

MINUTES

County of Inyo Board of Supervisors

February 3, 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, February 3, 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 Supervisor Cash led the Pledge of Allegiance.

- Public Comment The Chairperson announced the public comment period and there was no one wishing to address the Board.
- County Dept.
Report The Chairperson announced the County Department Report period and there were no reports forthcoming.
- CAO-Budget/
Federal Stimulus
Projects The County Administrator, Mr. Kevin Carunchio, explained that in order for the County to be in a position to benefit from the Federal Stimulus Package, which is currently making its way through the Congress, he requested that the Department Heads participate in today's discussion to present their proposals for shovel ready projects. Mr. Carunchio explained that with the State deferring payments, issuing IOUs, and suspending programs, the funding opportunities provided through a Federal Stimulus Package could be used as a stopgap measure to keep employees working until the State budget crisis is resolved. Mr. Doug Wilson, Acting Public Works Director, explained the restrictions on Federal funds and their effect on road projects. Mr. Wilson went on to discuss the status of the Tecopa Sewage Lagoon Repair project. He explained that the project would have to go through the NEPA process thus it is not considered shovel ready. He briefly talked about various airport projects, and how they may qualify for federal funding. Mr. Brandon Shults, Director of Information Services, talked about the Charleston View communications project, explaining that some of the Stimulus funds could help with the project, which will bring high-speed broadband communication capabilities to the area. Ms. Jean Dickinson, Director of Health and Human Services, informed the Board that the Federal Stimulus Package is proposing increasing the Federal share of Medical payments from \$.50 to somewhere between \$.52 to \$.58. Ms. Dickinson went on to talk about the State maintenance of effort required for matching Federal program funds, which could be in jeopardy if the State does not meet its obligation. Ms. Dickinson presented the Board with an informational sheet which identifies the funding impacts on the programs provided through her Department should the State defer payments to counties. Ms. Dickinson went on to talk about the increase in workload associated with considerable increases in applications for general assistance. She explained that whether the applications are approved or not, the increase in work is associated with the filing of the application. The Agricultural Commissioner, the Environmental Health Director and the Sheriff also discussed possible projects, which would benefit their programs.
- P.W.-Planning/
Update The Acting Public Works Director, Mr. Doug Wilson, reported on the departments activities during the preceding week including, the Planning Commission's decision to not require a CUP for the Pine Creek Mine operations, the progress of making the Yucca Mountain licensing information available on the County's website, that the Big Pine Convalescent facility demolition is proceeding, and the status of the Housing Element contract.
- Resol. #2009-05/
Mill Creek &
Mustang Rd.
Completion On a motion by Supervisor Arcularius and a second by Supervisor Cash, Resolution No. 2009-05 was approved accepting the improvements and authorizing the recording of a Notice of Completion for the Mill Creek Road and Mustang Mesa Subdivision Roadways Improvement Project: motion unanimously passed and adopted.
- P.W./Plans &
Specs. Schabbell
Ln. Improvement Moved by Supervisor Fortney and seconded by Supervisor Arcularius to approve the Plans and Specifications for the Schabbell Lane Improvement Project; and authorize the Acting Public Works Director to advertise for bids for the project. Motion carried unanimously.

| | |
|---|--|
| Planning/Yucca Mt./Letter of Support FFY 2010 Appropriation | Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to approve a letter to Senator Dianne Feinstein supporting Federal Fiscal Year 2010 appropriation of funds to Inyo County for the Yucca Mountain Repository Office to assist the County in conducting scientific oversight responsibilities and to participate in the licensing activities. Motion carried unanimously. |
| Forest/US 395 Scenic Highway Designation | Messrs. Marsolais and Peterson of the Inyo National Forest addressed the Board. Mr. Peterson began the discussion by clarifying information reported in an Inyo Register article regarding the cost of the County's participation. Mr. Peterson said that the County's share of the 20% match requirement would be based on the entities level involvement in the project and not, as implied in the article, the full responsibility of Inyo County. Mr. Peterson went on to offer the following in response to questions asked by the Board of Supervisors during last week's discussion: (a) the only restriction on the designation is that of "no new billboards;" (b) that view shed consideration is not a restriction of the designation; and (c) that a jurisdiction would apply to be delisted. He said that the local jurisdiction is responsible for establishing the criteria for the restrictions through their planning processes. The Board, Mr. Marsolais, Mr. Peterson and members of the County's Planning and Museum staff discussed in detail and at length various aspects of the scenic designation, including areas of conflict with the County's General Plan, the impact on private development, the involvement of stakeholders, the differences between State and Federal scenic highway designations and the benefits of the designations if any. Supervisor Arcularius explained that she was unwilling to consider this type of designation until the County's General Plan was updated. She said that she felt this was a component of the General Plan and she did not want to piece meal the approval of components of the Plan prior to the entire Plan being updated. The Board continued to discuss the designation. The Board thanked Mr. Marsolais and Mr. Peterson for bringing this item forward for discussion. Moved by Supervisor Cash and seconded by Supervisor Cervantes to authorize the County of Inyo's participation in a Federal Highway Administration Grant for designation of US Highway 395 in Inyo and Mono counties as a scenic Highway. Motion failed on a two-to-three vote with Supervisors Cash and Cervantes voting yes and with Supervisors Arcularius, Brown and Fortney voting no. |
| CAO-Gen./ Mammoth Lakes Housing First Time Homebuyers Program | Ms. Pam Hennarty, Executive Director of Mammoth Lakes Housing, discussed the request that Inyo County seek a CDBG grant to be used for a First-Time Homebuyers Assistance Program in Inyo County to be managed by Mammoth Lakes Housing through a contract. The County Administrator, Mr. Kevin Carunchio, reminded the Board that the County's involvement in a CDBG Grant required a great deal more than just to contract for a service. He said that the Grant process requires that the Board conduct a hearing to receive information from organizations on projects that would qualify for the CDBG grant funds. He said the Board then has to make the decision on which projects to move forward. He also reminded the Board of the County's previous involvement with a CDBG Grant, which was the Darwin Water System, which took a great deal of staff time and resulted in the County receiving a great deal of criticism from the project proponents. The Board, Ms. Hennarty and the County Administrator discussed the proposal, with Supervisor Brown explaining that she does not believe that government should be in the mortgage business and saying that she did not support this proposal. Supervisor Cervantes concurred with Supervisor Brown, echoing her comments. Moved by Supervisor Cervantes and seconded by Supervisor Cash that Inyo County will not participate in the Mammoth Lakes Housing's First-Time Homebuyers Assistance Program at this time. Motion carried unanimously. |
| Forest Service/ Travel Plan EIS | The Board received a presentation from representatives of the U.S. Forest Service on the Draft Environmental Impact Statement (EIS) for the Inyo National Forest Motorized Travel Management Plan. Inyo Forest Supervisor, Jim Upchurch, reviewed the schedule of public meetings planned to review the document. Mr. Marty Hornick, Project Coordinator, presented an overview of the document. The Board and Staff discussed the document in some detail, including how to navigate the document, its maps and the various alternatives, how to correlate the various alternatives to the individual routes, and the Board's concerns regarding routes that had been cherry stemmed. |
| Forest Serv/ Coordination Meeting | The Chairperson recessed the regular meeting at 3:00 p.m., to convene at 3:05 p.m., in a separate Coordination Meeting with the U.S. Forest Service, with all Board Members present, as well as Inyo Forest Supervisor Jim Upchurch, White Mountain District Ranger Margaret Woods, and Information Officer Nancy Upham. The Chairperson of the Inyo County Board of Supervisors chaired this meeting. The Public Comment period was announced and there was no one wishing to address the Board. The Forest Service and the Board discussed the DEIS for the Travel Management Plan, which was presented during the Board's regular meeting. |

The Board and Forest Service Representatives discussed the layout of the document and the alternatives. The Forest Service updated the Board on the USFS's possible acquisition of private property, with the Board expressing its concerns about land exchanges in Inyo County that result in a loss of private property. The Board also encouraged the Forest Service to utilize any options at its disposal to divest itself of Forest Service land to increase private property in Inyo County. The Board was presented with a copy of the most current quarterly Schedule of Proposed Action (SOPA), with the Board asking that the following projects be agendized for the next coordination meeting: a) Cottonwood Lakes #3 Cabin; b) Lower Wyman Canyon and Silver Canyon Road Conservation Project; c) West Olancha Wilderness Road Restoration; d) Designation of Energy Corridors on Federal Land in the Eleven Western States; and e) Forest Management Plan. The Board requested that the Forest Service provide any background information on the identified SOPA projects in advance of the next coordination meeting, for inclusion as back-up materials for the next Agenda. The Board explained that by getting the information in advance of the meeting, Board Members and staff would have time to review the information and prepare for coordination discussions prior to the Coordination Meeting. The group scheduled the next Coordination Meeting for 2:00 p.m., on Tuesday, February 17, 2009, in the Board of Supervisors Room, at the County Administrative Center, in Independence. (See separate minutes of this meeting.) The Chairperson adjourned the Coordination Meeting at 3:50 p.m., to reconvene the regular meeting in open session, with all Board Members present.

- Emergency Serv./
Oak Creek Mud
Flows Emergency The County Administrator updated the Board on the multi-jurisdictional meeting conducted by the Forest Service to discuss opportunities to restore the Oak Creek area. He recommended that the emergency be continued until the permanent diversion is completed. Moved by Supervisor Fortney and seconded by Supervisor Cervantes to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- BofS/Minute
Approval The Assistant Clerk requested that April be corrected to January in the request for approval of the minutes. Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the minutes of the January 13, 2009, Board of Supervisors Meeting. Motion carried unanimously.
- 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 4:00 p.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 15. **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. 16. **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. 17. **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. 18. **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. 19. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** Instructions to Negotiators re: wages, salaries and benefits - Title - IHSS; Negotiators - Bill May & Rochelle Parkinson; No. 20. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** Instructions to Negotiators re: wages, salaries and benefits - Title - IHSS; Negotiators - Bill May & Rochelle Parkinson; No. 21. **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. 22. **REAL PROPERTY NEGOTIATIONS (Conference with Real Property Negotiators Pursuant to Government Code §54956.8)** - Property: Eastern Sierra Regional Airport (Bishop) - Negotiating Parties - Department of Water and Power - Negotiations - Lease Price and Terms; and No. 23. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Appointment - Title - Director of Planning.

Report on Closed Session The Chairperson recessed closed session at 6:30 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.

Adjournment The Chairperson adjourned the regular meeting at 6:30 p.m., to 9:00 a.m., February 10, 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