



County of Inyo Board of Supervisors

February 24, 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 24, 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

**Resol. 2009-07/
Honoring Wayne
Geiger** On a motion by Supervisor Fortney and a second by Supervisor Cervantes, Resolution No. 2009-07, was approved honoring Corporal Wayne M. Geiger, a Bronze Star Medal and Purple Heart recipient; motion unanimously passed and adopted. In a very moving and emotional tribute to Corporal Geiger, the Chairperson and Supervisor Cervantes presented the resolution to Corporal Geiger's parents, Kim and Randy Geiger of Lone Pine. At the conclusion of the presentation at 9:10 a.m., the Chairperson recessed the regular meeting, reconvening at 9:20 a.m. in open session, with all Board Members present.

**County Dept.
Reports** The Chairperson announced the County Department Report period, and there were no reports forthcoming.

**CAO-Budget/
Update on
Impacts of State
Budget Actions** The County Administrator provided a review of the recent actions taken in Sacramento to approve a budget. He explained those ballot measures, which will need to be approved by the voters in order to secure the budget. He briefly talked about the Special Election that has been called for May 19 to place these measures before the voters. The Board, the County Administrator and various Department Heads discussed the impacts of the State Budget on the various programs and services provided by their departments. The County Administrator said that the declining economy will affect revenue projections, and the State budget actions will mean that the County has a shorter period of time to take corrective actions to State budget shortfalls. The Board heard from the Clerk-Recorder, Ms. Mary Roper, regarding the special election challenges, with Ms. Roper reporting that she believes that this election can be an all mail ballot except for one precinct in Bishop and one in Big Pine. Ms. Roper reported that the Special Election could cost between \$40,000 to \$60,000 and that the Governor is recommending that jurisdictions be reimbursed for their costs for the Special Election. The Director of Health and Human Services, Ms. Jean Turner Dickinson, provided additional information on the proposed changes in Mental Health Act funding, with Ms. Dickinson indicating that her department is monitoring realignment funds very closely. The Undersheriff and the Chief Probation Officer talked briefly about their programs and how they are impacted. The Water Director said that he continues to monitor the State Water Conservation Board funding of the Salt Cedar Program and the Public Works Director briefly talked about the road funding. In closing the County Administrator thanked the Department Heads for their proactive approach to budget monitoring.

**Recess/
Reconvene** The Chairperson recessed the regular meeting at 10:15 a.m., to reconvene in open session at 10:30 a.m., with all Board Members present.

**Planning Dept/
Update** The Acting Planning Director, Mr. Doug Wilson, updated the Board on the Department's activities during the past week.

**P.W./Ed Powers
and Red Hill Rd.
Project** The Public Works Director, Mr. Ted Pedersen, presented the Board with Staff's recommendations regarding the contract for the Ed Powers and Red Hill Roads Improvement Project. He said that the bids were such that there was sufficient funding allocated in the STIP to cover the project, without additional funding. Mr. Pedersen reviewed the recommendation in detail.

Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to award and approve the Contract for the Ed Powers and Red Hill Roads Improvement Project to the low bidder, Granite Construction Company in the amount of \$894,006, 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 Section 20142 and other applicable law. Motion carried unanimously.

Resol. #2009-09/
Off Highway
Vehicle Grant App. Sgt. Keith Hardcastle addressed the Board to provide additional information and further justification for the Sheriff's Department to submit an application for State Parks and Recreation Off-Road Vehicle Grant funds. He explained that there is a 25% soft match requirement of the grant, which he said would be made with salaries and equipment purchases of off-road vehicles for law enforcement efforts in remote areas of the County where drug cultivation is occurring. Sgt. Hardcastle confirmed that the additional patrols in the remote areas of the County would not impact the routine patrols in communities throughout the County. On a motion by Supervisor Cash and a second by Supervisor Cervantes, Resolution No. 2009-09 entitled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Authorizing the Submittal of a State of California, Department of Parks and Recreation, Off-Highway Vehicle Grant Application," was approved: motion unanimously passed and adopted.

Parks/State
Legislators Support
Letter Prop 40
Funds The Deputy County Administrator, Mr. Chuck Hamilton, explained that new appropriation language has been developed for Proposition 40 funding and the letters are requesting our State Legislators to support this language. Supervisor Arcularius added that there is a need for the County to follow-up that this language is attached to one of the legislative processes to ensure it is approved. Moved by Supervisor Cervantes and seconded by Supervisor Cash to approve the letters to Senator Ashburn and Assemblywoman Conway requesting their assistance for the proposed new appropriation language for the Proposition 40 funding payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond fund; and authorize the Chairperson to sign. Motion carried unanimously.

CAO-Personnel/
DSA MOU The County's Labor Relation's Administrator, Ms. Sue Dishion, explained that the MOU between the DSA and the County as presented is based on the Board's directions to their negotiators. Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the February 24, 2009 through December 31, 2009 Memorandum of Understanding between the County of Inyo and the Deputy Sheriff's Association (DSA); and authorize the Chairperson to sign. Motion carried unanimously.

Recess/
Reconvene The Chairperson recessed the regular meeting at 11:05 a.m., to reconvene in open session at 11:15 a.m., with all Board members present.

BofS/Alabama Hills
Stewardship
Presentation Representatives of the Alabama Hills Stewardship Group updated the Board on the group's activities and goals. At the conclusion of the presentation, the Board and representatives of the Group engaged in a lively discussion regarding the impacts and possible ramifications of the group's activities. The discussions included (a) whether the group is a 501C non-profit, (b) the support of the semi-primitive designation for the area to preserve the diverse and historical uses of the area; (c) how similar activities in places like Joshua Tree has resulted in designations which actually limited access and activities; (d) how the involvement of certain special interest groups and individuals can actually be detrimental to the process which results in loss of local control; (e) how working with federal designations can take on a life of their own depending upon the involvement of our local legislators; and (f) the need for assurances up front that should the goals of the group become so distorted or contrary or grow beyond the control of the local group, that there is the ability of the individuals and the group to no longer support the project. The Board shared their support for the group's efforts while offering cautionary advice on how to proceed in order to best protect the diverse uses of the Alabama Hills area and maintain local control.

Recess/
Reconvene The Chairperson recessed the regular meeting at 12:35 p.m., to reconvene at 1:20 p.m., as the Board of Equalization (see separate minutes). At the conclusion of the Board of Equalization meeting at 4:00 p.m., the Chairperson reconvened the regular meeting in open session with all Board Members present.

CAO-Leg. Platform The Board reviewed the 2009 Legislative Platform, with Supervisor Arcularius requesting that two items be added regarding the County's support of funding legislation for our Federal Coordination efforts and for support of legislation, which protects access and use of the local natural resources. The Board directed Staff make the two additions and resubmit the Platform for Board consideration next week.

Emergency Serv./ Continue Local Emergency	Supervisor Fortney questioned how long this emergency was going to be continued because the road to the Mt. Whitney Fish Hatchery needs to be reopened. The County Administrator explained that the road was closed at the order of the Sheriff, who could rescind the order even if the emergency is in place. Mr. Carunchio went on to explain that until the diversion structure is completed and in order to maximize individuals and entities ability to access available funding he is recommending that the emergency be continued. 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	Moved by Supervisor Cervantes and seconded by Supervisor Fortney to approve the minutes of the Board of Supervisors meetings of February 3, 2009 and February 10, 2009. Motion carried unanimously.
Public Comment	The Chairperson announced the second public comment period and there was no one wishing to address the Board.
Adjournment	The Chairperson adjourned the regular meeting at 4:15 p.m., to 9:00 a.m., Tuesday, March 3, 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