

# MINUTES

# County of Inyo Board of Supervisors

## August 18, 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 August 18, 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 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 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, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 3. **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, Assistant County Administrator, Rick Benson, 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: Law Enforcement Administrators' Association (LEAA) - Negotiators: - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, 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: Deputy Sheriff's Association (DSA) - Negotiators: County Administrative Officer, Kevin Carunchio, Assistant County Administrator Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; and No. 6. **CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]** - decision whether to initiate litigation (one case).
- Recess/  
Reconvene      The Chairperson recessed closed session at 9:55 a.m., to reconvene in open session at 10:05 a.m., with all Board Members present.
- Pledge      Supervisor Griffiths led the Pledge of Allegiance.
- Public Comment      The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.
- District/Bishop Fire  
District Board  
Appointment      Moved by Supervisor Pucci and seconded by Supervisor Griffiths to reappoint Mr. Ted Metz to the Bishop Rural Fire Protection District Board to complete a four year term ending July 1, 2019. Motion carried unanimously.
- HHS-Sr.Prgm/  
Oliver Products  
P.O.      Moved by Supervisor Pucci and seconded by Supervisor Griffiths to A) declare Oliver Products Company a sole source provider of food trays and coverings; and B) authorize a Blanket Purchase Order to Oliver Products Company for food trays and coverings for the home delivered meals program in an amount not to exceed \$25,000, contingent upon the Board's adoption of a FY 2015-16 Budget. Motion carried unanimously.

P.W./South Bishop Improvement Project Road Closure Moved by Supervisor Pucci and seconded by Supervisor Griffiths to authorize Griffiths Construction and their subcontractor, Pavement Recycling Systems to temporarily closed Sunland Drive between U.S. 395 and Brown's Recycling on Sunland Drive to reconstruct the road's base section and to pave the road as part of the South Bishop Improvement Project. Motion carried unanimously.

VSO/Subvention and Medi-Cal Certificates Moved by Supervisor Pucci and seconded by Supervisor Griffiths to approve the Subvention and Medi-Cal Certificate of Compliance for FY 2015/16 and authorize the Chairperson to sign. Motion carried unanimously.

CSS/Child Support Proclamation Moved by Supervisors Griffiths and seconded by Supervisor Tillemans to approve a proclamation declaring August 2015 as Child Support Awareness Month in Inyo County. Motion carried unanimously.

Assessor/Office Tech Position Request Moved by Supervisor Griffiths and seconded by Supervisor Pucci to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for an Office Technician position comes from the General Fund, as certified by the Assessor, and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy can be filled through an internal recruitment; and C) approve the hiring of one Office Technician I at Range 55 (\$3,088 - \$3,754). Motion carried unanimously.

Rd. Dpt/Heavy Equipment Mechanic Position Request Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Heavy Equipment Mechanic position exists in the Road Budget, as certified by the Public Works Director, and concurred with by the County Administrator and Auditor-Controller; B) authorize an external recruitment for the position; C) approve the hiring of one full-time Heavy Equipment Mechanic I at Range 58 (\$3,310-\$4,027 plus 2.5% tool allowance), or II at Range 60 (\$3,471 - \$4,216 plus 2.5% tool allowance) depending on qualifications; and D) if this recruitment creates a vacancy within the Department, authorize the filling of the newly created vacancy at a Heavy Equipment Mechanic I level. Motion carried unanimously.

Sheriff/Corporal Position Request Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Corporal position comes from the General Fund, as certified by the Sheriff, and concurred with by the County Administrator and Auditor-Controller; B) authorize an internal recruitment for the position; and C) approve the filling of one Corporal position at Range 70SA-70SD (\$4,556 - \$6,262); and authorize hiring at up to the D step for qualified applicant. Motion carried unanimously.

Sheriff/Deputy Position Request Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Deputy Sheriff position comes from the General Fund, as certified by the Sheriff, and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the position could possibly be filled through an internal recruitment, however, an open recruitment is more appropriate to ensure the position is filled with the most qualified applicant; and C) approve the filling of one Deputy Sheriff position at Range 67SA-SC (\$4,107 - \$5,510); and authorize hiring at up to a D step for qualified lateral applicant. Motion carried unanimously.

Sheriff/Correctional Officer Position Request Moved by Supervisor Pucci and seconded by Supervisor Totheroh to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Correctional Officer position comes from the General Fund, as certified by the Sheriff, and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the position could possibly be filled through an internal recruitment, however, an open recruitment is more appropriate to ensure the position is filled with the most qualified applicant; and C) approve the filling of one Correctional Officer position at Range 64 (\$3,735 - \$4,539). Motion carried unanimously.

Parks/Boetsch Well Drilling Contract Amendment Moved by Supervisor Tillemans and seconded by Supervisor Pucci to ratify and approve Amendment No. 1 to the Contract between the County of Inyo and Boetsch Well Drilling for replacement wells at four County campgrounds, extending the term of the Contract to an ending date of August 15, 2015, and increasing the Contract by \$23,948 to a total amount not to exceed \$64,000; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

Grand Jury/County Response to FY2014-15 Report	The Board and the County Administrator discussed the County's draft response to the 2014-15 Grand Jury Report. The County Administrator recommended and the Board concurred with amending the report on Page four, the first "County Response" to "Finding 1," and the last paragraph the "County Response" to "Recommendation 1," to reflect that while the "Sally Port" area is not secure, it is compliant with State requirements. The County Administrator also suggested that the transmittal letter be amended to explain that while the "County Response" titles may seem harsher than intended they are written to meet the very specific requirements of State statutes. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the report to Judge Brian J. Lamb, Presiding Judge, Inyo County Superior Court, responding to the findings and recommendations in the 2014-2015 Grand Jury Final Report, as amended to reflect today's discussion; and authorize the County Administrator to sign the transmittal letter. Motion carried unanimously.
CAO-Adv. County Resc./Community Project Grants Fall Cycle	Jon Klusmire, Museum Director, identified the projects which had been reviewed for the Fall Grant Cycle. Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve 9 Community Project Sponsorship Program Grant awards for the 2016-2016 Fall Grant Cycle recommended by the Community Project Sponsorship Program Grant Review Panel, in the amounts recommended by the Panel for a total amount not to exceed \$25,000; and B) authorize the County Administrator to sign the Contracts with the Fiscal Year 2015-2016 Community Project Sponsorship Program applicants in the amounts approved by your Board, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Emergency Serv./ D.V. Roadeater Emergency Continued	Kelley Williams with the County Administrator's office informed the Board of a new State draught program that will provide grant funding for replacement of landscaping and toilets for those who qualify. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh 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, as recommended by the County Administrator. Motion carried unanimously.
Emergency Serv./ Gully Washer Emergency Continued	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths 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, as recommended by the County Administrator. Motion carried unanimously.
Emergency Serv./ Canyon Crusher Emergency Cont'd.	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to continue the local emergency, The Canyon Crusher Emergency, that resulted in flooding in the portions of Inyo County during the month of August, 2013, was recommended by the County Administrator. Motion carried unanimously.
Emergency Serv./ Land of Even Less Water Emergency Continued	Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to continue the local emergency, known as the "Land of EVEN Less Water Emergency" that was proclaimed as a result of extreme drought conditions that exist in the County as recommended by the County Administrator. Motion carried unanimously.
BofS/Minute Approval	Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the minutes of the Board of Supervisors Meeting of July 28, 2015. Motion carried unanimously, on a four to zero vote, with Supervisors Totheroh, Pucci, Tillemans and Kingsley voting yes and with Supervisor Griffiths abstaining. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the minutes of the Board of Supervisors Meeting of August 4, 2015. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:55 a.m., to reconvene in open session at 11:05 a.m., with all Board Members present.
CAO-Personnel/ Assessor Office Recommendations	The Board received a presentation from Terry "Gooch" Ross concerning her evaluation of the Assessor's Office staffing and operations, and recommendations for supporting the leadership transition. The Board heard from the Assessor who commended his staff for their support during the first eight months of his term. The County Administrator explained that today's presentation was a precursor to the upcoming budget hearing, wherein he is recommending a 28% increase for the Assessor's budget, in order to address some of the items identified in today's presentation by Ms. Gooch.

Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:05 p.m., to reconvene in open session at 1:05 p.m., with all Board Members present.
Planning/Workshop Electric Utilities	The Chairperson recessed open session to convene in a workshop with the Planning Director regarding electric utilities installations for new subdivisions. The Chairperson recessed the workshop at 1:23 p.m., to reconvene in open session, with all Board Members present.
District/So. Inyo Fire Protection Special Election	County Counsel provided additional information and further explanation concerning the request of the Southern Inyo Fire Protection District's for consolidation of its Special Election. Moved by Supervisor Tothoroh and seconded by Supervisor Griffiths to A) rescind the Board's order of July 28, 2015, concerning the Southern Inyo Fire Protection District Special Election; B) consolidate the District's Special Election for a ballot measure imposing and levying a supplemental special emergency response services tax, with the Uniform District Election Law (UDL) Election to be held on November 3, 2015, per updated request received from the District; and C) request the Auditor-Controller to prepare a Fiscal Impact Statement for the District's ballot measure based on the updated information provided by the District. Motion carried unanimously.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week including a Juvenile Hall tour, the upcoming RCRC Annual Meeting, a RCRC legislative update, and an update on the status of the Tribal MOU. The County Administrator informed the Board that because of the Standing Committee Meeting scheduled for Monday, August 24, 2015, the Special Meeting of the Board of Supervisors has been cancelled.
Water Dept./ Standing Committee Agenda	The Water Director reviewed the draft Agenda for the upcoming August 24, 2015 Standing Committee Meeting to be held in Los Angeles. The Board heard from Daris Moxley concerning the lack of a Technical Group Meeting wherein she believes the public could provide input on the items identified on the Agenda. Sally Manning, supported Ms. Moxley's position regarding the Technical Group Meetings. Earl Wilson of Lone Pine, asked about the status of the water in the Valley. The Water Director, Dr. Bob Harrington, explained that Technical Group meetings are not required for the items on the Agenda. He noted that the Technical Group makes recommendations. He said that it is the Board of Supervisors that make the decisions and today's meeting with the Board is a place where the public can give input on the items. The Board concurred with Staff's recommendations concerning the items on the Agenda.
Water Dept./Draft Groundwater Basin Boundary Adjustments	Dr. Bob Harrington, Water Director, briefed the Board on the State's recently issued Draft Groundwater Basin Boundary Regulations. He reviewed the reasons why he was recommending the County seek a boundary adjustment for the basins that are located in Inyo and Mono counties, which would, if accepted, allow the jurisdictions to manage that portion of the basin located in its county. He said that there is considerable work that needs to be done if the Board does want to pursue the adjustments and there will only be a short window to apply for the adjustments in January. He said work needs to begin now in order to be ready when the window opens. The Board heard from Sally Manning, Big Pine Tribe's Environmental Director, who disagreed with the management of the Owens Valley basins as adjudicated by the Long Term Water Agreement, saying that she believes the Groundwater Basin Regulations would better protect the County's water supply. Supervisor Griffiths pointed out that the State's regulations do not address water supply for the environment and the vegetation like the Long Term Water Agreement (LTWA), noting that the LTWA is all encompassing offering protections for myriad of areas, i.e., wildlife, waterfowl, vegetation, habitat, etc. The Board and Dr. Harrington discussed the proposed boundary adjustments, with the Board concurring with Dr. Harrington's justification and recommendation for the County to seek boundary adjustments to the Owens Valley Groundwater Basin.
Report on Closed Session	County Counsel reported on closed session as follows: Items 2, 3, 4, and 5, which were negotiations with labor negotiators were withdrawn, and regarding No. 6. <b>CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]</b> - decision whether to initiate litigation (one case), instructions were given to staff and counsel concerning the matter.
Public Comment	The Chairperson opened the final public comment period. There was no one wishing to address the Board.

County Department Reports      The Chairperson opened the County Department Report period. Mr. Brandon Shults, Information Services Director, provided information on the upcoming meetings in Ridgecrest and Mammoth Lakes concerning the CPUC's consideration of a request by Verizon to sell its land lines to Frontier Communications. Supervisors Kingsley and Tillemans said they would attend the meeting in Ridgecrest and Supervisor Griffiths said he would attend the meeting in Mammoth. The Planning Director, Josh Hart, updated the Board on recent developments concerning the Yucca Mountain Repository.

Adjournment      The Chairperson adjourned the regular meeting at 3:28 p.m., to 8:30 a.m., Tuesday, August 25, 2015 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*