

MINUTES

County of Inyo Board of Supervisors

January 13, 2015

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 January 13, 2015, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Matt Kingsley, presiding, Dan Tothoroh, Rick Pucci, Jeff Griffiths, and Mark Tillemans.

- 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 to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(d)(1) – Native American Heritage Commission vs. Inyo County Planning Department and Inyo County Board of Supervisors, Inyo County Superior Court Case No. SICVPT 1557557 (Munro Petition for Writ of Mandate); No. 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(d)(2) – significant exposure to potential litigation (one case); No. 3. 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 - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 4. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6] - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriff's Association (DSA) - Negotiators: County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator Pam Foster, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 5. 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 - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 6. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6] - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Peace Officers Association (ICPPOA) – Negotiators - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 7. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6] - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 8. 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: - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; and No. 9. REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8) – Property – 586 Central Avenue, APN 001-065-17, Bishop, California – Negotiating Parties – County Administrator, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, Director of Health and Human Services, Jean Turner, and Public Works Director, Clint Quilter, and property owners Gabriel Ruiz and Consuelo Moreno, Efrain Gonzales Grandados and Javier Ruiz Moreno, as joint tenants – Negotiations – Terms and Conditions. Supervisor Griffiths declared a conflict because he owns property within 500 ft. of the property being discussed in Agenda Item No. 9 and left the closed session at 9:45 a.m.**

Recess/ Reconvene	The Chairperson recessed closed session at 10:00 a.m., to convene in open session at 10:10 a.m., with all Board Members present.
Pledge	Supervisor Jeff Griffiths led the Pledge of Allegiance.
Public Comment	The Chairperson took a moment to remember Mr. Rodney Keener a County Employee and long-time resident of Lone Pine, who passed away recently. He offered the Board's condolences to the Keener Family and said that he would be adjourning today's meeting in memory of Mr. Keener.
BofS/Board Assignments	<p>The Chairperson provided the Board with a copy of his recommendation's for appointment of Board Members to the various Boards, Committees and Commissions. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the 2015 Board of Supervisors committee assignments as recommended by Chairperson Supervisor Matt Kingsley. Motion carried unanimously.</p> <p>For the purpose of Form 806 reporting, the Board made the following separate motions for the assignments: to the Great Basin Air Pollution Control District Board; the BLM Steering Committee; Mental Health Advisory Board; the Local Agency Formation Commission; and the Child Care Planning Council.</p> <p>Moved by Supervisor Pucci and seconded by Supervisor Griffiths to appoint Supervisor Dan Totheroh to the Mental Health Advisory Board. Motion carried unanimously, with Supervisor Totheroh abstaining.</p> <p>Moved by Supervisor Pucci and seconded by Supervisor Tillemans to appoint Supervisor Jeff Griffiths to Great Basin Unified Air Pollution Control District Board, and the Local Agency Formation Commission. Motion carried unanimously, with Supervisor Griffith's abstaining.</p> <p>Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to appoint Supervisor Rick Pucci to the Great Basin Unified Air Pollution Control District Board, the Local Agency Formation Commission, and the Mental Health Advisory Board. Motion carried unanimously, with Supervisor Pucci abstaining.</p> <p>Moved by Supervisor Pucci and seconded by Supervisor Totheroh to appoint Supervisor Mark Tillemans to the Local Agency Formation Commission and the Child Care Planning Council. Motion carried unanimously, with Supervisor Tillemans abstaining.</p> <p>Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to appoint Supervisor Matt Kingsley to the Great Basin Unified Air Pollution Control District Board, and the BLM Steering Committee. Motion carried unanimously, with Supervisor Kingsley abstaining.</p>
Water/Water Commission Appointments	<p>The Board discussed the requests to appoint two people to the Inyo County Water Commission. The Board discussed the reappointment of Ms. Teri Red Owl who is currently a member of the Commission and whose term has expired. Moved by Supervisor Tillemans and seconded by Supervisor Pucci to appoint Ms. Teri Red Owl to the Inyo County Water Commission to complete an unexpired four-year term ending December 31, 2018. Motion carried unanimously.</p> <p>The Board went on to discuss filling the second vacancy on the Commission which was a result of a member resigning. It was moved by Supervisor Totheroh and seconded by Supervisor Tillemans to appoint Mr. Rob Barker to the Commission. It was noted that with the appointment of Mr. Barker, there would be 4 members on the Water Commission who reside in the northern portion of the County. The Board went on to discuss having a more dispersed representation on the Water Commission with more representation from the southern part of the County. The motion was withdrawn by Supervisor Totheroh and Supervisor Tillemans. Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to appoint Mr. Mike Carrington to the Inyo County Water Commission, to complete an unexpired term ending December 31, 2017. Motion carried unanimously.</p>
Water/Ecological Society of America Contract	Moved by Supervisor Griffiths and seconded by Supervisor Pucci to ratify and approve the Contract between the County of Inyo and the Ecological Society of America for the provision of professional services in an amount not to exceed \$150,000 for the period of July 1, 2014 through June 30, 2015; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

P.W./Preferred Septic Contract Amendment #2	Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve Amendment No. 2 to the Contract between the County of Inyo and Preferred Septic and Disposal, adding trash removal services at the Inyo/Mono County Agriculture Department Storage Building and increasing the monthly amount by \$26.66 for a total monthly payment of \$3,037.88 for the remaining 12 months on the Contract, and a total Contract amount not to exceed \$107,507.30, 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.
P.W./Comment on Olancha Four-Lane Project NOP	Mr. Courtney Smith, Transportation Planner, provided a brief history of the Olancha-Cartago Four-Lane Project and reviewed the Notice of Preparation released by the California Department of Transportation (Caltrans) for the Draft Environmental Impact Report (DEIR)/Environmental Assessment (EA) on the project. The Board and staff discussed the information and reviewed the draft correspondence. Moved by Supervisor Pucci and seconded by Supervisor Tillemans to approve the correspondence in response to the Notice of Preparation for the Olancha-Cartago Four-Lane Project; and authorize the Chairperson to sign. Motion carried unanimously.
Road Dept./Snow Removal Policy	The Road Superintendent, Mr. Bob Brown, reviewed the Road Department's Snow Removal Policy with the Board.
Planning/Forest Plan Update	Mr. Josh Hart, Planning Director, reviewed the staff activities regarding coordination with Forest Service staff on the Inyo National Forest Plan Update/Revision, since the last update. The Board and staff discussed the Revision in detail and at length. At the conclusion of the discussion the Board requested a future Agenda Item to discuss the current policies concerning the Revision.
Park/Tecopa Hot Springs Concession Agreement	Ms. Pam Foster, Sr. Deputy County Administrator, provided a brief history of the operations and maintenance of the Tecopa Hot Springs Campgrounds and Pools. She reviewed the process which was followed to develop the current RFP. The Board and staff discussed the proposed Concession Agreement in detail and at length. Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to approve the Concession Agreement between County of Inyo and Tecopa Hot Springs Conservancy for the operation and maintenance of the Tecopa Hot Springs Campground and Pools and authorize the Chairperson to sign. Motion carried unanimously.
Ordinance 1193/ Delete Section 12.16.192 of Inyo County Code	On a motion by Supervisor Griffiths and a second by Supervisor Pucci, Ordinance 1193, titled "An Ordinance of the County of Inyo, State of California, Deleting Section 12.16.192 of the Inyo County Code" which deletes a redundant Code Section that conflicts with Section 12.16.190 which allows rates for use of the County parks, campgrounds, boat launching facilities, group camps, storage and facilities to be set by resolution of the Board of Supervisors was enacted: motion unanimously passed and adopted.
Motor Pool/Alt. Purchasing Pilot	The Chairperson recessed open session at 12:05 p.m., to convene in a workshop with all Board Members present, to talk with staff about a Motor Pool Alternative Purchase Pilot Program. The Chairperson recessed the workshop at 12:45 p.m.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:45 p.m., to reconvene in open session at 1:30 p.m., with all Board Members present.
BofS/Alabama Hills Stewardship Group	Mr. Kevin Mazzu of the Alabama Hills Stewardship Group updated the Board on the Group's efforts to have legislation approved designating the Alabama Hills a National Scenic Area.
CAO-Consolidated Office Building	Ms. Pam Foster, Sr. Deputy County Administrator, provided a chronology of the Bishop Consolidated Office Building project to date. The Board and staff discussed the project in detail with the Board members supporting the project and moving to the next phase of the lease negotiations for the Board's future consideration.
Fish & Wildlife/Fine Fund Expenditure	Moved by Supervisor Griffiths and seconded by Supervisor Pucci to authorize a \$5,070 expenditure from the Fish and Game Fine Fund to purchase for the California Department of Fish and Wildlife 3 spotting scopes from Swarovski Optic for the Game Wardens. Motion carried unanimously.
County Department Reports	The Chairperson announced the County Department Report period. The Agricultural Commissioner, Mr. Nate Reade, updated the Board on a statewide grazing regulatory program. The Chief Probation Officer, Mr. Jeff Thomson, updated the Board on the CCP Plan.

- Public Comment The Chairperson announced the public comment period. Mr. Steve Nelson of the BLM Field Office, presented the Board with 2015 Discover the Desert Day Planners.
- Closed Session The Chairperson recessed open session at 2:35 p.m., to reconvene in closed session, with all Board Members present, to continue discussions and actions as appropriate on previously identified closed session items.
- Report on Closed Session The Chairperson recessed closed session at 3:40 p.m., to reconvene in open session, with all Board Members present to receive a report on closed session. County Counsel reported that with regard to Agenda Item No. 1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(d)(1)** – Native American Heritage Commission vs. Inyo County Planning Department and Inyo County Board of Supervisors, Inyo County Superior Court Case No. SICVPT 1557557 (Munro Petition for Writ of Mandate), the Board in a five-to-zero vote, with Supervisors Tothoroh, Griffiths, Pucci, Tillemans and Kingsley voting yes, approved a decision to retain the services of Greg James to assist the County Counsel in this matter due to his specialty and the County Counsel’s office staffing issues and also, in a five-to-zero vote, with Supervisors Tothoroh, Griffiths, Pucci, Tillemans and Kingsley voting yes, gave direction to County Counsel to take action in defense of the County in this litigation; with regard to Item No. 2, there is no reportable action; with regard to items 3 through 8, which are negotiations with various labor unions, the Board gave direction to the negotiators as relevant; and with regard to Agenda Item No. 9. **REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8)** – Property – 586 Central Avenue, APN 001-065-17, Bishop, California – Negotiating Parties – County Administrator, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, Director of Health and Human Services, Jean Turner, and Public Works Director, Clint Quilter, and property owners Gabriel Ruiz and Consuelo Moreno, Efrain Gonzales Grandados and Javier Ruiz Moreno, as joint tenants – Negotiations – Terms and Conditions, the Board in a four-to-zero vote, with Supervisors Tothoroh, Pucci, Tillemans and Kingsley voting yes and with Supervisor Griffiths absent, having declared a conflict and recusing himself from the closed session, directed the County Administrative Officer to sign the contingent real property purchase agreement for the identified property, and other documents related to escrow and to proceed forward with the legal requirements of Government Code Sections 65402(b) and 6603 which requires notice be given with regard to a public hearing at which the Board may vote to consummate the purchase.
- Adjournment The Chairperson adjourned the meeting in memory of Rodney Keener a County Employee and long time resident of Lone Pine who passed away recently. The Chairperson adjourned the meeting at 3:45 p.m. to 8:30 a.m., Tuesday, January 20, 2015, 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