



County of Inyo Board of Supervisors

December 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 December 10, 2013, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Linda Arcularius presiding, Rick Pucci, Mark Tillemans and Matt Kingsley. Supervisor Griffiths joined the meeting at 8:37 a.m.

Public Comment The Chairperson announced the public comment period and there was no one wishing to address the Board

Recess/
Reconvene The Chairperson recessed the open session at 8:35 a.m., to convene in closed session, with all Board Members present.

Closed Session The Board met in closed session to discuss and take action as appropriate on Agenda Items No. 2. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].** Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistant Association (EOAA) - Negotiators: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion. No. 3. **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: Information Services Director Brandon Shults, Chief Probation Officer Jeff Thomson, and Labor Relations Administrator Sue Dishion; and No. 4. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] - Robert Raymond v. Kammi Foote, United States District Court Eastern District of California, Case No. 1:12-CV-01407-AWI-JLT.**

Pledge Supervisor Pucci led the Pledge of Allegiance.

Public Comment The Chairperson announced the public comment period and there was no one wishing to address the Board. The Chairperson requested that staff send a letter to the Brown and Beaver families thanking them for their holiday decorations at Brown’s Town in Bishop.

County Department Reports The Chairperson announced the County Department Report period. Mr. Brandon Shults, Information Services Director, informed the Board of a loss of internet connectivity that occurred yesterday. Ms. Jean Turner, Director of Health and Human Services, reported on a State Welfare Directors Association meeting she attended and updated the Board on the status of realignment funds. Chief Probation Officer, Jeff Thomson, reported on a Safe Schools Summit he attended and shared an alarming statistic he had learned during the summit which is that 66% of the children remanded to juvenile facilities do not go back to school.

CAO-General/Kotin & Associates Contract Amendment Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve Amendment No. 3 to the Contract between the County of Inyo and Allan D. Kotin & Associates, extending the term of the Contract to June 30, 2014, increasing the amount of the Contract by \$10,000 to a total amount not to exceed \$70,000, amending the Schedule of Fees (Attachment B to the Contract) to update contractor/consultant staff whom continue to work at a Board approved rate of no more than \$150/hour; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

CAO-Personnel/ LEAA MOU Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve the Memorandum of Understanding between the County of Inyo and the Law Enforcement Administrators Associations (LEAA) for the period of December 10, 2013 through December 31, 2014; and authorize the Chairperson to sign. Motion carried unanimously.

Coroner/Autopsy Services Contracts	Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve the Contracts between the County of Inyo and the following for autopsy services for the period of January 1, 2014 through December 31, 2015, and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained: A) Eva S. Wasef, M.D., in an amount not to exceed \$46,000; and B) Milton R. Jones, M.D., in an amount not to exceed \$43,200. Motion carried unanimously.
Planning/PCR Services Contract Amendment	Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve Amendment No. 4 to the Contract between the County of Inyo and PCR Services Corporation, for production of an EIR for the Crystal Geysers Roxane Cabin Bar Ranch Water Bottling Plant Project, extending the Contract from an ending date of December 31, 2013 to June 30, 2014; and authorize the Chairperson to sign. Motion carried unanimously.
Planning-Water/ Daniel B. Stephens Contract Amendment	Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve Amendment No. 6 to the Contract between the County of Inyo and Daniel B. Stephens & Associates, Inc., for provisions of hydrologic analysis services, extending the ending date of the Contract to March 31, 2014; and authorize the Chairperson to sign. Motion carried unanimously.
P.W./Quincy Engineering Amendment	Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve Amendment No. 5 to the Contract between the County of Inyo and Quincy Engineering for continued engineering services for the Sabrina Bridge Replacement Project, extending the term of the Contract to June 30, 2014; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Report on Closed Session	County Counsel reported that with regard to Agenda Items No. 2. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6] . Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistant Association (EOAA) - Negotiators: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion. No. 3. 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: Information Services Director Brandon Shults, Chief Probation Officer Jeff Thomson, and Labor Relations Administrator Sue Dishion; and No. 4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] - <i>Robert Raymond v. Kammi Foote</i> , United States District Court Eastern District of California, Case No. 1:12-CV-01407-AWI-JLT, direction was given and there are no reportable actions.
CAO-General/Big Pine Property Disposal	The Deputy Senior County Administrator, Pam Hennarty, provided additional information and further explanation for the process being followed to dispose of the County-owned property where the Big Pine Library used to be. Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to, in accordance with the Inyo County Real Property Management Policy: A) designate the County-owned property, identified as Assessor's Parcel Number 003-210-02, located at 210 N. Main Street, Big Pine, CA, as surplus; B) dispose of APN 003-210-02 through a sale to a public entity; and C) retain all water and/or mineral rights the County currently has on the property. Motion carried unanimously.
Library/Position Request	Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position of Library Specialist exists, as certified by the Library Director, and concurred with by the County Administrator and Auditor-Controller; B) whereas internal candidates meet the qualifications for the position, the position can be filled through a closed, County recruitment; and C) approve the hiring of two APAR Library Specialists I at Range 46A (\$12.90/per hr.). Motion carried unanimously.
County Counsel- CAO-Water/JAMS Endispute Payment	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to ratify and approve the payments to JAM ENDISPUTE of the County's portion of the arbitration costs as incurred for the Blackrock 94 Dispute Resolution in an amount not to exceed \$45,000 which includes \$11,929.97 already paid and \$9,181.02 currently due. Motion carried unanimously.
Water/Commission Appointments	Supervisor Arcularius recommended the appointment of Mr. Craig Patten and Mr. James Stroh to the Water Commission. The other Board Members agreed with the recommendation. Moved by Supervisor Pucci and seconded by Supervisor Kingsley to appoint Mr. Craig Patten and Mr. James Stroh to serve on the Water Commission to complete four year terms beginning December 31, 2013 and ending December 31, 2017. Motion carried unanimously.

Emerg. Serv./D. V. Roadeater Emerg. Continued	The County Administrator recommended that the D.V. Roadeater Emergency be continued. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to continue the local emergency, The Death Valley Roadeater 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.
Emerg. Serv./Gully Washer Emerg. Continued	The County Administrator recommended that the Gully Washer Emergency be continued. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to continue the local emergency, The Gully Washer Emergency that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013. Motion carried unanimously.
Emerg. Serv./Canyon Crusher Emerg. Continued	The Public Works Director, Clint Quilter, updated the Board on the status of the Trona Wildrose Road repairs. The County Administrator recommended that the Canyon Crusher emergency be continued. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to continue the local emergency, The Canyon Crusher Emergency that resulted in flooding in portions of Inyo County during the month of August, 2013. Motion carried unanimously.
Org/Wild Iris-IMACA/Grant Signature	Susie Banes of Wild Iris provided additional information and further explanation regarding Wild Iris' and IMACA's request to have the Certification of Local Approval documents signed by the County. The County Administrator explained that he was unable to make a recommendation regarding the request because at the present time the grant documentation, which was just provided this morning, has not been reviewed to ascertain the County's obligations and/or liability with regard to the grants. He did recommend that if the Board does approve the request that they make it contingent upon County Counsel's approval. County Counsel, indicated that she would review the documents as quickly as possible so that if approval is appropriate the documents may be signed prior to the submittal deadline. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to authorize the County Administrator and the Chairperson to sign Attachments F to Wild Iris' and IMACA's Grant Applications, as appropriate, for funding for homeless services and activities, contingent upon County Counsel's approval.
Recess/Reconvene	The Chairperson recessed the regular meeting at 11:05 a.m., to reconvene in a workshop at 11:17 a.m., with all Board Members present.
HHS-Workshop Jail Medical Services	The Board conducted a workshop with representatives of the Health and Human Services Department concerning Jail Medical Services. The Chairperson recessed the workshop at 11:40 a.m., to reconvene in open session, with all Board Members present.
P.W./Animal Shelter Update	The Board received an update from P.W. staff concerning the proposed County Animal Shelter. The Board also received an update on and discussed the fundraising efforts of the ICARE organization for the construction of new animal shelter facilities. The Board, staff, and Mr. Shade of ICARE discussed the proposed timeline, the funding requirements, and fundraising strategies. Ms. Shade added \$20,000 to the amount that ICARE has raised for the project. The Board agreed that fund raising efforts should continue for as long as possible and agreed with staff's proposed timeline. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to direct staff to go down the path of having an additive or a deductive bid process utilizing options 1 and 2 and adopting the revised timeline proposed by staff. Motion carried unanimously.
Recess/Reconvene	The Chairperson recessed the regular meeting at 12:30 p.m., to reconvene in open session at 1:30 p.m., with all Board Members present.
Ord. 1186 E. Health Fee Ordinance	On a motion by Supervisor Tillemans and a second by Supervisor Pucci, Resolution No. 1186, titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Inyo County Code, Chapter 7.52, Sections 7.052.010, 7.52.020, and 7.52.040 and Adding Section 7.052.130, Relating to Service and Permit Fees of the Inyo County Department of Environmental Health Services" amending the fee schedule to waive the temporary food facility permit fees for Cottage Food Operators selling their products adjacent to, and during, certified farmers markets and adding "Organized Camps" annual permit fee of \$296 to the Recreational Safety section of the fee schedule, was enacted: motion unanimously passed and adopted.

Rd. Dept./Avalanche Workshop The Chairperson recessed open session at 1:35 p.m., to convene in a workshop, with all Board Members present, to discuss avalanche areas and the impacts that avalanches have on County roads and the road crews that perform snow removal work, including safety concerns to residents that may live in or be visiting these areas during the winter months. The Chairperson recessed the workshop at 2:10 p.m.

Water/LORP Workshop The Chairperson convened the Board in a workshop at 2:10 p.m., with all Board Members present, on the Lower Owens River Project (LORP) Recreational Use Plan (RUP) where the Board received an overview of the RUP and an update on efforts to complete the Plan as it stands. The Chairperson recessed the workshop at 3:25 p.m.

Recess/Reconvene The Chairperson recessed the regular meeting a 3:25 p.m., to reconvene in open session at 3:35 p.m., with all Board Members present.

Planning/Sequoia-Kings Parks Letter Ms. Elaine Kabala, Associate Planner, reviewed draft correspondence to the Sequoia-Kings National Park Services regarding the proposed Restoration of Native Species in High Elevation Aquatic Ecosystems Plan and Draft Environmental Impact statement (EIS). Mr. Earl Wilson of Lone Pine, asked about the meeting in Bridgeport, asking if the Yosemite Toad is in Inyo County and asking if the Board is dealing with both issues. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve the correspondence and authorize the Chairperson to sign. Motion carried unanimously.

Planning/Sage Grouse Letter Mr. Josh Hart, Planning Director, reviewed a proposal to designate 1.8 million acres of critical habitat for the Bi-state Distinct Population Segment of Greater Sage-Grouse pursuant to the Federal Endangered Species Act. He said there will be minimal impact to Inyo County because most of the designation is located high in the Whites. He said the impact to our surrounding neighbors will be severe and the correspondence addresses our concern with the cumulative impacts. Mr. Hart suggested that the letter be amended to include a request to have a hearing on this designation in the Eastern Sierra. The Board and Mr. Hart continued to discuss the impact the critical habitat designation will have on the area. Mr. Nate Reade, Agricultural Commissioner, commented on the economic impact the critical habitat designation will have in Mono County. Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve the correspondence concerning the proposed rule to designate critical habitat for the sage-grouse, and authorize the Chairperson to sign. Motion carried unanimously.

Planning/Forest Plan Draft Assessment Mr. Josh Hart, Planning Director, provided a review of the draft correspondence to the Forest Service regarding the Draft Assessment for the Inyo National Forest Plan with the Board. Supervisor Tillemans noted some minor clerical changes in #3 and #7. In response to a question from Supervisor Arcularius regarding the inclusion of the comments made in the letter received from Mike Johnston and other input from tonight's meeting, Mr. Hart explained that he believes Mr. Johnston is making observations and with regard to other comments he will incorporate them. Supervisor Arcularius agreed that some of Mr. Johnston's comments were observations, but wanted to make sure the County's correspondence includes the importance of the Forest Service partnering with other entities. Supervisor Pucci added that he also wants to make sure that the correspondence sufficiently identifies the vast scale of the geographical location being proposed as habitat. Mr. Hart confirmed that he would make the changes to the draft correspondence to be considered after the Board takes public input on this item during the 6:00 p.m. timed item.

BofS/Minute Approval Moved by Supervisor Pucci and seconded by Supervisor Griffiths to approve the minutes of the November 26, 2013 Board of Supervisors Meeting. Motion carried unanimously with Supervisor Kingsley abstaining.

Board Members and Staff Reports The Board Members reported on their activities during the preceding week, including a meeting in Tecopa on the Renewable Energy General Plan Amendment, an Owens Lake Master Plan meeting, a Forest Service meeting on the Assessment, the Bishop City Council Meeting, the Big Pine Christmas Tree Lighting, an Arts Council Meeting, and update on Brownfields grant opportunities. The County Administrator updated the Board on efforts to support PILT funding for 2014, and an update on his efforts to coordinate with other entities regarding the Solar Ranch Project.

Recess/Reconvene The Chairperson recessed the regular meeting at 4:35 p.m., to reconvene in open session at 6:00 p.m., with all Board Members present.

Planning/Forest
Plan Draft
Assessment

The Planning Director, Mr. Josh Hart, provided an abbreviated review of the Inyo National Forest Plan Update/Revision Draft Assessment. He explained that the Assessment was developed from the Topic Papers, which the Board had provided input on. He clarified that this is the early phase of the Update process, saying the County will have many opportunities to comment as the process moves forward. The Board heard from Mr. Charles James of Big Pine and Mr. Earl Wilson of Lone Pine on the Assessment. Mr. Hart provided the Board with a supplemental draft of the correspondence the Board has reviewed earlier in today's meeting. The Board reviewed the correspondence. Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to approve the letter to Inyo National Forest Supervisor Ed Armenta, commenting on the Draft Assessment, and authorize the Chairperson to sign. Motion carried unanimously.

Public Comment

The Chairperson announced the public comment period. Mr. Earl Wilson of Lone Pine addressed the Board to provide the Board Members with the latest edition of "*The Sun Runner*" a publication concerning the "real California Desert."

Adjournment

The Chairperson adjourned the regular meeting at 6:30 p.m., to 8:30 a.m., Tuesday, December 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