

# MINUTES

# County of Inyo Board of Supervisors

March 8, 2016

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:30 a.m., on Tuesday, March 8, 2016, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Jeff Griffiths, presiding, Dan Totheroh, Rick Pucci, Mark Tillemans and Matt Kingsley.

- Public Comment**      The Chairperson announced the public comment period and there was no one wishing to address the Board.
- Closed Session**      The Chairperson recessed open session at 8:30 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) – 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. 3. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)] – discussion with legal counsel regarding potential initiation of litigation (two cases);** and No. 4. **CONFERENCE WITH LABOR NEGOTIATORS [Pursuant to Government Code §54957.6] – Employee Organizations: Deputy Sheriff’s Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); Law Enforcement Administrators’ Association (LEAA). Unrepresented employees: all. Agency designated representatives: County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, Information Services Director, Brandon Shults, County Counsel, Marshall Rudolph, and Assistant County Counsel, John Vallejo.**
- Recess/  
Reconvene**      The Chairperson recessed closed session at 10:10 a.m., to reconvene in open session at 10:30 a.m., with all Board Members present.
- Pledge**      Supervisor Mark Tillemans led the Pledge of Allegiance.
- Report on Closed  
Session**      County Counsel reported that with regard to closed session reported that there were no actions taken in closed session that are required by law to be reported on. He also reported that the Board has not concluded closed session and that Items No. 2 and 3 will be considered later today. County Counsel then requested Board consider a Post Agenda item for closed Session.
- Post Agenda/  
Closed Session  
Item**      County Counsel, Marshall Rudolph, explained the request for consideration of a Post Agenda Item. He said that the item meets the requirements for Post Agenda consideration in that the Board had received a letter from the Owens Valley Committee (OVC) requesting “dispute resolution” regarding the MOU on the Long Term Water Agreement, after the Agenda for today’s meeting was posted and there is a need for the Board to provide direction to Staff on this request prior to the next regularly scheduled Board of Supervisors Meeting. Mr. Rudolph said that the item would be considered as **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9 – discussion with legal counsel regarding potential initiation of litigation (one case).** Moved by Supervisor Pucci and seconded by Supervisor Totheroh to make the findings as noted above to consider a letter from the OVC and add as closed session Agenda Item No. 4A. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9 – discussion with legal counsel regarding potential initiation of litigation (one case).** Motion carried unanimously.

Public Comment	The Chairperson announced the public comment period. David Woodruff, representing the Friends of the Eastern California Museum, invited the Board and audience to the annual Friends fund raiser "pot luck" on Saturday, March 12 <sup>th</sup> at 4:30 p.m.
County Department Reports	The Chairperson announced the County Department Report period. The Chief Probation Officer, Jeff Thomson, reported that he had been in contact with the BCC which is the State Agency responsible for monitoring the Juvenile Facility, regarding the facility inspection and learned that Inyo County is not the only small to medium county that is dealing with reduced numbers of juvenile detainees. He said that in talking with the State and explaining to them the options Inyo County is evaluating with regard to changes in the Juvenile Facility operations, they had conveyed to him that they were intrigued and very interested in these innovative ideas for addressing the situation. Additionally, Chief Thomson reported on the Stakeholder Meeting which had taken place last week on this issue. Jean Turner, Director of Health and Human Services reported on the First Five Program, on the addictions training, that staff is working on the 4-year Plan for senior services, that the RFP for ambulance services has been released, and that Southern Inyo Hospital is open and moving forward.
County Counsel/ Thomson Reuters Subscription	Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to approve the Order Form with Thomson Reuters-West Publishing, which would expand the subscription package of the County's current online research services contract to include federal resources for an additional cost of \$291 per month, contingent upon Board of Supervisors approval of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.
HHS-Behavioral Hlth. Serv./Amend. Substance Abuse Contract	Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to approve Amendment A03 to the Agreement between the County of Inyo and the California Department of Health Care Services for Substance Use Disorder Services, to amend the terms and conditions and certain text as noted by staff; and authorize the Chairperson to sign. Motion carried unanimously.
Planning-P.W./ Right-of-Entry Doc Veterans Walking Path	Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to approve the Right-of-Entry document for the Veteran's Walking Path in Big Pine, enabling the County to perform the necessary preplanning work to present a project plan to LADWP for evaluation including obtaining all required permits from federal, state and local agencies; and authorize the Chairperson to sign. Motion carried unanimously.
Road Dept./ Tinnemaha Rd. Closure	Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to approve the closure of a portion of Tinnemaha Rd./Old 395 about 6 miles south of Aberdeen, for one day during daylight hours, between March 19-28, 2016, with the time of the event to be dictated by weather conditions. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:50 a.m., to reconvene in open session at 10:55 a.m., with all Board Members present.
Road Dept./Heavy Equipment Operator Position Request	Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to find that consistent with the Authorized Position Review Policy: A) the availability of funding for A Heavy Equipment Operator position exists in the Road Budget as certified by the Public Works Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could be filled through an internal recruitment, however, an open recruitment would be more appropriate to ensure the most qualified applicants apply; and C) approve the hiring of one full-time Heavy Equipment Operator I, at Range 58 (\$3,310 - \$4,027) or II, at Range 60 (\$3,471 - \$4,216) depending on qualifications. Motion carried unanimously.
Probation/Recidi- vism Reduction Grant	The Chief Probation Officer, Jeff Thomson, provided additional information and further justification for the recommendation to release an RFP for Community Recidivism Reduction Grant projects. Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to authorize the Chief Probation Officer, on behalf of the Board of Supervisors, to advertise the Request for Proposals for the Community Recidivism Reduction Grant. Motion carried unanimously.

CAO-Great Basin EPB Grant Funds Extension and Re-allocation	<p>The County Administrator provided additional information and further justification for the recommendation to extend and re-allocate the County's Great Basin Unified Air Pollution Control District Environmental Public Benefits Fund block grant. He explained that work on one of the Projects, The Veterans Walking Path in Big Pine, is proceeding but should that project not come to fruition the County wants to ensure that the funding for that project and the savings identified from other projects that were completed with costs savings, are reallocated to other County authorized projects.</p> <p>Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to A) approve changes and re-allocation of funds for the Great Basin Unified Air Pollution Control District (GBUAPCD) Environmental Public Benefits (EPB) Fund block grant and approve the request of an extension until December 31, 2016 in order to fully expend the EPB grant; and B) authorize the County Administrator to sign and transmit the letter and project list to GBUAPCD. Motion carried unanimously.</p>
CAO-Clerk of the Board/Assistant Clerk Position Request	<p>The County Administrator provided additional information and further justification for the recommendations concerning the replacement of the retiring Assistant Clerk of the Board. Moved by Supervisor Pucci and seconded by Supervisor Tothoroh to A) approve the job description for the Assistant Clerk of the Board of Supervisors (Range 68) and the Senior Assistant Clerk of the Board of Supervisors (Range 72); and, approve a change in Authorized Staffing by deleting the current Assistant Clerk of the Board of Supervisors position (Range 72) and adding Assistant Clerk of the Board of Supervisors position (Range 68); and, approve adding the Senior Assistant Clerk of the Board of Supervisors position (Range 72) to the job series; B) find that consistent with the adopted Authorized Position Review Policy, (a) the availability of funding for the Assistant Clerk of the Board of Supervisors position will come from the money appropriated in the Board of Supervisors' budget in the General Fund, as certified by the County Administrator and concurred with by the Auditor-Controller; (b) an open recruitment is appropriate to ensure the greatest pool of qualified candidates apply for the position; (c) authorize hiring one (1) Assistant Clerk of the Board of Supervisors at Range 68 (\$4,188-\$5,088) or, Senior Assistant Clerk of the Board of Supervisors at Range 72 (\$4,601 - \$5,589); and C) if the recruitment results in filling the position at the Senior Assistant Clerk of the Board of Supervisors level (Range 72) authorize changing the Authorized Staffing by deleting the Assistant of the Board of Supervisors position (Range 68) and adding one (1) Senior Assistant Clerk of the Board of Supervisors position (Range 72). Motion carried unanimously.</p>
BofS/Minute Approval	<p>Moved by Supervisor Tothoroh and seconded by Supervisor Tillemans to approve the minutes of the Board of Supervisors Meetings of A) February 9, 2016; and B) February 16, 2016. Motion carried unanimously.</p>
Water/Drought Conditions Workshop	<p>The Chairperson recessed open session at 11:25 a.m., to immediately convene in a workshop, with all Board Members present to hear a briefing from staff on regional and local drought conditions. The Chairperson recessed the workshop at 11:52 a.m., to reconvene in open session, with all Board Members present.</p>
Recess/Reconvene	<p>The Chairperson recessed the regular meeting at 11:52 a.m., to reconvene in closed session at 12:45 p.m., with all Board Members present.</p>
Closed Session	<p>The Chairperson reconvened closed session at 12:45 p.m. to continue discussions and action as appropriate on previously noted closed session items. The Chairperson recessed closed session at 1:30 p.m.</p>
Planning/Tribal Consultation Policy Workshop	<p>The Chairperson reconvened open session at 1:40 p.m., to immediately convene in a workshop with all Board Members present to conduct a workshop regarding the Draft Tribal Consultation Policy. The Chairperson recessed the workshop at 4:35 p.m., to reconvene in open session at 4:40 p.m., with all Board Members present.</p>
Public Comment	<p>The Chairperson announced the final public comment period and there was no one from the public wishing to address the Board.</p>
Board Members and Staff Report	<p>The Board Members reported on their activities during the preceding week including, a CG Roxanne Meeting, an ESCOG Meeting, and report on Dr. McAteer, Superintendent of Schools, proposal regarding after school recreational activities.</p>

- Closed Session      The Chairperson recessed open session at 4:45 p.m., to reconvene in closed session to continue discussion and possible action as appropriate on previously noted closed session items. The Chairperson recessed closed session at 5:15 p.m., to reconvene in open session to receive a report on closed session
- Report on Closed Session      County Counsel reported there were no items discussed in closed session that are required by law to be reported on in open session.
- Adjournment      The Chairperson adjourned the regular meeting at 5:15 p.m., to 8:30 a.m., on Tuesday, March 15, 2016, 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: \_\_\_\_\_