopted. The Chairperson read the Resolution into the record and presented the Resolution to Mr. Abbott.

Introduction Mr. Josh Hart, Planning Director introduced Mr. Nolan Bobroff, Planning Coordinator, to the Board.

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

**County Counsel/
County Dept.
Conflict Codes** Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to approve A) the 2012 Conflict of Interest Code Biennial Reports from County Departments as recommended; and B) the Conflict of Interest Code for County Departments as recommended. Motion carried unanimously.

**County Counsel/
Local Agencies
Conflict Code** Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to approve A) the 2012 Conflict of Interest Code Biennial Reports from local agencies as recommended; and B) the Conflict of Interest Code for local agencies as recommended. Motion carried unanimously.

**D.A./Victim Witness
Assistance Grant** Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to accept the Inyo County Victim Witness Assistance Program Grant from the California Emergency Management Agency for FY 2012-2013; and authorize the District Attorney to sign documentation to accept and utilize the grant on behalf of the County. Motion carried unanimously.

**HHS-Social Serv./
Office of Ed Child
Development Serv.** Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to ratify and approve the Contract between the County of Inyo and the Inyo County Superintendent of Schools CDD for the provision of Improved System & Child Development Services for the period of July 1, 2012 through June 03, 2013, in an amount not to exceed \$24,000; and authorize the Chairperson to sign. Motion carried unanimously.

P.W./Pestmaster Services Contract Amendment	Moved by Supervisory Cervantes and seconded by Supervisor Arcularius to approve Amendment No. 1 to the Contract between the County of Inyo and Pestmaster Services, Inc., for insect and pest control services at County facilities to modify the scope of work and increase the annual amount of the Contract from \$6,667.64 a month to \$7,016.16 a month for the remainder of the original term through FY 15/16; and authorize the Chairperson to sign, contingent upon the adoption of future budgets. Motion carried unanimously.
P.W./Heating and Air-Conditioning Replacement and Repair Parts P.O.	Moved by Supervisory Cervantes and seconded by Supervisor Arcularius to declare Johnstone Supply a sole-source provider of heating, air-conditioning, and refrigeration repair and replacement parts, and authorize a blanket purchase order to Johnstone Supply in the amount of \$12,000 for the purchase of parts. Motion carried unanimously.
CAO/Grand Jury Report Response	The County Administrator reviewed the draft response to the 2011-12 Grand Jury Final Report. He provided the Board with a copy of a revised response for the portion of the report on the "Consolidated County Office Space in Bishop." The Chairperson noted the Board has been presented with a letter from the Inyo Register Editor, Ms. Darcy Ellis, taking issue with the District Attorney's response to the Grand Jury Report and noting her opinion regarding his characterization of the newspaper's role in local government issues. The Board took a moment to read Ms. Ellis' letter. The County Administrator clarified that Elected Officials are required by law to provide a response to the Superior Court Judge within 60 days of the release of the report, vs. the County's requirement to respond within 90 days. He further clarified that the County was not endorsing the District Attorney's response, it is simply providing a copy of the response that the D.A. provided as a courtesy. A minor clerical correction was noted on page 12 that needed to be made. Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the report to Judge Dean Stout, Presiding Judge, Inyo County Superior Court, responding to the findings and recommendations in the 2011-12 Grant Jury Final report as amended; and authorize the County Administrator to sign the transmittal letter. Motion carried unanimously.
CAO/Road eater Emerg. Continued	The County Administrator and Interim Public Works Director updated the Board on the status of determining the costs to repair the County's roads as a result of the August, 2012 flooding. The County Administrator explained that the County still believes that the magnitude of the costs of these repairs will elevate the emergency to the Federal level and recommended that the Board continue the emergency. Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to continue the local emergency, the Death Valley Road eater Emergency, that resulted in flooding in the eastern portion of Inyo County during the month of August 2012, per Resolution #2012-32. Motion carried unanimously.
D.A./Position Request	Moved by Supervisor Arcularius and seconded by Supervisor Pucci to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the BPAR Legal Secretary I position comes from the General Fund, 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 Legal Secretary I, the vacancy could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure a qualified applicant pool; and C) approve the hiring of one B-PAR Legal Secretary I at Range 54A (\$15.23 - \$18.51 per hour). Motion carried unanimously, with Supervisor Cash abstaining.
D.A./Budget Amendment	The County Administrator and Budget Officer noted that the money being recognized in the D.A.'s budget amendment was not actually unanticipated revenue and as such there was no need for this item to have a FAC recommendation. Moved by Supervisor Arcularius and seconded by Supervisor Pucci to amend the FY 2012-2013 County Budget by recognizing \$7,000 in unanticipated revenue; and in the District Attorney Budget Unit 022400 by increasing revenue in Restitutions (<i>Revenue Code #4676</i>) by \$7,000 and increasing expenditures in Special Appropriations (<i>Object Code #5321</i>) by \$7,000. Motion carried unanimously.
Recess/Reconvene	The Chairperson recessed the regular meeting at 9:55 a.m., to reconvene in open session at 10:00 a.m., with all Board Members present.
HHS-Probation/ Wraparound Workshop	The Chairperson recessed open session at 10:00 a.m., to convene in a workshop with Health and Human Services and Probation Department staff on the Wraparound Program. The Chairperson recessed the workshop at 10:42 a.m.

HHS-ESAAA/ICGold Workshop The Chairperson convened a workshop at 10:42 a.m., with all Board Members present to discuss with Health and Human Services staff the IC Gold Program. The Chairperson recessed the workshop at 11:15 a.m., to reconvene in open session.

HHS-ESAAA/ Program Update Ms. Jean Turner, Director of Health and Human Services and the Eastern Sierra Area Agency on Aging, reported on the Walker Senior Meeting. She informed the Board that the Ombudsman Services Contract issue was being appealed to the California Department of Aging and thanked Inyo County Auditor Leslie Chapman for her work with the Bishop Seniors to help them get their 5013(c) status.

P.W./Town Water Systems Workshop The Chairperson recessed open session at 11:30 a.m., to convene in a workshop, with all Board Members present, to comment on recent reports about the operation and condition of the water systems (Lone Pine, Independence, and Laws). During the discussion regarding the costs of capital improvements needed the County Administrator expressed concern that the County's general fund does not have the \$10 million to pay the costs of improvements and suggested that the Board move forward as quickly as possible with the rate study and the development of various options to present for the 218 voter approval process.

Recess/ Reconvene The Chairperson recessed the regular meeting at 12:40 a.m., to reconvene in a workshop at 1:30 a.m., with all Board Members present.

CAO-Adv. Res./ Workshop on Grant The Board conducted a workshop to review the package of Community Project Sponsorship Program materials to determine what, if any, changes need to be made and schedule the second part of the workshop to discuss those changes the Board might wish to make in the grant materials. The Chairperson recessed the workshop at 2:10 p.m.

Planning/EA on Closure of Inyo Forest to Domestic Goat Use Mr. Josh Hart, Planning Director, reviewed the scoping notice for the Environmental Assessment for a proposal to implement a Forest Order closing endangered Sierra Nevada Bighorn Sheep habitat to domestic goat use in the Inyo National Forest. The Board and Mr. Hart discussed many aspects of the proposed closures including, that there is no documentation or scientific proof that domestic goats are impacting Big Horn Sheep, the lack of coordination on the closures, the possible ulterior motives of the closures, and the lack of evidence supporting reports of increased populations. Moved by Supervisor Cash and seconded by Supervisor Cervantes, to approve the correspondence for the Environmental Assessment for a proposal to implement a Forest Order closing endangered Sierra Nevada Bighorn Sheep habitat to domestic goat use in the Inyo National Forest as amended to reflect the sentiments expressed by the Board in the discussion; and authorize the Chairperson to sign.

Board Members and Staff Reports The Board Members reported on their activities during the preceding week including the Lone Pine Film Festival, the LAFCO Conference in Monterey, the Southern California Energy Summit in Palm Springs, notification that a lawsuit has been filed against the SRA Fees, and the upcoming Fire Department Open Houses.

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 2:40 p.m., to convene in closed session, with all Board Members present to discuss and take action as appropriate on Agenda Items No. 23. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [PURSUANT TO GOVERNMENT CODE §54956.9(c)]** – Decision whether to initiate litigation (one case); No. 24. **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. 25. **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. 26. **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. 27. **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. 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: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 29. **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. 30. **REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8)** – Property – APN001-104-09, 512 N 2nd Street, Bishop, California – Negotiating Parties – County Administrator, HHS Director, and Interim Public Works Director - Negotiations – Terms and Conditions.

- Report on Closed Session The Chairperson recessed closed session at 4:30 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.
- Public Comment The Chairperson opened public comment. Supervisor Arcularius requested that today's meeting be adjourned in memory of Ms. Dorcas Birchim a life-long resident, who was a member of one of the pioneering families in the area.
- Adjournment The Chairperson adjourned the meeting in memory of Dorcas Birchim. The Chairperson adjourned the meeting at 4:30 p.m., to 9:00 a.m. on Tuesday, October 16, 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