



County of Inyo Board of Supervisors

March 25, 2008

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, March 25, 2008, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Linda Arcularius presiding, Susan Cash, Beverly Brown, Jim Bilyeu and Richard Cervantes. Supervisor Bilyeu provided the Invocation, and Supervisor Cash led the Pledge of Allegiance.

Public Comment The Chairperson announced the public comment period and Mr. Bruce Cotton, Lone Pine Resident, asked the Board to consider an idea for handicapped access at Diaz Lake. He submitted a drawing of a plan he feels might work. The Chairperson asked that a discussion of this be agendized in the future to provide the Board the opportunity to discuss the request. Ms. Kenney Scruggs, Independence Resident, addressed the Board to provide comment on item No. 9, the removal of two cedar trees in the County right-of-way in Independence. She opposed the removal of the trees and requested the Board postpone any action until the community had the opportunity to review the County's Tree Removal Policy and an assessment of the conditions of trees could be made. Mr. Loyd Hopper, Independence Resident, addressed the Board to also oppose the removal of the trees.

County Department Reports The Chairperson announced the County Department Report period. Sheriff Bill Lutze updated the Board on activities at the Barker Ranch. He explained that the national media had been reporting certain aspects of the investigation, which were incorrect. He explained that at the present time, his department is reviewing the evidence gathered regarding the sites in question. He said at this time "no bodies have been found" at Barker Ranch, that they are only sites of interest. He did clarify that a body has been found at another location not connected to the Barker Ranch site. He indicated that he would keep the Board informed as the investigations proceed.

P.W./City of Bishop Lease for Office Space Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve the lease agreement between the County of Inyo and the City of Bishop for office space located at 301 West Line Street in Bishop, for the period of April 1, 2008 through March 31, 2009, at the rate of \$3,393 per month, for an amount not to exceed \$40,716, contingent upon the Board's adoption of a FY 2008-09 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

P.W./Mill Creek and Mustang Mesa Roadways Improvement Project The Public Works Director, Mr. Ron Chegwiddden, provided additional information and further justification for the request to award the bid for the Mustang Mesa and Mill Creek Road Improvement projects. Moved by Supervisor Bilyeu and seconded by Supervisor Cash to award the bid for the Mill Creek Road and Mustang Mesa Subdivision Roadways Improvement Project to Granite Construction Company and approve the Contract between the County of Inyo and Granite Construction for the Mill Creek Road and Mustang Mesa Subdivision Roadways Improvement Project in the amount of \$935,778; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained and authorize the Public Works Director to execute all other contract documents, including contract change orders, to the extent permitted by Public Contract Code §20142 and other applicable law. Motion carried unanimously.

Sheriff's Dept./P.O. for Animal Enclosures Moved by Supervisor Bilyeu and seconded by Supervisor Brown to authorize the purchase of 12 kennels from Horst Custom Animal Enclosures in an amount not to exceed \$15,790, including tax and freight. Motion carried unanimously.

Sheriff's Dept/ Cannabis Eradication Grant Moved by Supervisor Bilyeu and seconded by Supervisor Brown to approve the application for the DEA Domestic Cannabis Eradication/Suppression Grant funding in the amount of \$39,000; and authorize the Sheriff to sign the application and all other documents. Motion carried unanimously.

BofS/Saline Valley Road as Boundary for D.V. National Park	Mr. Dick Noles of Advocates for Access to Public Lands asked the Board to support and request our Federal Legislators to introduce federal legislation to return Saline Valley Road to the originally negotiated boundary between Death Valley National Park and the Inyo Mountains Wilderness. The Board heard from the following individuals who supported this action, Mr. Bruce Cotton, Mr. Joe Andrews, Mr. Michael Dorame, Mr. Ron Schiller, Ms. Sophia Merk, and Mr. Loyd Hopper. Mr. Ron Chegwiddden, Inyo County Public Works Director and Road Commissioner, addressed the Board to provide additional information on the impact of having a portion of the Saline Valley Road within the Park boundaries. He explained that the County has been denied access to that portion of the Road and the County's borrow pits, which had limited the ability to maintain and repair Saline Valley Road and other County roads in the area. The Board directed Staff to develop a resolution asking for federal legislation to realign Saline Valley Road as the boundary between the Death Valley National Park and the Inyo Mountains Wilderness, to be brought back for the Board's consideration at a future agenda.
P.W./Cedar Trees Removal	The Public Works Director, provided additional information and further explanation on the request for the Board to authorize the removal of two cedar trees located in a County right-of-way at 103 N. Clay Street in Independence. Mr. Chegwiddden explained that the Board had approved this action in 2005 and because of problems with the equipment needed for the removal it had been delayed until recently. He confirmed that the trees had been determined to be safety hazards and were being removed per the County's Tree Removal Policy. Mr. Bob Brown, Road Superintendent, explained that part of the delay in removing the trees was a result of coordinating and prioritizing equipment and staff. Mr. Chegwiddden, confirmed in response to a question from Supervisor Arcularius, that the homeowner had not withdrawn his request to have the trees removed. Supervisor Bilyeu noted that the homeowner had suffered an illness over the weekend and was unable to attend today's meeting and asked that no action be taken to change the decision regarding the removal of the trees until the homeowner had the opportunity to be present. The following residents of Independence addressed the Board to ask that the trees not be removed: Ms. Jennifer Duncan, Mr. Joel Hampton, Ms. Nina Weisman, Ms. Mary Roper, Mr. Kirk Peterson, Ms. Nancy Masters and Ms. Bennett Kessler. Ms. Arlene Grider, Independence Resident, addressed the Board to talk about the importance of trees and to suggest replacement of trees that are removed. The Board discussed the removal of the trees, including an explanation from County Counsel regarding liability issues, once the County has been notified that the trees pose a public safety hazard. The Board directed Staff to reagendized this item next week.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 11:15 a.m., to reconvene in open session at 11:25 a.m., with all Board Members present.
BofS/Minute Approval	Moved by Supervisor Bilyeu and seconded by Supervisor Brown to approve the minutes of the March 4, 2008, 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 update; a Collaborative Alternatives Team meeting; a FAC meeting; an LTC meeting; a RAN Board meeting; an IMAAA meeting; and an RCRC Meeting
Public Comment	The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.
Recess/ Reconvene	The Chairperson recessed open session at 12:00 a.m., to reconvene in closed session at 1:00 p.m., with all Board Members present.
Closed Session	The Board met in closed session to consider and take action as required on Agenda items No. 11. PERSONNEL [Pursuant to Government Code §54957] – Public Employee Appointment – Title: Director of Public Works; No. 12. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6] - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: County Administrator Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 13. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6] - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: DSA - Negotiators: County Administrator Kevin Carunchio, Sheriff Bill Lutze, and Labor Relations Administrator Sue Dishion; and No. 14. 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

Report on Closed Session The Chairperson recessed closed session at 2:10 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported there were no items discussed in closed session, which were required by law to be reported on in open session.

Adjournment The Chairperson adjourned the regular meeting at 2:10 p.m., to 9:00 a.m., Tuesday, April 1, 2008, 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*