

MINUTES

County of Inyo Board of Supervisors

December 16, 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, December 16, 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 that today's meeting is being adjourned in memory of Dave Mattovich, a long-time resident of Inyo County who passed away last week. She went on to open public comment and there was no one wishing to speak.
- County Dept. The Chairperson announced the County Department Report period. Ms. Nancy Master's informed Reports the Board that Riverside County Library has donated 24 relatively new computers to Inyo County. Ms. Master's also informed the Board that the Library's electronic catalog is now available on the County's website.
- CAO-Personnel/ Moved by Supervisor Cash and seconded by Supervisor Cervantes to designate Anna Scott, HIPAA Officer Management Analyst, Health and Human Services Department, as the HIPAA Privacy Officer. Appointment Motion carried unanimously.
- Motor Pool/Police Moved by Supervisor Cash and seconded by Supervisor Cervantes to A) declare Perry Motors and Vehicles P.O. Elk Grove Dodge & GM as non-responsive bidders; B) award the bid for and approve the purchase of vehicles from the low bidder, Eastern Sierra Motors as follows: four (4) full size sedans (police package) in an amount not to exceed \$88,593.32, two (2) full size utility vehicle (police package) in an amount not to exceed \$29,271.46, and one (1) full size sedan (admin police package) in an amount not to exceed \$21,793.53. Motion carried unanimously.
- CAO-Info Serv./ Moved by Supervisor Cash and seconded by Supervisor Cervantes to A) approve a lease Copier Machines agreement between the County of Inyo and American Business Machines of Bishop (ABM), a Canon authorized dealer, for the lease of photocopier machines Countywide, for a five-year period, in an amount not to exceed \$96,264 per year (based on the estimated number of copies), contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and B) should an acceptable agreement not be reached with ABM, approve a lease agreement between the County of Inyo and Xerox on behalf of Sierra Office Solutions of Bishop, a Xerox authorized dealer, for photocopier machines, for a five-year period, in an amount not to exceed \$102,045 per year (based on the estimated number of copies) and a software maintenance agreement with Xpert Image, Inc., for a five-year period, in an amount not to exceed \$2,600 per year, contingent upon adoption of future budgets, and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- CAO-Adv. Co. Moved by Supervisor Cash and seconded by Supervisor Cervantes to A) declare the Independence Resc./2009 Cal Chamber of Commerce a sole-source contractor for designing, constructing, staff and removal of a Expo Exhibit County Exhibit at the 2009 California State Fair; B) approve a Contract between the County of Inyo and the Independence Chamber of Commerce for the design, construction, staffing and removal of the Inyo County Exhibit at the 2009 California State Fair, in an amount not to exceed \$10,000, contingent upon the Board's adoption of future budgets; and authorize the County Administrator to sign, contingent upon the appropriate signatures being obtained; and C) authorize the County Administrator to sign any documents related to designating the Independence Chamber of Commerce as the County's contractor for coordinating the Inyo County Exhibit at the 2009 California State Fair. Motion carried unanimously.

Resol. #2008-53/ Mitigation Prgm. Grant Application	On a motion by Supervisor Cash and a second by Supervisor Cervantes, Resolution No. 2008-53, entitled "A Resolution of the Board of Supervisors, County of Inyo, State of California Approving the Application for Grant Funds for the California Department of Transportation Environmental Enhancement and Mitigation Program Under Section 164.56 of the Streets and Highways Code," was adopted: motion unanimously passed and adopted.
Resol. #2008-54/ Pesticide Reg. Enforcement Contract	On a motion by Supervisor Cash and a second by Supervisor Cervantes, Resolution No. 2008-54 entitled "A Resolution of the Inyo County Board of Supervisors Granting Authority to Agricultural Commissioner/Director of Weights and Measures to Enter into Enforcement and Service Contracts with the California Department of Pesticide Regulation, and Repealing Resolution 96-32," was adopted: motion unanimously passed and adopted.
Resol. #2008-55 Disability Retirement	On a motion by Supervisor Cash and a second by Supervisor Cervantes, Resolution No. 2008-55 entitled "A Resolution of the Inyo County Board of Supervisors Making Findings and Determinations Required by Government Code §21156 Concerning Incapacity and Disability of an Employee," was adopted: motion unanimously passed and adopted.
CAO-Personnel/ Willdan Contract Planning Services	Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the Agreement between the County of Inyo and Willdan Engineering for the provision of professional planning and management services as the Acting Director of Planning for the period of January 1, 2009, through June 30, 2009, in an amount not to exceed \$50,000; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Ag. Comm./Adv. Board Appointment	Moved by Supervisor Cash and seconded by Supervisor Cervantes to appoint Mr. Greg Allen, to the Agriculture Resource Advisory Board, for a three-year term ending August 22, 2011, representing the Community Business at Large category. Motion carried unanimously.
HHS-Mental Hlth./MHSA CSS Plan	Moved by Supervisor Cash and seconded by Supervisor Cervantes to A) approve the submission of the MHSA CSS 08/09 Plan Update to access the full \$783,600 planning estimate under the approved MHSA Agreement; and B) approve the request for the County to access the CSS previously unapproved amounts of \$93,423 for FY 2006-07 and \$87,929 for FY 2007-08, for a total of \$181,352 to be placed in a Prudent Reserve Account. Motion carried unanimously.
HHS-Behavioral Hlth./Comprehen- sive Drug Court Implementation Grant	Moved by Supervisor Cash and seconded by Supervisor Cervantes to acknowledge State award of a Comprehensive Drug Court Implementation Grant in the amount of \$24,524 for the period of January 1, 2009 through December 30, 2009, contingent upon the Board's adoption of future budgets; and authorize the Alcohol and Drug Administrator to sign the Notice of Grant Award. Motion carried unanimously.
HHS-Hlth. Serv./ Public Health Emergency Preparedness Agreement	Moved by Supervisor Cash and seconded by Supervisor Cervantes to A) ratify the Agreement between the County of Inyo and the State of California for the provision of local public health emergency preparedness, in the amount of \$332,179 for the period of July 1, 2008 through August 9, 2009, contingent upon the Board's adoption of a FY 2009-2010 budget; and authorize the Chairperson to sign; and B) approve the Non-Supplantation Certification Form and authorize the Chairperson to sign. Motion carried unanimously.
Planning/Coso CUP Enviro Review Contract	Moved by Supervisor Cash and seconded by Supervisor Cervantes to A) ratify and approve Amendment No. 3 to the Contract between the County of Inyo and MHA/RMT, Inc., for the provision of environmental review and processing services for Conditional Use Permit No. 2007-03/Coso Operating Company LLC (Coso), increasing the amount by \$337,205 to an amount not to exceed \$717,843; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and B) approve Amendment No. 4 to the Contract between the County of Inyo and Coso for Conditional Use Permit No. 2007-3/Coso Operating Company, LLC, increasing the deposit/payment amount by \$488,947 to an amount not to exceed \$1,038,910; and authorize the Chairperson to sign. Motion carried unanimously.
Planning-Yucca Mt./AULG Expenditure Certification	Moved by Supervisor Cash and seconded by Supervisor Cervantes to certify that funds provided to Inyo County as an Affected Unit of Local Government (AULG) under the Nuclear Waste Policy Act, as Amended, have been expended in accordance with the provisions of that Act, Public Law 97-425 and the Energy and Water Development and Related Programs Appropriations Bill of 2008; authorize the Chairperson to sign; and direct Staff to submit the certification to the U.S. Department of Energy. Motion carried unanimously.

P.W./NCE Contract for Pavement Management	Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the Contract between the County of Inyo and NCE for pavement management services to complete a Countywide pavement management system, for the period of December 16, 2008 through June 30, 2010, in an amount not to exceed \$167,380, contingent upon the Board's adoption of a FY 2009-2010 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
P.W./L.P. Park Sports Court Refurbishing Contract	Moved by Supervisor Cash and seconded by Supervisor Cervantes to award and approve the Contract for the Lone Pine Park Sports Court Refurbishing Project to California Surfacing of Claremont, in the amount of \$96,100; authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and authorize the Deputy County Administrator, Director of Parks and Recreation, 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.
P.W./CSI Contract Amendment	Moved by Supervisor Cash and seconded by Supervisor Cervantes to ratify and approve Amendment No. 1 to the Contract between the County of Inyo and Coating Specialists and Inspection Services, Inc. (CSI) for additional field inspection services for the Independence Reservoir Replacement Project, increasing the amount by \$12,488.47 to a total amount of \$41,996.47; and authorize the Acting Public Works Director to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
P.W./Dept. Update	The Acting Public Works Director, Mr. Doug Wilson, updated the Board on the Department's activities including that efforts to contact the person who indicated an interest in the Bishop Airport restaurant have been unsuccessful, but in the interim several other people have expressed an interest in the facility and the Acting P.W. Director will pursue further discussions with those individuals.
P.W.-No. Inyo A.P. Adv. Board Appointments	Supervisor Brown said she supported the appointments of Mr. Geoff Pope for the regular member position and Mr. Kirt Nance for the voting alternate position. Moved by Supervisor Brown and seconded by Supervisor Cash to appoint the following to the Northern Inyo Airport Advisory Board: Mr. Geoff Pope as a regular member to complete an unexpired term ending October 31, 2011 and Mr. Kirt Nance as the voting alternate member to complete an unexpired term ending October 31, 2011. Motion carried unanimously.
Rd. Dept./No. Oak Creek Rd Culvert Project	Supervisor Brown declared a conflict because her husband works for the company that supplied the culvert for the North Oak Creek Culvert Replacement Project and left the meeting. The Acting Public Works Director, Mr. Doug Wilson, took pleasure in informing the Board that the North Oak Creek Road Culvert Replacement Project is completed. Mr. Wilson acknowledge the members of his Staff who were instrumental in the project's success, including Bob Brown, Lynn Flannigan, Chris Cash, Randy Piper, Mike Dodson, Shannon Platt, Harold Brown and Alejandro Ortiz. At the conclusion of this report, Supervisor Brown rejoined the meeting.
Parks/Dehy Park BBQ Grill Donation	Supervisor Bilyeu explained that he had received a request from the Independence Foundation and the Inyo Masonic Lodge #221, asking the County to accept the donation of a built-in barbeque grill for Dehy Park. He explained that it was his understanding that there was about \$9,000 available for this project. The Deputy County Administrator, Mr. Chuck Hamilton informed the Board that once this item is approved, he would make contact with the organizations to begin the process for the placement of this donation. Supervisor Cervantes took the opportunity to thank Mr. Hamilton for his work in getting the Diaz Lake Handicap Fishing Deck completed, noting that this project is very similar to that very successful project. Moved by Supervisor Bilyeu and seconded by Supervisor Brown to A) accept the donation, by the Independence Foundation and the Inyo Masonic Lodge #221, of a built-in barbeque grill (including materials) tentatively proposed to be located at Dehy Park immediately east of the deep pit area that currently exists at the park; B) authorize the access to the project site for those volunteers involved in the construction of the project contingent upon the sponsoring organizations providing proof of acceptable liability and workers compensation/volunteer injury insurance to the County; and direct staff to (i) work with the Foundation and the Lodge in meeting the County's conditions, (ii) contact the leaseholder, the Department of Water and Power, for approval of the structure, and (iii) conduct appropriate CEQA analysis for the project. Motion carried unanimously.

Auditor/Coso Tax Dispute Impound	The Auditor-Controller, Ms. Leslie Chapman, explained that as a result of the Coso Geothermal Property Tax Appeal, she is recommending that a portion of the taxes paid by Coso be impounded until the dispute is resolved. She said that she would be impounding the amount of the supplemental, which has not been billed yet, which was a little more than \$3-million. Ms. Chapman said that she felt this was a reasonable way to handle this matter, rather than to go back to the schools and the special districts and ask for money back should the taxable value be changed. Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve the impound of disputed unsecured property taxes collected by the County from Coso Geothermal as recommended by the Auditor-Controller. Motion carried unanimously.
County Counsel/ Schain, Core and Lavery Contract Amendments	Moved by Supervisor Bilyeu and seconded by Supervisor Brown to A) approve the Amendments to the Contracts between the County of Inyo and Eileen Schain, James and Mary Core and David and Ellen Lavery, increasing the contract limits for the payment of additional defense litigation costs; and authorize the Chairperson to sign; and B) amend County Counsel Budget Unit 010700 by increasing revenue in Services and Fees (<i>Revenue Code #4819</i>) by \$30,000 and increasing appropriations in Professional and Other Services (<i>Object Code #5265</i>) by \$30,000. Motion carried unanimously.
County Counsel/ Walters Contract Amendment	Moved by Supervisor Cervantes and seconded by Supervisor Cash to A) approve Amendment No. 3 to the Agreement between the County of Inyo and Jim Walters, for reimbursement of Inyo County for defense litigation costs for Save Round Valley Alliance v. County of Inyo et al., the term from September 2, 2005 to completion of the lawsuit, increasing the contract limit by \$10,000 to an amount not to exceed \$85,000; and authorize the Chairperson to sign; and B) amend the FY 2008-09 County Counsel Budget 010700, by increasing revenue in Services and Fees (<i>Revenue Code #4819</i>) by \$10,000, and increasing appropriations in Services and Supplies – Professional and Other Services (<i>Object Code #5267</i>) by \$8,020 and Professional and Legal Services (<i>Object Code #5265</i>) by \$1,980. Motion carried unanimously.
Planning/JLUS Study	Moved by Supervisor Bilyeu and seconded by Supervisor Cervantes to approve the Final R-2508 Joint Land Use Study (JLUS) and approve a letter to the Governor's Office of Planning & Research, to support the study and its implementation. Motion carried unanimously.
CAO-Adv. Co. Resc./Com. Proj. Sponsorship Pgrm. Guidelines	Mr. Jon Klusmire, Museum Director, reviewed the Community Project Sponsorship Program Guidelines, noting the proposed changes. Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve the changes in the Community Project Sponsorship Program Guidelines and direct staff to work with County Counsel's Office to revise Standard Contract #159 to reflect, where necessary, the changes made to the Guidelines. Motion carried unanimously.
Resol. #2008-56/ NRC Yucca Mt. Licensing Representative Designation	On a motion by Supervisor Cervantes and second by Supervisor Bilyeu, Resolution No. 2008-56, was adopted, rescinding Resolution No. 2008-41, and designating the Inyo County Administrator (or his designee) as the official responsible for supplementing the County of Inyo's document collection with the United States Nuclear Regulatory Commission (NRC) Licensing Support Network (LSN) and as the official responsible for certifying to the NRC that Inyo County has supplemented its document collection on the LSN, designating the Project Analyst and the County's Yucca Mt. Repository Assessment Office as the primary point of contact for purposes of document requests and pre-motion consultations, and appointment of Greg James, Attorney at Law, as the County of Inyo's representative in the Yucca Mt. Nuclear Repository Licensing Proceedings before the NRC: motion unanimously passed and adopted.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:10 a.m., to reconvene in open session at 10:20 a.m., with all Board Members present.
Emergency Serv./ Oak Creek Mud Flows Emergency Continued	The County Administrator explained the timing required by statute for continuing local emergencies. He recommended that the emergency be continued until water is returned to the natural channel of Oak Creek and the temporary diversion is removed. Moved by Supervisor Bilyeu and seconded by Supervisor Brown to continue to the Board's January 6, 2009 meeting, the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
Forest Serv./ Coordination Letter	The County Administrator distributed copies of the draft letter outlining the County's expectations regarding coordination with the Forest Service. Mr. Carunchio recommended that under Section III in the letter the "Oak Creek Culvert Replacement" be replaced with "Private Property Acquisition by USFS." The Board and Staff discussed the letter, with minor corrections being requested as follows: first page, second paragraph, fifth line, add the word "the" in front of ...(DEIS) for...; second page, fourth paragraph, change "fist" to "first"; Section III on second page, replace "Oak Creek Culvert

Replacement” with “Private Property Acquisition by USFS;” and under Cc: change “State” to “States” and add our federal representatives, the Secretaries of Agriculture and the Interior, the local BLM Office, and RCRC and CSAC. Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the letter to the United States Forest Service specifying how the County of Inyo requests to proceed with the coordination process relative to the Travel Management/Route Designation Project for the Inyo National Forest, as corrected and authorize the Chairperson to sign. Motion carried unanimously.

Public Defender Contracts

The County Administrator provided additional information and further justification for the public defender contracts. He explained that the contract periods are now staggered so that the County is not in an “all or nothing” situation in future negotiations. He went on to say that the recommendation is for five attorneys instead of only four, which will facilitate better coverage when conflicts occur. He also told the Board that the Contracts as presented represent only a 2% increase in costs when compared to the previous contracts. The Board and County Administrator discussed the contracts. Supervisor Brown asked about the contract for north County misdemeanors. She said she had received a call from a local attorney who asked if the Contract approval could be postponed because he had an associate in his office that could perform the misdemeanor work, but did not have the felony experience that was required. The attorney was hoping that something could be worked out so that another alternative could be developed to handle the felony work associated with the Contract, so that his associate might have the opportunity to submit a proposal for the contract. The County Administrator confirmed that a formal request for quotes had not been issued, but he had made every effort to make sure that local attorneys interested in the contracts had been contacted. He provided more detail on the types of back-up coverage each of the Public Defenders provide under the Contracts, in addition to their main duties. He recommended that should the Board decide to not proceed with the contract for north County misdemeanors that they also withdraw the decision on south County because they would both need to be renegotiated to provide appropriate coverage. Supervisor Brown requested that the contracts be considered individually, because she felt the north County misdemeanor Contract should be postponed in order to explore further alternatives.

Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve the agreement between County of Inyo and Elizabeth Corpora for the provision of professional services as a Public Defender [felony appointments] for the period January 1, 2009, through June 30, 2012, in an amount not to exceed \$502,740.56, 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.

Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve the agreement between County of Inyo and Dana Crom for the provision of professional services as a Public Defender [welfare and institutions, family support, and juvenile court] for the period January 1, 2009, through June 30, 2012, in an amount not to exceed \$423,738.47, 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.

Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve the agreement between County of Inyo and Gerard Harvey for the provision of professional services as a Public Defender [north county misdemeanors] for the period January 1, 2009, through December 30, 2009, with a County option to extend the agreement through December 31, 2010, in an amount not to exceed \$257,374 contingent upon the Board’s adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried on a four-to-one vote, with Supervisors Arcularius, Cash, Bilyeu and Cervantes voting yes, and with Supervisor Brown voting no.

Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve the agreement between County of Inyo and Victoria Campbell for the provision of professional services as a Public Defender [south county misdemeanors] for the period January 1, 2009, through December 31, 2010, in an amount not to exceed \$212,100 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.

Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve the agreement between County of Inyo and Charles Schneider for the provision of professional services as a Public Defender [secondary services] for the period January 1, 2009, through June 30, 2011, in an amount not to exceed \$114,309, 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.

CAO-ESTA/ Operating Loan	The County Administrator reviewed the staff report and recommendations concerning the request from ESTA for a loan. He reviewed the conditions, which the FAC's recommendation is based upon Supervisors Cash and Arcularius, Inyo County's representatives on the ESTA Board, confirmed that ESTA has established policies and procedures relative to the County's conditions. The Board and Staff discussed the loan and the FAC recommendation. Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve the recommendation from the County Financial Advisory Committee and lend the Eastern Sierra Transit Authority (ESTA) \$81,250 from County funds in the Treasury for a term not to exceed December 2008 to September 1, 2009, based on certain conditions; and approve an Agreement between the County of Inyo and the Eastern Sierra Transit Authority for the provision of an advancement of funds and authorize the Chairperson to sign. Motion carried unanimously.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including a COG Meeting, notice of a cancelled Inyo First 5 Meeting, an invitation to visit the Interagency Visitors Center to look at large topo map of the valley which was donated by DWP, a Southern Inyo Hospital Auxiliary luncheon, a reminder of the January Inyo Associates meeting in Death Valley, a report on the Independence Fruitcake Festival, a RCRC Board Meeting, a request to have Environmental Health conduct a workshop on the new septic tank regulations and their impact on Inyo County, information about the AB 32 hearings on the Warming Act and words of thanks to Supervisor Bilyeu for his service and the Board's wishes for a happy retirement. The County Administrator informed the Board that late last week the Board had been invited to attend the dedication ceremonies of the new photovoltaic solar system at the Death Valley Inn, which the Governor was also attending. Mr. Carunchio reported that he had sent the Board's congratulations and regrets regarding attending. Sheriff Lutz addressed the Board and notified them that the dedication ceremonies in Death Valley had been cancelled because of the weather.
Public Comment	The Chairperson announced the second public comment period. Sheriff Lutze presented retiring Supervisor Jim Bilyeu with a plaque and thanked him for his support of law enforcement. Supervisor Bilyeu graciously accepted the plaque and kind words, and thanked the Board and the Sheriff.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 11:50 a.m., to convene in closed session at 1:00 p.m., with all Board Members present.
Closed Session	The Board met in closed session to discuss and take action as appropriate on Agenda Items No. 36. PERSONNEL [Pursuant to Government Code §54957] - Public Employee Appointment - Title – Director of Public Works; No. 37. PERSONNEL [Pursuant to Government Code §54957] - Public Employee Appointment - Title – Planning Director; No. 38. 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. 39. 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. 40. PERSONNEL [Pursuant to Government Code §54957] - Public Employee Performance Evaluation- Title – County Administrator and No. 41. CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6) – Instructions to Negotiators re: wages, salaries and benefits – Title: County Administrator - Negotiator – as designated by the Board of Supervisors.
Report on Closed Session	The Chairperson recessed closed session at 2:37 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported there were no actions taken in closed session, which are required by law to be reported on in open session.
Recess/ Reconvene	The Chairperson recessed closed session at 2:37 p.m., to reconvene at 6:00 p.m., at Statham Hall in Lone Pine to discuss and take comment on the wilderness proposal made by the California Wilderness Coalition to Senator Dianne Feinstein.
BofS/CA Wilderness Coalition Wilderness Proposal	The Chairperson, Supervisor Arcularius, made opening remarks, saying that she was looking forward to a very informative meeting. Supervisor Arcularius informed the audience that the Board had received a letter from the California Wilderness Coalition, sending their regrets that they would not be able to send a representative to participate in tonight's discussion. Supervisor Arcularius informed the audience of the acreage contained in each proposal in Inyo County.

She explained that the proposal is to designate additional lands in Inyo, Imperial, and San Bernardino counties as wilderness; that the Board was conducting the discussion on this item in order for the County and the public to be proactive in the process, from the beginning, and to make sure that our voices are heard with regard to this proposal. She explained that this is only a proposal to Senator Feinstein by the Wilderness Coalition, clarifying and stressing that Senator Feinstein has not taken a position on this proposal. She informed the audience that she would be adjourning today's meeting in memory of Dave Mattovich, who was a friend to many in the audience and who was an avid proponent of protecting the public's rights to access public lands. She said that she would be calling the speakers from those who had signed the speaker sheets, which were in the back of the room. Supervisors Cervantes and Bilyeu made opening remarks, thanking everyone for attending and expressing their concerns with additional wilderness designations in Inyo County, including the harm this designation will do to the local mining industry. The Chairperson asked the clerk if any correspondence had been received and the Assistant Clerk of the Board entered email correspondence from Jon Aichele of Bakersfield, Steven Morgan, Mayor of Ridgecrest, Derek Cooper of Ridgecrest, Steve Koretoff of the BLM Central California Resource Advisory Council, Kris Tholke of Woodland Hills, and Steven Van Ert of Chatsworth, opposing any further wilderness designations in Inyo County. The Chairperson called on the following speakers who addressed the Board to oppose more wilderness designations in Inyo County, for a variety of reasons, including (a) the concern of totally eliminating the local mining industry, (b) the loss of access to vital mineral resources; (c) that much of the proposed land does not meet the definition of wilderness and much of it has been deemed unsuitable for wilderness; (d) denying access to public lands and (e) the protection of historic land uses.

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| 1. Sam Wasson, Keeler, California | 19. John Dukes, Keeler, California |
| 2. Candace McCarthy, Mojave, California | 20. Mike Patterson, Cerro Gordo, California |
| 3. Greg Weirick, Bishop, California | 21. Sophia Merk, Ridgecrest, California |
| 4. Bill Herzog, Keeler, California | 22. Ann Marie Astells, Lone Pine, California |
| 5. Bruce Cotton, Lone Pine, California | 23. Dan Jacobs, Bishop, California |
| 6. Jerry Counts, Ridgecrest, California | 24. Dick Noles, Bishop, California |
| 7. Fransee Graham, Lone Pine, California | 25. Wayne Nojaia, Mojave, California |
| 8. Stan Mobley, Lone Pine, California | 26. Russell Olenick, Bishop, California |
| 9. Troy Patten, Cartago, California | 27. Alan Gordon, Bishop, California |
| 10. Alan Akin, Keeler, California | 28. Warren Allsup, Bishop, California |
| 11. Paul Skinner, Lone Pine, California | 29. Scott Kemp, Independence, California |
| 12. Alan Mathews, Keeler, California | 30. Don Decker, Ridgecrest, California |
| 13. Ron Schiller, Ridgecrest, California | 31. Julie Decker, Ridgecrest, California |
| 14. Joe Andrews, Independence, California | 32. Gene Mathern, Lone Pine, California |
| 15. John Schrader, Bishop, California | 33. Fred Johnson, Virgin, Utah |
| 16. Ken Lloyd, Bishop, California | 34. Harry Baker, Encino, California |
| 17. Margaret Ann Grams, Trona, California | 35. Sherry Cosgrove, Keeler, California |
| 18. Bruce Martin, Lone Pine, California | |

In addition to the above speakers the Board received written correspondence from the following opposing additional wilderness designations:

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| 1. Jon Aichele, Bakersfield, California | 14. Cherie Hoerstug, Bishop, California |
| 2. Steven Morgan, Mayor of Ridgecrest, CA | 15. Randall Slee, Bishop, California |
| 3. Derek Cooper, Ridgecrest, California | 16. Robin Fisher, Bishop, California |
| 4. Steve Koretoff, BLM Resource Council | 17. Ron Schiller, Ridgecrest, California |
| 5. Kris Tholke, Woodland Hills, California | 18. Elvie & Kathy Henderson, Bishop, California |
| 6. Steven Van Ert, Chatsworth, California | 19. John Dukes, Keeler, California |
| 7. Candace McCarthy, Mojave, California | 20. Sophia Merk, Ridgecrest, California |
| 8. Steve Hayward Family, San Juan Capistrano | 21. Michael Patterson, Cerro Gordo, California |
| 9. Gail Slee, Bishop, California | 22. Frederic Johnson, Virgin, Utah |
| 10. David Beaver, Bishop, California | 23. Peter Clarke, Reno, Nevada |
| 11. Earlene Beaver, Bishop, California | 24. Jeffrey Brown, Southern California |
| 12. Reagan Slee, Bishop, California | 25. Glen Maurice, Aspendell, California |
| 13. Randi Pritchard, Bishop, California | 26. David Tanksley, Aspendell, California |

Adjournment

The Chairperson adjourned the meeting in memory of Dave Mattovich, a long-time Inyo County Resident and a founding member of AAPL (Advocates for Access to Public Lands), who passed away last week. She adjourned the meeting at 8:50 p.m., to 9:00 a.m., Tuesday, January 6, 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