



# County of Inyo Board of Supervisors

## March 19, 2013

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 March 19, 2013, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Linda Arcularius presiding, Jeff Griffiths, Rick Pucci, Mark Tillemans and Matt Kingsley. Supervisor Griffiths 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. The Auditor-Controller, Ms. Reports                Leslie Chapman, announced that she has been offered the position of Fiscal Director in Mono County and depending on the results of contract negotiations for the position, she anticipates resigning her elected office of Inyo County Auditor-Controller. Dr. Bob Harrington, Water Director, provided the Board with a copy of the agenda for the upcoming Water Commission Meeting. Mr. Doug Wilson, Interim Public Works Director, updated the Board on the installation of the new Lone Pine Sheriff's Substation modular building. Ms. Susanne Rizo, Director of Child Support Services, updated the Board on the Bishop Tribes new ordinance that supports enforcement of support orders on the reservation. Ms. Jean Turner, Director of Health and Human Services, updated the Board on efforts to bring Ombudsman Services in-house and to provide information on the upcoming ESAAA Advisory Council Meeting. Mr. Art Maillet, District Attorney, reported that the County's conviction of Mr. LePlat was upheld on appeal. He went on to update the Board on the status of the investigation into the possible theft of public funds, saying that he expects to file charges in the near future.
  
- HHS-Behavioral        Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve Amendment No. 1 to Hlth. Serv./                the Contract between the County of Inyo and Crestwood Behavioral Health, Inc., (for residential Crestwood                placement for adults in a locked facility and Mental Health Rehabilitation Centers) increasing the Contract                amount by \$5,000 to a total not to exceed \$35,000 for the period of July 1, 2012 through June 30, 2013; and authorize the Chairperson to sign. Motion carried unanimously.
  
- HHS-Mental Hlth.      Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve the Contract between Serv./Mental Health    the County of Inyo and the California Institute of Mental Health for facilitator certification training in Training Contract        Aggression Replacement Training for the period of March 11, 2013 through March 10, 2014, in an amount not to exceed \$15,300, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign the Contract and the HIPAA Business Associate Agreement. Motion carried unanimously.
  
- DA/Hiring at E-Step    Moved by Supervisor Pucci and seconded by Supervisor Kingsley to authorize hiring the previously Authorization            approved District Attorney Criminal Investigator position at Range SB71 Step E (\$5,832 per month). Motion carried unanimously.
  
- CAO-Personnel/        Moved by Supervisor Pucci and seconded by Supervisor Kingsley to authorize hiring a previously Hiring at E-Step            approved Senior Deputy County Administrator position at Step E (\$8,540 per month.) Motion Authorization                carried unanimously.
  
- P.W./Dryvit            Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve the Plans and Replacement                Specifications for the County Jail Building, Independence, Replacement of Dryvit System Project at Jail            Expansion Joints Project and authorize the Interim Public Works Director to advertise and bid for the Project. Motion carried unanimously.

Child Support/ Position Request	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to A) change the authorized strength by deleting the Assistant Director position at Range 78E (\$6,074) and adding one Child Support Officer Series; and B) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the position of Child Support Officer I exists as certified by the Child Support Services Director and concurred with by the County Administrator and Auditor-Controller; (b) and where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply; and (c) approve the hiring of one Child Support Specialist I, at Range 57 (\$3,046 – \$3,701). Motion carried unanimously.
HHS-Soc. Serv./ Position Request	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position of Health and Human Services Specialist exists as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; B) and where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply; and (c) approve the hiring of one Health and Human Services Specialist at Range 53 (\$2,779 – \$3,380). Motion carried unanimously.
HHS-Behavioral Hlth. Serv./Victor Treatment Center Contract	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to ratify and approve the Contract between the County of Inyo and Victor Treatment Center for the provision of mental health services for the period of February 1, 2013, through June 30, 2013, in an amount not to exceed \$25,000; and authorize the Chairperson to sign. Motion carried unanimously.
Planning/Forest Plan Update	The Board and the Planning Director, Mr. Josh Hart, discussed the County's coordination with Forest service staff regarding the Inyo National Forest Plan Update/Revision. The Board and Mr. Hart discussed the draft MOA between the County and the Forest Service regarding the Plan in detail and at length. The Board expressed a desire to get the MOA in place as soon as possible.
Planning/Rural Comm. Focus Group	The Planning Director, Mr. Josh Hart, provided additional information and further explanation regarding the Rural Community Focus Group and the request for possible nominations to the Group membership. Supervisor Arcularius explained that she had received notice of this item and sent in a letter expressing her interest in serving. Supervisor Kingsley also expressed an interest in being nominated to serve on the Focus Group. The Board asked Mr. Hart to submit a letter of nomination for Supervisor Arcularius and Supervisor Kingsley for membership on the rural Community Focus Group.
Planning/Desert Tortoise Recovery Action Plan	The Board and the Planning Director Mr. Josh Hart, reviewed the Recovery Action Plan for the Mojave Desert Tortoise. The Board and Mr. Hart discussed the development of a letter regarding the Action Plan to be signed by Supervisors Arcularius and Kingsley, that address the County's concerns with possible costs to the County to implement the plan with a recommendation that all implementation costs be fully borne by the federal implementing agencies, concerns that the Plan is in conflict with the County's General Plan policies regarding multiple use, and the possibility that the Plan will displace grazing, mining, recreation, and other multiple uses for a singular purpose which is contrary to federal law and good comprehensive planning practice, and identify the County's concern that the Plan is encouraging private land acquisitions and strongly oppose these actions because of the impact to Inyo County which has less than 2% of its land in private ownership.
Planning/General Plan Annual Progress Report	Mr. Nolan Bobroff, Planning Assistant, provided additional information and further explanation on the draft Inyo County 2012 General Plan Annual Progress Report (APR). Moved by Supervisor Pucci and seconded by Supervisor Tillemans to approve the Inyo County 2012 General Plan Annual Progress Report and direct staff to forward the APR to the State of California's Department of Housing and Community Development and Governor's Office of Planning and Research. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:25 a.m., to reconvene in a workshop at 10:35 a.m., with all Board Members present.
HHS/Workshop Hlth Realignment/Hlth Care Reform	The Board met in a workshop with the Director of Health and Human Services to receive information and discuss Health Realignment/Health Care Reform and what this reform will mean for Inyo County. The Chairperson recessed the workshop at 11:05 a.m., to reconvene in open session, with all Board Members present.

Ord. 1178/SCE Franchise	On a motion by Supervisor Tillemans and a second by Supervisor Pucci, Ordinance 1178 titled "An Ordinance Of The Board Of Supervisors Of The County Of Inyo, State Of California, Repealing Inyo County Ordinance 100, And Granting To Southern California Edison Company, A California Corporation, Its Successors And Assigns, The Right, Privilege And A Franchise To Use And To Construct Poles, Wires, Conduits, And Appurtenances, Including Communication Conduits Necessary Or Proper Therefor, In, Along, Across, Upon, Over, And Under The Public Streets, Ways, Alleys, And Places, As They May Now Or Hereafter Exist, Within The County Of Inyo, For The Purpose Of Transmitting And Distributing Electricity For All Purposes As Authorized Under This Franchise," was enacted: motion unanimously passed and adopted.
Rd./Road Project Financing Workshop	The Chairperson recessed open session at 11:25 a.m., to convene in a workshop, with the Interim Public Works Director, Mr. Doug Wilson on road project financing. The Chairperson recessed the workshop at 12:20 p.m.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:20 p.m., to reconvene in a workshop at 1:00 p.m., with all Board members present.
Auditor/Workshop on CalPERS Safety Side Funding	The Board convened in a workshop to receive a presentation from representatives of Brandis Tallman LLC regarding the refinancing of the County's CalPERS Safety Side Fund requirements. The Chairperson recessed the workshop at 1:30 p.m. to reconvene in open session, with all Board Members present.
Auditor/Safety Side Fund Refinancing	The Board, the Auditor-Controller, Ms. Leslie Chapman, and the County Administrator, discussed the 10 year and 14 year re-financing options being proposed to refinance the CalPERS Safety Side Fund. The Board expressed an interest in seeing the process move forward while postponing the final decision on the term of the refinancing. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to authorize County Staff to engage the services of Brandis Tallman LLC to select a lender and form a financing team to begin the process of refinancing the County's Safety Plan CalPERS Side Fund Obligation in accordance with the Financial Advisory Committee's recommendation. Motion carried unanimously.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including the CEC Meeting in Tecopa regarding the BrightSource Project, the Washington D.C. trip for the NACo Legislative Conference; the Big Pine Fire Chief's Retirement Party, and an announcement by the County Administrator that he has filled one of the two vacant Deputy County Administrator positions. The Board discussed the possibility of scheduling a special meeting in Tecopa sometime in the near future in order to "beat the heat." After a review of the individual Board Members calendars, the Board settled on canceling the regular meeting of April 9, 2013 and scheduled a Special Board of Supervisors Meeting for 6:00 p.m., Monday, April 8, 2013 at the Tecopa Community Center and asked staff to make the necessary arrangements. At the request of the County Administrator the Board also calendared a Special Meeting for 8:00 a.m., Thursday, April 4, 2013 at the County Administrative Center at 163 May Street in Bishop to conduct the CAO's Department Head Evaluation, which had been postponed in February.
Public Comments	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 2:50 p.m., to convene in closed session at 3:00 p.m., to discuss and take action as appropriate on Agenda Items No. 20. <b>CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code § 54956.9(d)(1)] - Application for Certification for the HIDDEN HILLS SOLAR ELECTRIC GENERATING SYSTEM</b> - Before the Energy Resources Conservation and Development Commission of the State of California Docket No. 11-AFC-02 (Bright Source); No. 21. <b>CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code § 54956.9(d)(1)]. City of Los Angeles, Department of Water and Power of the City of Los Angeles v. Inyo County Board of Supervisors, et al.</b> Inyo County Superior Court Case No. 12908; Blackrock 94 Dispute Resolution; No. 22. <b>PERSONNEL [Pursuant to Government Code §54957]</b> - Public Employee Performance Evaluation - Title – County Counsel; No. 23. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].</b> - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriff's Association (DSA) - Negotiators: Labor Relations Administrator, Sue Dishion, Information Services Director, Brandon Shults, and Planning Director Josh Hart; No. 24. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].</b> Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected

Officials Assistant Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson 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: Inyo County Correctional Officers Association (ICCOA) - Negotiators: 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: 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 Probation Peace Officers Association (ICPPOA) - Negotiators: CAO Kevin Carunchio and 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: Law Enforcement Administrators' Association (LEAA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.

Report on Closed Session      The Chairperson recessed closed session at 4:35 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 a 4:35 p.m., to 9:00 a.m., Tuesday, March 26, 2013 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

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Chairperson, Inyo County Board of Supervisor

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

by: \_\_\_\_\_  
*Patricia Gunsolley, Assistant*