

MINUTES

County of Inyo Board of Supervisors

September 10, 2013

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:35 a.m., on September 10, 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 Arcularius 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.
- Closed Session The Chairperson recessed open session at 8:35 a.m., to convene in closed session with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 2. **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.* Inyo County Superior Court Case No. 12908; Blackrock 94 Dispute Resolution; and No. 3. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title – Director, Health and Human Services. The Chairperson recessed closed session at 10:00 a.m., to reconvene in open session with all Board Members present.
- Public Comment The Chairperson announced the second 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. Pam Hennarty, Sr. Deputy County Administrator updated the Board on the Wellness Run informing the Board that the event has been rescheduled to November 16, 2013. Mr. Jeff Thomson, Chief Probation Officer, updated the Board on the Governor and Legislatures efforts to comply with the early release of prisoners. He said that a compromise has been reached which will allow the State to comply with the Court Order while not being required to release the number of prisoners originally proposed. He went on to talk about SB678 which concerns the local control of probationers. Ms. Kammi Foote, updated the Board on her efforts to get the BLM to utilize a form that meets California law for the annual mining claim registration. Mr. Clint Quilter, Public Works Director, updated the Board on the Gully Washer Emergency, explaining that additional wash out damage has occurred on area roads as a result of recent rains and the crew is working on an assessment of the damage to Mazourka Canyon Road which remains closed. Mr. Quilter went on to update the Board on the removal of trees at the Bishop Airport. Mr. Jon Klusmire, Museum Administrator, updated the Board on museum activities.
- Forest/Forest Service Plan Update Mr. Ed Armenta, Inyo Forest Supervisor, discussed the Inyo National Forest Plan Update/Revision with the Board. The Board and Mr. Armenta focused much of the conversation on the fact the Forest Service has not signed the MOU. Mr. Armenta explained that the Office of General Counsel is still in the review process and is most likely going to make edits to the document. The Board expressed their dismay at the continuing delay with the MOU in light of the fact that there is already a signed MOU in place that was developed by CSAC and RCRC that sets the framework for subsequent MOU's with individual jurisdictions. The Board requested staff draft a letter to Chief Tidwell and Associate Director of NEPA Oversight Host Greczmiel in Washington regarding the delays in getting the MOU signed by the Forest Service and requesting a meeting with them in Washington to discuss the situation. The Board and Mr. Armenta went on to discuss a variety of issues associated with the Forest Plan/Update.
- HHS-Inyo First 5/ Appointments Moved by Supervisor Pucci and seconded by Supervisor Tillemans to appoint the following to the Inyo County Children and Families First Commission to complete unexpired three year terms two ending December 5, 2015 and one ending February 1, 2015: Candice Ruiz, representing a parent receiving services category; Raymond Naylor-Hunter representing a local organization for prevention or early intervention category; and Robyn Wisdom, representing educators specializing in early childhood development category, respectively. Motion carried unanimously.

Planning/MOU BLM, USFWS, CEC, CADFW & USFS	Moved by Supervisor Pucci and seconded by Supervisor Tillemans approve the Memorandum of Understanding with the U.S. Department of Interior, Bureau of Land Management, U.S. Fish and Wildlife Service, California Energy Commission and the California Department of Fish and Wildlife regarding administrative draft review of the Desert Renewable Energy Conservation Plan; and authorize the Chairperson to sign. Motion carried unanimously.
Planning/NOP on DTEIR Indy Casino	The Planning Director reviewed the Notice of Preparation (NOP) of Draft Tribal Environmental Impact Report for the proposed Fort Independence Hotel and Casino Project and reviewed the draft correspondence. The Board requested that the correspondence be amended to include assurances that 50-70% of the waste will be recycled. Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to approve correspondence to the Fort Independence Community of Paiute Indians in response to the NOP, as amended to include concerns with regard to solid waste; and authorize the Chairperson to sign. Motion carried unanimously.
Resol. 2013-43/ Road Abandonment Portion of Birch	<p>The Chairperson opened the public hearing at 11:30 a.m., on a proposed resolution titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Declaring the Vacation and Abandonment of That Portion of Birch Street in West Bishop. Mr. Nolan Bobroff, Planning Assistant reviewed the staff report and recommendations. Mr. Terry Tye, General Manager of the Indian Creek Westridge CSD addressed the Board to support the Road Abandonment. There were no further comments forthcoming. The Chairperson closed the public hearing at 11:35 a.m.</p> <p>On a motion by Supervisor Pucci and a second by Supervisor Kingsley, Resolution No. 2013-43 titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Declaring the Vacation and Abandonment of That Portion of Birch Street in West Bishop" was approved: motion unanimously passed and adopted.</p>
Planning/Workshop Planning Health Aging	The Chairperson recessed open session at 11:37 a.m., to convene in a workshop, with all Board Members present to conduct a workshop to receive a presentation on the "Next Steps Memorandum" on the Building Blocks for Sustainable Communities: Neighborhood Planning for Healthy Aging, Lone Pine, Inyo County, California. The Chairperson recessed the workshop at 11:45 a.m., to reconvene in open session, with all Board Members present.
Planning-Yucca Mt./ Program Update	Mr. Greg James, Consulting Attorney, updated the Board regarding recent events pertaining to the Yucca Mountain Repository, including (a) Write of Mandamus granted on August 13, 2013 ordering the Nuclear Regulatory Commission to continue the licensing process for Yucca Mountain, and (b) a hearing on July 31, 2013 by the House Energy and Commerce Subcommittee on Environment and Economy on the Energy Department's Strategy for Radioactive Waste Disposal.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:00 p.m., to reconvene in open session at 1:15 p.m., with all Board Members present.
Planning-Yucca Mt./ Program Update	Mr. Greg James, Consulting Attorney, concluded with the update regarding recent events pertaining to the Yucca Mountain Repository, including (a) Write of Mandamus granted on August 13, 2013 ordering the Nuclear Regulatory Commission to continue the licensing process for Yucca Mountain, and (b) a hearing on July 31, 2013 by the House Energy and Commerce Subcommittee on Environment and Economy on the Energy Department's Strategy for Radioactive Waste Disposal. The Board directed staff to continue to monitor this project and keep the Board informed.
Integ. Waste/ Program Workshop	The Chairperson recessed open session 1:45 p.m., to convene in a workshop with staff to review the staff recommended program changes in the Integrated Waste Management Program and agreed with staff recommendations on the implementation. The Chairperson recessed the workshop at 2:20 p.m. to reconvene in open session with all Board Members present.
BofS/Minute Approval	The Clerk requested that the Board include the minutes of the Special Meeting of August 13, 2013, which were provided to the Board and omitted from the Agenda. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve the minutes of the Board of Supervisors Meetings, as corrected as follows: A) Regular Meeting of August 13, 2013; B) Special Meeting of August 20, 2013; and C) Special Meeting of August 13, 2013. Motion carried unanimously, with Supervisor Pucci abstaining.

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve the minutes of the Board of Supervisors Meetings as follows: A) Special Meeting of August 19, 2013; and B) Regular meeting of August 20, 2013. Motion carried unanimously.

- Public Comment The Chairperson announced the last public comment period and there was no one wishing to address the Board.
- Report on Closed Session County Counsel reported that with regard to Agenda Items No. 2. **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.** Inyo County Superior Court Case No. 12908; Blackrock 94 Dispute Resolution, the Board in a unanimous vote, with Supervisors Arcularius, Griffiths, Pucci, Tillemans and Kingsley vote yes, provided direction to County Counsel; and with regard to Agenda Item No. 3. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title – Director, Health and Human Services, there were no actions taken in closed session, which are required by law to be reported on in open session.
- Adjourned The Chairperson adjourned the regular meeting of the Board at 2:30 p.m., to 8:30 a.m., Tuesday, September 17, 2013, 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