

MINUTES

County of Inyo Board of Supervisors

September 15, 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 Tuesday, September 15, 2015, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Matt Kingsley, presiding, Dan Totheroh, 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. **PERSONNEL [Pursuant to Government Code §54957]**, Public Employee Appointment – Title – County Counsel; No. 3. **CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)] - decision whether to initiate litigation (one case)**; No. 4. **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. 5. **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. 6. **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; and No. 7. **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.
- Recess/
Reconvene The Chairperson recessed closed session at 10:10 a.m., to reconvene in open session at 10:17, with all Board Members present.
- Pledge Assistant Clerk of the Board, Patricia Gunsolley, led the Pledge of Allegiance.
- Report on Closed
Session County Counsel reported the following regarding closed session: No. 2 instructions were given to staff; No. 3 instructions were given to staff; and Nos. 4-7 were withdrawn.
- Public Comment The Chairperson announced the public comment. The Chairperson reminded everyone to keep in perspective that while the Owens Valley is dealing with residual smoke from the Rough Fire, there are other rural areas in the State of California and in the west that are dealing with the actual loss of life and property. Dana Stroud, the Sierra Nevada Conservancy (SNC) Representative updated the Board on upcoming local Conservancy activities, including Watershed Protection Week, the Greater Sierra River Cleanup, the Watershed Improvement Project, and the SNC Strategic Plan.
- Motor Pool/Vehicle
Purchase Moved by Supervisor Pucci and seconded by Supervisor Totheroh to award the bid to and approve the purchase from Downtown Ford of Sacramento, for two 2016 Ford Expeditions, equipped for law enforcement in an amount not to exceed \$93,529.02. Motion carried unanimously.

Clerk-Democracy Works MOU	Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve a Memorandum of Understanding with Democracy Works, Inc., to participate in the pilot of Ballot Scout, a mail-ballot tracking tool during the 2015 election cycle; and authorize the Clerk-Recorder to sign, contingent upon the appropriate signatures being obtained and furnish a signed copy to the Clerk of the Board for the Board's files. Motion carried unanimously.
HHS-First 5 Comm/Appointments	Moved by Supervisor Pucci and seconded by Supervisor Totheroh to appoint the following to the Inyo County Children and Families Commission to complete unexpired three year terms ending December 5, 2018: Katie Larsen representing the Early Child Health Services Category and Candice Ruiz representing the Parent Category. Motion carried unanimously.
Planning/USGS Joint Funding Agreement	Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the Joint Funding Agreement with the U.S. Geological Survey for wells and springs monitored in the Southern Amargosa Desert in an amount of \$8,000; and authorize the Chairperson to sign. Motion carried unanimously.
Rd. Dept./Indian Day Road Closure	Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the closure of portions of North Pa Ha Lane, Diaz Lane, and Barlow Lane on Friday, September 25, 2015 between 9:00 a.m., and 12:30 p.m., for the California Indian Day Parade. Motion carried unanimously.
BofS-Road/Bartell Bike Path Grant	Fourth District Supervisor, Mark Tillemans, provided further explanation on the proposal to seek Toiyabe Community Wellness Program Grant funding for bike paths on Bartell Road on the Big Pine Indian Reservation. Supervisor Tillemans explained that he was suggesting that the grant description be amended to include the preconstruction work for the bike paths to be continued to Newman Street at a later date, which would, in the future, extend the bike paths to the Wellness Center. He also explained that the grant funds would purchase the materials and the County would perform the work with the County workforce. The Deputy Public Works Director, Shannon Williams, informed the Board that the Public Works Director concurred that there are sufficient funds, in the Pre-Construction costs, to cover this amended Scope of Work. Supervisor Tillemans asked that County Counsel's language for the application be included as follows: With regard to the request In Paragraph 6, the County will in any print or electronic media references regarding the Pathway state that the Pathway is funded by a Toiyabe Community Wellness Program Grant and to the extent feasible, will endeavor to include the logo requested. Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the application, with the amended scope of work and the additional County Counsel language noted above, to apply for Toiyabe Community Wellness Program funding for two separate bike paths going in each direction along Bartell Road (a County Road) on the Big Pine Paiute Reservation, from Richards St. to Highway 395 and authorize the Chairperson to sign. Motion carried unanimously.
Resol. 2015-47/Grant App for Pulling Together Initiative Funding	On a motion by Supervisor Griffiths and a second by Supervisor Pucci, Resolution No. 2015-47 authorizing the application for funds from the National Fish and Wildlife Foundation Under the Pulling Together Initiative authorizing the submittal of a grant application in the amount of \$41,805.72 for combating invasive plant species on the East and West Walker rivers, was approved: motion unanimously passed and adopted.
Probation/Extended Day Program Contract	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to ratify and approve the Contract between the County of Inyo and the Inyo County Superintendent of Schools for an Extended Day Program for the period of July 1, 2015 through June 30, 2016, in an amount not to exceed \$21,227, contingent upon receipts of Vehicle Licensing Fee from the California State Controller's Office; and authorize the Chairperson to sign. Motion carried unanimously.
Probation/Delinquency Prevention Program Contract	Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to ratify and approve the Contract between the County of Inyo and Healthy Communities of Southern Inyo County for a Delinquency Prevention Program for the period of July 1, 2105 through June 30, 2016, in an amount not to exceed \$31,840, contingent upon receipts of Vehicle Licensing Fee from the California State Controller's Office; and authorize the Chairperson to sign. Motion carried unanimously.
Planning/Specific Plans for Southeast County Communities	The Board received a presentation from Cathreen Richards, Senior Planner, on the draft scope of work regarding the preparation of individual Specific Plans for Charleston View, Tecopa and Shoshone. The Board and staff discussed the proposed plans in detail and at length. Ms. Richards explained that the reason for the recommendation for individual Specific Plans for each of the communities was because of the distance between the communities and if one plan was prepared it

would be considered a Regional Plan. She went on to explain that there would be a more involved environmental review process for this type Regional Plan which would cost considerably more than what has been estimated for the individual Specific Plans. She said that the majority of the work on the Specific Plans could be accomplished with Planning staff within the existing budget. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to direct staff to proceed with implementation of the individual plans through the final draft phase. Motion carried unanimously.

P.W./Big Pine Town Hall Roof Repair Contract Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to award and approve the Contract between the County of Inyo and Foam Experts Roofing, Inc., for the Big Pine Town Hall Building Roof Repair Project in the amount of \$34,275, contingent upon the Board's adoption of future budgets; authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and authorize the Public Works Director to sign all other contract documents, including change orders, to the extent permitted pursuant to Section 20142 of the Public Contract Code and other applicable law. Motion carried unanimously.

HHS-ESAAA/Needs Assessment Jean Turner, Director of Health and Human Services, explained that the meeting of the Advisory Council, which was scheduled so that the Advisory Council could provide the required recommendation on the Needs Assessment, had been postponed due to quorum issues. She said the Board could choose to approve the draft as submitted contingent upon the Advisory Council's approval or the draft could be returned at a later date once the Council had an opportunity to make its recommendations. The Board and Ms. Turner briefly discussed the draft Needs Assessment for determining needs for older adults in Inyo and Mono counties for the funded services from the California Department of Ageing, with the Board asking that this item be returned for Board consideration once the Advisory Council has had an opportunity to provide its recommendations.

HHS-Behavioral Hlth. Serv./Office Clerk Position 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 an Office Clerk position exists in the Behavioral Health budget as certified by the Director of Health and Human Services and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy will be filled through an internal recruitment though an open recruitment may be required if there are no internal candidates; and C) approve the hiring of one full-time Office Clerk III at Range 52 (\$2,880 - \$3,500). Motion carried unanimously.

HHS-Behavioral Hlth. Serv./Addictions Counselor Position Moved by Supervisor Tillemans and seconded by Supervisor Pucci to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for an Addictions Counselor position exists as certified by the Director of Health and Human Services and concurred with by the County Administrator and Auditor-Controller; B) whereas it is unlikely that the position could be filled by internal candidates meeting the qualifications for the position, an open recruitment would be appropriate to ensure qualified applicants apply for the specialized position; and C) approve the hiring of one Addictions Counselor II at Range 60 (\$3,471 - \$4,216) or III at Range 64 (\$3,910 - \$4,630) depending upon qualifications. Motion carried unanimously.

HHS-Misc./HHS Admin. Assistant Position Moved by Supervisor Tillemans and seconded by Supervisor Pucci to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a HHS Administrative Assistant position exists as certified by the Director of Health and Human Services and concurred with by the County Administrator and Auditor-Controller; B) where it is possible that the position could be filled by internal candidates meeting the qualifications for the position, a State Merit System list exists and must be exhausted before a new recruitment can be conducted; and C) approve the hiring of one Assistant to the HHS Director at Range 70 (\$4,390 - \$5,341). Motion carried unanimously.

HHS-Soc. Serv./Deputy Director Aging and Social Services Position Moved by Supervisor Tillemans and seconded by Supervisor Pucci to 1) approve the increased salary range for the HHS Deputy Director-Aging and Social Services from Range 84 (\$5,777 - \$7,022) to Range 88 (\$6,627 - \$8,053); and 2) find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the HHS Deputy Director position exists and is budgeted as certified by the Director of Health and Human Services 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 hiring of one HHS Deputy Director at Range 88. Motion carried unanimously.

Sheriff/Animal Control Officer Position	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 an Animal Control Officer 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 hiring of one Animal Control Officer at Range 56 (\$3,163 - \$3,839). Motion carried unanimously.
Library/Library Specialist Position	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for Library Specialist position exists as certified by the County Administrator and concurred with by the Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment however an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one APAR Library Specialist I, at Range 46A (\$13.42/hr.). Motion carried unanimously.
Integ. Waste/Equipment Operator Position	Moved by Supervisor Tillemans and seconded by Supervisor Tothoroh to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for an Equipment Operator exists in the Solid Waste budget as certified by the Assistant County Administrator 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 Equipment Operator I at Range 58 (\$3,310 - \$4,027). Motion carried unanimously.
CAO-ESTA JPA Amendment	The County Administrator and Supervisor Griffiths provided additional information and further justification for a proposed amendment to the JPA for ESTA. Supervisor Griffiths said that other members of the JPA were having a difficult time choosing two members of their jurisdictional Board's to serve on the ESTA Board and as a temporary solution the idea of allowing jurisdictions to appoint one of its members from the public-at-large was considered. Supervisor Griffiths explained that Inyo County's representatives to the ESTA Board are the same as the representatives who sit on the ESCOG and with this "amendment" it will be at the discretion of the individual jurisdictions to choose how they select their members to the ESTA Board. County Counsel noted a clerical error in the Amendment and asked that the Board approve the Amendment as corrected as follows: "This subsection shall remain in effect only until June 30, 2017, and as of that date is repealed, unless a later enacted (word statute to be replaced with) amendment , which is enacted before June 30, 2017, deletes or extends that date. Notwithstanding the provision in Section 1.2.1 above limiting those appointed to the governing board to be members of a member entity's governing body, the governing board of each member entity may appoint one of its two governing board members from the public at large." Moved by Supervisor Griffiths and seconded by Supervisor Tothoroh to approve the amendment to the Joint Powers Agreement for the Eastern Sierra Transit Authority as corrected above and, authorize the Chairperson to sign. Motion carried unanimously.
Emerg. Serv./D.V. Roadeater Emergency	Moved by Supervisor Tillemans and seconded by Supervisor Pucci 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.
Emerg. Serv./Gully Washer Emergency	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans 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.
Emerg. Serv./Canyon Crusher Emergency	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.
Emerg. Serv./Land of Even Less Water Emergency	Moved by Supervisor Tothoroh 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 Griffiths and seconded by Supervisor Totheroh to approve the minutes of the Board of Supervisors Meetings of September 1, 2015. Motion carried unanimously.

CAO-Office of Coroner The County Administrator explained that the Coroner, Leon Brune, had submitted a letter of resignation after more than 34 years of service to Inyo County. He went on to review the Board's options for filling the unexpired term for the Office of Coroner, which he noted were similar to those provided in the recent past when the offices of the Auditor-Controller and District Attorney had become vacant, which had resulted in the Board issuing a local call for letters of interest. Mr. Jason Molinar, Deputy Coroner, addressed the Board to express his interest in being appointed Coroner. The Board discussed the options, with the Board noting that for consistency sake they wanted to follow the process that was used in the previous recruitments for elected officials. The Board directed staff to issue a call for letters of interest for the position of Inyo County Coroner and schedule the Board's consideration of an appointment of an Inyo County Coroner for the middle of October.

Recess/Reconvene The Chairperson recessed the regular meeting at 11:40 a.m., to reconvene in open session at 1:05 p.m., with all Board Members present.

County Department Reports The Chairperson announced the County Department Report period. Jean Turner, Director of Health and Human Services, reported that the City Council will be honoring the County's Foster Parents during their last meeting in October. She also updated the Board on State Regulations concerning medical marijuana.

Board Members and Staff Reports The Board Members reported on their activities during the preceding week, including a Big Pine Civic Club Meeting, an Owens Valley focus meeting in Bishop, an LTC Meeting and Inyo First Five Commission Meeting, a Bishop City Council Meeting, an ESCOG Meeting, an ESTA Meeting, a Millpond Music Festival update, and an Owens Valley Solar meeting in Lone Pine.

Recess/Reconvene The Chairperson recessed the regular meeting at 1:25 p.m. to reconvene in open session at 1:35 p.m., with all Board Members present.

Planning/Draft Tribal Policy Consultation Policy Workshop The Chairperson recessed open session at 1:35 p.m. to reconvene in a workshop, with all Board Members present, regarding the Draft Tribal Consultation Policy. The Board met with staff and representatives of the various local Tribes to receive information on the Draft Tribal Consultation Policy. The County Administrator clarified for the members of the audience that like them, today's discussion is the first time the Board has had an opportunity, under the Brown Act, which is the governing authority on how the Boards of Supervisors conduct its meetings in California, to see and discuss the Draft Policy. The Chairperson recessed the workshop at 2:35 p.m.

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

Adjournment The Chairperson adjourned the regular meeting at 2:40 p.m., to 8:30 a.m., October 6, 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