

MINUTES

County of Inyo Board of Supervisors

June 16, 2009

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 9:00 a.m., on Tuesday, June 19, 2009, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Beverly Brown presiding, Linda Arcularius, Susan Cash, Marty Fortney and Richard Cervantes. Supervisor Cervantes provided the Invocation, and County Administrator Kevin Carunchio led the Pledge of Allegiance.

- Public Comment** The Chairperson announced the public comment period. Mr. Jim Gillem, Shoshone Resident, addressed the Board to provide information on the Shoshone Museum and to thank the County Administrator and the Director of Museum Services for their help to understand how to apply for County funding.
- County Department Reports** The Chairperson announced the County Department Report period. The Auditor, Ms. Leslie Chapman, informed the Board that the County has received its full PILT payment. Ms. Jean Turner, Director of Health and Human Services, provided her weekly budget update. Mr. Ted Pedersen, Public Works Director, also provided his weekly road projects and budget update, including a discussion regarding the impacts of the State's proposal to take counties' gas tax revenue.
- CalTrans District 9 Projects Update** Mr. Tom Hallenbeck, Caltrans District 9 Director, updated the Board on the numerous CalTrans projects throughout Inyo County. He said that there is over \$100 million being spent in the Eastern Sierra. He noted the following projects: the Coso Repaving, the Lone Pine Rehabilitation, the Manzanar 4-Lane, the Blackrock 4-Lane, the North Sherman Summit Rehabilitation, the Big Pine Pavement, as well as the Highway 6 and Highway 168 projects. He invited the Board to attend the public meeting on the Lone Pine Rehabilitation Project scheduled for July 8th at the Lone Pine Legion Hall.
- Emerg. Serv./Oak Creek Emergency** Moved by Supervisor Cash and seconded by Supervisor Arcularius to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- Integ. Waste/Morris Contract Keeler Transfer Station** Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Andy Morris for maintenance services at the Keeler Transfer Station, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$1,800, 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.
- Integ. Waste/Peek Contract Homewood Canyon Transfer Station** Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Ardith Peek for maintenance services at the Homewood Canyon Transfer Station for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$2,772, 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.
- Integ. Waste/Barker Contract Olancha Transfer Station** Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Ramona Barker for maintenance services at the Olancha Transfer Station, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$1,800, 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.

Integ. Waste/ Olancha & Keeler Hauling Services Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Preferred Septic & Disposal for solid waste hauling services from the Olancha and Keeler Transfer Stations to the Lone Pine Landfill, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$19,964, 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.
Integ. Waste/B.P. Transfer Station Hauling Services Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Bishop Waste Disposal for solid waste hauling services from the Big Pine Transfer Station to the Bishop-Sunland Landfill for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$24,000, 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.
Integ. Waste/ Furnace Creek Hauling Services Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Pahrump Valley Disposal, Inc., for waste hauling services in the community of Furnace Creek, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$44,478.12, 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.
Integ. Waste/D. V. Junction Hauling Services Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Pahrump Valley Disposal, Inc., to provide waste hauling services to the Community of Death Valley Junction, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$1,225.21; 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.
Integ. Waste/ Shoshone & Charleston View Hauling Services Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Pahrump Valley Disposal, Inc., for waste hauling services in the communities of Shoshone and Charleston View, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$52,481.60, 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.
Integ. Waste/ Tecopa Hauling Services Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Pahrump Valley Disposal, Inc., for waste hauling services in the community of Tecopa, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$47,221.64, 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.
Integ. Waste/ Homewood Canyon to Ridgecrest Hauling Services Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Ridgecrest Sanitation for the transport of solid waste from the Homewood Canyon Transfer Station to the Ridgecrest Landfill in Kern County, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$10,800, 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.
Integ. Waste/Waste Tire Removal Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Nite Owl Transportation, for the collection and removal of waste automotive tires from County landfills, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$32,000, 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.

Integ. Waste/ Chemical Toilet Services Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Bishop Waste Disposal for chemical toilet services at the Big Pine Transfer Station and the Bishop-Sunland, Independence and Lone Pine landfills, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$7,000, 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.
Integ. Waste/ Darwin to Lone Pine Hauling Services Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Preferred Septic & Disposal for solid waste hauling services from the community of Darwin to the Lone Pine Landfill, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$8,460, 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.
Parks/Vault Toilet Pumping Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Bishop Waste Disposal for vault toilet pumping services, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$9,000, 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.
Parks/No. County Parks & Camp- grounds Waste Disposal Hauling Services Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Bishop Waste Disposal for waste disposal hauling services at County parks and campgrounds located north of Independence, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$9,680, 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.
Parks/So. County Parks & Camp- grounds Waste Disposal Hauling Services Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Sierra Waste Disposal for waste disposal hauling services at County parks and campgrounds from Independence south, for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$8,736, 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.
Admin. Serv./ Shred-It Document Shredding Services Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Shred-It of Fresno for document shredding services for the period of July 1, 2009 through June 30, 2010, with two options to extend the Contract, in an amount not to exceed \$12,300, 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.
Assessor/Berhoff Contract	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Amendment to the Contract between the County of Inyo and the firm of Harold W. Bertholf, Inc., for provisions of assessment appeal assistance, extending the term of the Contract to an ending date of August 1, 2011, and increasing the amount of the Contract by \$75,000 to an amount not to exceed \$125,000, 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.
HHS-EMS/EMS Trust Fund Projects	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Contracts between the County of Inyo and the following for projects to be funded from the Emergency Medical Services Trust Fund Budget, in the amounts noted for a total not to exceed \$38,674, for the period of July 1, 2009 through January 31, 2010, contingent upon the Board's adoption of a FY 2009-2010 budget, and authorize the Chairperson to sign: A) \$2,760 to Southern Inyo Fire Protection District for continuous education for existing EMT-I staff; B) \$15,414 to Independence Volunteer Fire Department for the purchase of emergency response equipment; C) \$11,000 to Olancha Cartago Fire Department for emergency response equipment; and D) \$9,500 to Lone Pine Volunteer Fire Department for emergency response equipment and one King radio. Motion carried unanimously.

HHS-Misc./Grove Street Lease Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Connie and Michael Layne Trust for real property described as 162 Grove Street, in Bishop, for the period of July 1, 2009, through June 30, 2010, at a rate of \$5,600 in an amount not to exceed \$67,200, contingent upon the Board's adoption of a FY 2009-2010 budget; and authorize the Chairperson to sign. Motion carried unanimously.

HHS-Behavioral Hlth./Vista Pacifica Contract Amendment Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve Amendment No. 2 to the Contract between the County of Inyo and Vista Pacifica Center for residential placement of adults in a locked facility, increasing the Contract by \$30,000 to an amount not to exceed \$83,000 for the period of July 1, 2008 through June 30, 2009; and authorize the Chairperson to sign. Motion carried unanimously.

HHS-Hlth. Serv./ Immunization Outreach State Contract Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Contract between the County of Inyo and the State of California for the provision of immunization outreach for the period of July 1, 2009 through June 30, 2010, in an amount not to exceed \$35,000, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.

P.W./Eastern Sierra Regional Airport Hanger A Lease Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Lease Agreement between the County of Inyo and James and Linda Marchio, for the lease and management of Hangar A at the Eastern Sierra Regional Airport, for a five year period beginning July 1, 2009, at the annual rate of \$19,662, and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

BofS/Natural Resources Advisory Committee Supervisor Arcularius explained that she brought the request to consider the formation of a Natural Resources Advisory Committee forward because of constituent interest in the Committee. The Board discussed with Staff various aspects of a committee, including the membership requirements, the mission of the committee, the term of office, ex-officio membership, Board Member participation, staffing support, budget, that the Planning Department provide staff support for the committee, and a possible sunset date for the committee. Mr. Dave Tanksley, Bishop Resident, addressed the Board to support the formation of such a committee. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to direct staff to develop a resolution for a Natural Resources Committee as discussed and bring the item back for Board consideration by the middle of July. Motion carried unanimously.

Recess/ Reconvene The Chairperson recessed the regular meeting at 10:30 a.m., to reconvene in open session at 10:40 a.m., with all Board Members present.

Coroner/Deputy Coroner Services Contracts The County Administrator said that in a telephone conversation with the Coroner, Mr. Brune explained that the increases in the Deputy Coroner Contracts with Mr. Stinnett and Mr. Mullenhour covers an estimated increase in the services provided by these gentlemen based on the past several years' activities. He said the Coroner also indicated that even with the slight increases in the Contracts, the costs the County pays for its Coroner services are significantly less as a result of the contracts being in place. Moved by Supervisor Cervantes and seconded by Supervisor Cash to approve the contracts between the County of Inyo and the following, for the period of July 1, 2009 through June 30, 2010, in the amounts specified, contingent upon the Board's adoption of a FY 2009-2010 budget; and authorize the Chairperson to sign: A) William D. Stinnett for deputy coroner services in an amount not to exceed \$14,600; and B) Jeffrey Mullenhour for deputy coroner services in an amount not to exceed \$14,600. Motion carried unanimously. At the conclusion of the motion the Board talked about the need to have an explanation when contracts for services are being increased and the County Administrator indicated that the budget narrative could be amended to include the discussion regarding contracts.

D.A/Position Request The District Attorney, Mr. Art Maillet, provided additional information and further justification for the request to fill the Chief Investigator position, which will become vacant as a result of a retirement. Mr. Maillet also requested that the range for the position be corrected to reflect a Range 81 at \$5,967 - \$7,259. He confirmed that the funding for the requested positions comes from General fund, as certified by him and concurred with by the County Administrator and the Auditor-Controller and that where an internal candidate meets the qualifications the vacancy could be filled through a closed promotional recruitment.

Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve the hiring of one Chief Investigator at Range 81SC (\$5,967 - \$7,259), within the District Attorney's Safety Budget and waive the current hiring freeze to allow the internal candidate to be promoted to Chief Investigator. Motion carried unanimously.

Moved by Supervisor Fortney and seconded by Supervisor Arcularius to authorize the hiring of a temporary employee at Range PT883 (\$35.64/hr.). Motion carried unanimously.

HHS-IMAAA/ Job
Descriptions
Created

The Director of Health and Human Services, Ms. Jean Turner, provided additional information and further justification for the request to create job titles and descriptions within the Inyo Mono Senior Program/IMAAA and approve hiring part-time personnel to perform services in the IMSP/IMAAA Program. Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve: A) the following job descriptions: Program Services Assistant I at Range 39 (\$1,957 - \$2,378 or \$10.48/hr. - \$12.73/hr.), II at Range 42 (\$2,093 - \$2,545 or \$11.21/hr - \$13.64/hr.) and III at Range 44 (\$2,193 - \$2,670 or \$11.75/hr - \$14.31/hr.); B) create the Program Services Career Ladder at Program Services Assistant I at Range 39, II at Range 42 and III at Range 44; C) find that, consistent with the adopted Authorized Position Review Policy, the availability of funding for these requested positions exists, as certified by the HHS Director, and concurred with by the County Administrator and Auditor-Controller; and where internal candidates meet the qualifications for the positions, the vacancies could be filled through internal recruitment, although there may not be sufficient internal applicants to fill the requested positions, thus necessitating an open recruitment; and D) approve the hiring of one temporary A-par Program Services Assistant I at Range 39 (\$10.48/hr. - \$12.73/hr.), two temporary B-par Program Assistants I at Range 39, and two A-par Program Services Assistants I at Range 39, or II at Range 42 (\$11.21/hr. - \$13.64/hr.) depending upon the qualifications, which are currently filled by temporary employees under the current title of Driver. Motion carried unanimously.

Planning/LAFCO
Contract
Amendment

The Chairperson, Supervisor Beverly Brown, declared a conflict and left the meeting. Moved by Supervisor Cash and seconded by Supervisor Fortney to A) approve Amendment No. 1 to the Contract between the County of Inyo and Inyo LAFCO, for Planning Department staff services increasing the Contract amount to an amount not to exceed \$36,730 for the period of July 1, 2008 through June 30, 2009; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and B) amend the FY 2008-09 Planning Department Budget Unit 023800 by increasing appropriations in LAFCO Fees (*Revenue Code #4817*) by \$10,000. Motion carried on a four-to-zero vote, with Supervisors Arcularius, Cash, Fortney and Cervantes voting yes, and with Supervisor Brown absent. Supervisor Brown rejoined the meeting at the conclusion of the item.

Water Dept./
Direction of
Standing Comm.
Reps.

The Water Director, Dr. Bob Harrington, provided a draft agenda for the July 9, 2009 Inyo/Los Angeles Standing Committee Meeting. He reviewed the items in detail. The Board requested that a discussion regarding Klondike Lake be included on the agenda. The Board concurred with the Water Director's recommendations regarding those items on the Agenda.

Keller County
Counsel Contract

Moved by Supervisor Cash and seconded by Supervisor Fortney to approve the Agreement between the County of Inyo and Randy H. Keller for the provision of personal services as County Counsel, for the period from August 4, 2009, at the rate of \$9,800 per month and authorizing a motor vehicle to be assigned to the Officer for his exclusive use as required by his 24-hour emergency and professional response required within the County; and authorize the Chairperson to sign. Motion carried unanimously.

Resol. #2009-24/
Appointed Officials
Salary

On a motion by Supervisor Cervantes and a second by Supervisor Cash Resolution No. 2009-24, titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Amending Resolution 2006-09, Changing Salary and/or Terms and Conditions of Employment for Appointed Officials Employed in the Several Offices or Institutions of the County of Inyo" was approved: motion unanimously passed and adopted

Emergency Serv./
Oak Creek Mudslide
Budget

Moved by Supervisor Cash and seconded by Supervisor Fortney to amend the FY 2008-09 Oak Creek Mudslide Budget Unit to be determined by the Auditor by increasing estimated revenue in State Other (*Revenue Code #4499*) by \$268,276 and increasing appropriations in Internal Charges (*Object Code #5121*) by \$268,276. Motion carried unanimously.

Museum/Lone Pine Community Project Grants	Moved by Supervisor Cervantes and seconded by Supervisor Cash to approve the final payment from the FY 2008-09 Advertising County Resources Budget Unit 011400, in the amount of \$5,043.50 to the Lone Pine Chamber of Commerce, which has successfully completed two Community Project Sponsorship Grant programs. Motion carried unanimously.
CAO-Budget/FY 2009-2010 Preliminary Budget	The County Administrator, Mr. Kevin Carunchio, reviewed the recommendations for the FY 2009-2010 Preliminary Budget. He thanked the Auditor-Controller, Ms. Leslie Chapman and the Budget Analyst, Ms. Randi Chegwidan, for their assistance in preparing this year's Preliminary Budget. Mr. Carunchio confirmed that the reroofing projects for the County Services Building and the Bishop Senior Center have been added to the fixed asset list to allow the project to move forward. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to adopt the Fiscal Year 2008-09 Board approved Budget as the Preliminary Budget for Fiscal Year 2009-2010 and approve the fixed assets as recommended by Staff. Motion carried unanimously.
Integ. Waste/ Position Request	The Deputy County Administrator provided additional information and further justification for the request to fill a full-time vacant position and to hire a temporary Account Technician I to help cover the workload in Integrated Waste, Parks and Motor Pool. He explained that he lost one employee who went to work for another entity, one is out on medical leave and one is retiring and leaving the first part of July. Moved by Supervisor Cash and seconded by Supervisor Fortney to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested positions come from the General Fund and certain Non-General Fund departments (depending on how personnel costs are apportioned) as certified by the department head and concurred with by the County Administrator and the Auditor-Controller; B) the vacancies can be filled by internal candidates meeting the qualifications for the positions; C) approve the internal recruitment and hiring of an Administrative Secretary I at Range 56 (\$2,893 - \$3,513), II at Range 60 (\$3,176 - \$3,857) or III at Range 62 (\$3,326 - \$4,045) depending on qualifications; D) authorize the hiring of a temporary employee, Account Technician I at Range 55 (\$2,825 - \$3,334) or II at Range 59 (\$3,101 - \$3,767) depending on qualifications as necessary; and E) pursuant to Section 2.08.040, paragraph D, of the Inyo County Code, authorize the County Administrator to temporarily transfer personnel from another County department to fill these positions if doing so will result in reducing costs in one or more budget units. Motion carried unanimously.
Integ. Waste/ Minshew Contract	The Board, the Deputy County Administrator and a representative of Minshew Engineering discussed the request to approve a Contract for Waste Management consultant services for a three-month period until an RFQ/RFP could be developed and processed. The Board expressed concern, that with the current status of the State's budget, there is a potential that some or all of the requirements that are being required under this contract may be eliminated by the State, noting discussions about possibly disbanding the Integrated Waste Management Board, as well as the potential that (based on the cost of this partial Contract) a full year contract could amount to almost a half a million dollars. The Board and Staff discussed the contract scope of work in detail and at length. The Board expressed a desire that Staff better substantiate the need for the required services, notified in the interim contract. The Board also reiterated its desire and expectation that, in order for the Board to have an opportunity to assess the competitiveness of the costs associated with the County continuing to provide the services required under this Contract and to explore alternatives to providing the services through a consultant contract, the RFQ/RFP process proceed. It was moved by Supervisor Cash with no second that the request for approval of the Contract with Minshew be denied and have staff bring back a revised list and plan for the tasks that are required. The motion failed on a roll-call vote, with Supervisors Cash and Fortney voting yes, and with Supervisors Arcularius, Brown, and Cervantes voting no. The Board and Staff continued to discuss the State Minimum Standard Integrated Waste Management Board requirements, mandates, deadlines and compliance issues associated with this Contract, as well as the development of a Statement of Qualifications and Request for Proposals for professional waste management engineering services. Moved by Supervisor Arcularius and seconded by Supervisor Cash to not approve the Agreement between the County of Inyo and Minshew Engineering for Integrated Waste Management consultant services for the period of July 1, 2009 through September 30, 2009, in an amount not to exceed \$93,300, and direct Staff to bring it back for consideration during the July 7 th meeting along with a contingency plan to comply with the priority requirements. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 1:00 p.m., to reconvene in open session at 2:00 p.m., with all Board Members present.

Fish and Game/ Mono County Sec. Expense Re- imbursement MOU	Moved by Supervisor Fortney and seconded by Supervisor Cash to approve the Memorandum of Understanding (MOU) between the County of Inyo and the County of Mono regarding Secretarial Services for the Inyo-Mono Fish and Game Advisory Commission; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
BofS/Minute Approval	Moved by Supervisor Cervantes and seconded by Supervisor Cash to approve the minutes of the May 26, 2009 Board of Supervisors meeting. Motion carried unanimously.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including a CSAC budget report and a lengthy discussion about the State's proposal to take/borrow the counties gas tax money, as well as the impacts associated with other State budget actions. As a result of the discussion about the State's budget actions, it was determined in order to provide Board direction to Supervisor Cash on the County's position on the State proposal to not take our road money in exchange for County support of the State's proposal to increase gas tax.
Post Agenda Position on State Increase in Gas Tax	Moved by Supervisor Cash and seconded by Supervisor Arcularius to find that the need to provide direction to the County's CSAC Representative, Supervisor Cash, on the County's position on the State's proposal regarding a gas tax increase, in order for Supervisor Cash to vote on the CSAC position during this week's CSAC meeting, arose after the Agenda for the June 16, 2009 Board of Supervisors Meeting was posted and there is a need for the Board to provide direction prior to the next regularly scheduled meeting, therefore, this item is added as Agenda Item No. 41A. Motion carried unanimously.
BofS/Position on Increase in Gas Tax	The Board discussed the State's proposal regarding increasing the State's tax on gasoline and, in exchange for the County's support of this proposal, the State is proposing to not take the County's gas tax money. It was also discussed how the State does not intend to share the increase with the counties. The Board discussed this proposal at great length and directed their CSAC Representative to vote against support for the proposal.
Public Comment	The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.
Closed Session	The Chairperson recessed open session at 3:10 p.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 43. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] - David Gregory Greene v. County of Inyo/Inyo County Sheriff's Department(1) - DFEH RE: E200809-C-0600-00e; No. 44. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] - Department of Fair Employment & Housing v. County of Inyo Greene v. County of Inyo Sheriff's Department(2) – RE: E200809c1059-00-re/37AAA906327; No. 45. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] - Pratt, et al. v. City of Los Angeles, et al. - Inyo County Superior Court Case No. CVCV 09-0048094; No. 46. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] – Little Lake Ranch v. County of Inyo, et al. - Inyo County Superior Court Case No. SICVPT09-48538; No. 47. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6] - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: - CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 48. 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: CAO Kevin Carunchio, Sheriff Bill Lutze, and Labor Relations Administrator Sue Dishion; No. 49. 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: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 50. 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: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 51. 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: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 52. REAL PROPERTY NEGOTIATIONS [CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code §54956.8] - Property – Eastern Sierra Regional Airport (Bishop) - Negotiating Parties – Los Angeles Department of Water

and Power and County of Inyo – Negotiations – Lease Price and Terms; and No. 53. **PERSONNEL [Pursuant to Government Code §54957] - Public Employee Performance Evaluation** - Title: Planning Director.

- Report on Closed Session The Chairperson recessed closed session at 6:25 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported that with regard to Agenda Item No. 46. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] – Little Lake Ranch v. County of Inyo, et al.** - Inyo County Superior Court Case No. SICVPT09-48538, which is an action challenging the Board of Supervisors' approval of a CUP for COSO to pump water, the Board in a unanimous vote with Supervisors Arcularius, Cash, Brown, Fortney and Cervantes voting yes, authorized and directed the Office of County Counsel to defend the County, the Planning Commission and the County Departments in this matter.
- Adjournment The Chairperson adjourned the regular meeting at 6:25 p.m., to 9:00 a.m., Tuesday, July 7, 2009, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

Chairperson, Inyo County Board of Supervisors

Attest: *KEVIN D. CARUNCHIO*
Clerk of the Board

by: _____
Patricia Gunsolley, Assistant