

MINUTES

County of Inyo Board of Supervisors

February 23, 2010

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 23, 2010, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Richard Cervantes presiding, Linda Arcularius, Susan Cash, Beverly Brown, and Marty Fortney. Supervisor Cash provided the Invocation, and Supervisor Cervantes led the Pledge of Allegiance.

- Public Comment** The Chairperson announced the public comment period. Mr. Wilfred James Nabahe, addressed the Board, to inform the Board of an incident involving a member of his family, a minor, alleging a Sheriff's Deputy and California Highway Patrol Officers, had violated his family member's civil rights while arresting the juvenile at the Lone Pine High School. At the conclusion of his remarks Mr. Nabahe provided a copy of a letter written by the juvenile's mother, copies of various Southern Inyo Hospital Forms and a copy of an eyewitness accounting of the incident dated February 17, 2010. Ms. Rachel Joseph, addressed the Board to express her concern with the incident. Ms. Helen "Renee" Rodriguez, the minor's mother, addressed the Board to take issue with how law enforcement had handled taking the minor, her son, into custody. The Chairperson said he wanted to assure everyone that the Board takes this testimony extremely seriously and they will do all within their power to get to the bottom of it.
- County Department Reports** The Chairperson announced the County Department Report period and there were no reports forthcoming.
- Emerg. Serv./Oak Creek Mud Flows** 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.
- HHS/First 5 Comm./School Readiness Contract** Moved by Supervisor Cash and seconded by Supervisor Arcularius to ratify and approve the Contract between the County of Inyo and Lone Pine Unified School District for School Readiness Services, for the period of January 1, 2010 through June 30, 2010, in an amount not to exceed \$44,000; and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Mental Hlth./IDEA Contract Amendment** Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve Amendment One to the Contract between the County of Inyo and I.D.E.A. Consulting, increasing the amount of the Contract by \$10,000 to a total amount not to exceed \$35,000, for the period of July 1, 2009 through June 2010; and authorize the Chairperson to sign. Motion carried unanimously.
- CAO/Budget/Mid Year Budget** The County Administrator presented the Mid-Year Budget Review, correcting the reference from \$18 million to \$18 billion. The Board and the County Administrator discussed several of the budget items. The Board questioned the Public Works Director on the Department's revenue projects and requested a corrective action plan for the Department. Moved by Supervisor Cash and seconded by Supervisor Fortney to A) accept the Fiscal Year 2009-2010 Mid-Year Financial Report as presented; B) approve the specific budget action items and recommendations represented in attachments A, and B to the Staff Report; C) continue to stress revenue attainment and expense savings in order to maximize year-end fund balances; and direct that the Public Works Department present their corrective action plan within one month. Motion carried unanimously.
- Integ. Waste/Tecopa Shoshone Landfill Purchase** The Deputy County Administrator, Mr. Chuck Hamilton, reviewed the Bureau of Land Management Patent Application documents stipulating the County's intent to convert the ownership of the Shoshone and Tecopa landfills from Federal ownership to County ownership by purchasing approximately 164.37 acres of BLM property for \$1,844, including a \$200 application fee, to be utilized for the purpose of solid waste landfills. Moved by Supervisor Fortney and seconded by Supervisor Arcularius to approve Amendment #2 to the Vector Engineering 2009/2010 consulting Contract increasing the amount of the contract by \$41,000; and authorize the Chairperson to sign. Motion carried unanimously.

CAO-Info Serv/ Broadband Project Support	Mr. Brandon Shults, Information Services Director, provided further information and explanation regarding the Inyo Networks Eastern Mojave Broadband Project. Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the letter of support for the Inyo Networks Eastern Mojave Broadband Project; and authorize the Chairperson to sign. Motion carried unanimously.
CAO-Info Serv./ Last Mile Project Support	Mr. Brandon Shults, Information Services Director, provided further information regarding the Digital 395 Last Mile Project. He and the Board discussed the Board's support for other similar competing projects, with Mr. Shults recommending the County support other projects like this because it will be beneficial to everyone in the County. Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the letter of support for the Inyo Networks Digital 395 Last Mile Project; and authorize the Chairperson to sign. Motion carried unanimously.
DA/Change in Authorized Strength and New Employee Authorization.	The District Attorney, Mr. Art Maillet, provided additional information and further justification for establishing a career ladder for the Criminal Investigator's in his office and for converting existing positions to this series. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to A) approve a change in the authorized strength by deleting a SRVP Criminal Investigator at Range 74 (SB/SC \$4,891-\$6,217) and adding a career ladder series of District Attorney Criminal Investigator I at Range 71 (SA/SB/SC \$4,567-\$5,950), and II at Range 74 (SB/SC \$4,891-\$6,217); B) change the title of the current Criminal Investigator – INET to Criminal Investigator I at Range 71; and C) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the requested positions come from non General Fund, as certified by the District Attorney and concurred with by the County Administrator and Auditor-Controller; (b) where internal candidates meet the qualifications for the positions, the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply; and (c) approve the recruitment and hiring of one District Attorney Criminal Investigator I at Range 71 (SA/SB/SC \$4,567-\$5,950) and direct Personnel to counsel County employees who may be candidates for the position of the effect of the County's lay off procedures on changes in position.
Sheriff/Statistics Workshop	The Chairperson announced that the workshop scheduled with the Sheriff and his staff on the Department's statistics is being rescheduled for next week.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:10 p.m., to reconvene in open session at 1:05 p.m., with all Board Members present.
Water Dept./IRWMP	The Water Director, Dr. Bob Harrington, introduced Mr. Larry Freilich to the Board. Dr. Harrington went on to discuss in detail and at length how the Integrated Regional Water Management Plan has been developed to this point, and to review proposed alternatives on how to proceed.
Recess/ Reconvene	The Chairperson interrupted this discussion at 1:50 p.m., in order for the Board to conduct the Board of Equalization Meeting (see separate minutes). The Chairperson recessed the regular meeting at 1:50 p.m., to reconvene in open session at 2:00 p.m., with all Board Members present.
Water Dept./IRWMP	The Board and Staff continued to discuss the further development of an Integrated Regional Water Management Plan for the Inyo-Mono region, including clarification of what constitutes a quorum, criteria for a viable project, formulation of a JPA, and designation of a fiscal agent. The County Administrator provided input on the fiscal liability associated with the fiscal agent designation, as well as making suggestions on the structure for a JPA and the steering committee, and suggesting consideration of a super majority for project movement. The Board and staff continued to discuss the development of an IRWMP in detail and at length.
BofS/Minute Approval	The Clerk requested that the minutes of February 2, 2010 be amended as follows: change the word "too" to "to" on the second page, last paragraph, seventh line. Moved by Supervisor Cash and seconded by Supervisor Fortney to approve the minutes of the Board of Supervisor meetings of A) February 2, 2010 as amended; and B) February 9, 2010. Motion carried unanimously.
Schools/Bishop Unified School District Election	The Chairperson announced that the request by the Inyo County Superintendent of Schools for the consolidation of the new Bishop Unified School District's Governing Board election with the June 8 th Election was being rescheduled to next week.
Fish and Game/ Eastern Sierra Wildlife Care Expenditure	Moved by Supervisor Fortney and seconded by Supervisor Brown to approve an expenditure for the Fine Fund in the amount of \$2,500 to be paid to the Eastern Sierra Wildlife Care for the temporary emergency treatment and care of injured or orphaned wildlife for FY 2009-10, contingent upon the submittal of verification of expenses. Motion carried unanimously.

Recess/
Reconvene The Chairperson recessed the regular meeting at 3:00 p.m., to reconvene in open session at 3:10 p.m., with all Board Members present.

BofS/Gov Letter Re: The Board and Staff discussed the letter from Governor Schwarzenegger concerning renewable
Renewable Energy energy development in Inyo County. The Board talked about corresponding with the Governor
Projects regarding the project referred to in his letter, as well as to garner his and the State's supports for
Inyo County's efforts regarding the RETI project. The Board talked about the need to be a
benefitted partner in these developments. Supervisors Cash and Arcularius volunteered to try and
meet with the Governor regarding this letter when they are in Sacramento on CSAC and RCRC
business. The Board directed Staff to draft a letter to the Governor to be returned for the Board's
consideration and signature.

Public Comment The Chairperson announced the second public comment period and there was no one from the
public wishing to address the Board.

P.W./No. Inyo Supervisor Cash updated the Board on the information item from the Northern Inyo Airport Advisory
Airport Advisory Committee, on information concerning actions taken at the last Committee meeting, including
Commission changes in the fuel pricing ordinance and credit card processing policy. Supervisor Cash clarified
the action concerning the hanger increases. She said that the Committee had approved of sending
a recommendation to increase the hanger rents. Then some of the members had second thoughts
and decided to have a special meeting to reconsider the recommendation. She went on to report
that in the meantime the membership had been advised that the Attorney General determined that
any member who rents a hanger or owns a plane and purchases fuel at the airport has a conflict in
determining prices to be set for the rents or the sale price of the fuel. She also informed the Board
that the special meeting had been cancelled because of a lack of a quorum.

Board Members and The Board Members reported on their activities during the preceding week, including a request by
Staff Reports Supervisor Arcularius that today's meeting be adjourned in memory of Ms. Millie Milovich the
mother of George Milovich the Agricultural Commissioner, the Standing Committee Meeting, the
Invasive Species Council Meeting, an update on plans for the Mount Whitney Fish Hatchery, the
regional quagga mussel meeting, the Fish and Wildlife Committee Meeting, the LTC Meeting, an
ESTA Meeting, a Mental Health Board Meeting, Bishop City Council Meeting, and an Alabama
Stewardship Group Meeting.

Closed Session The Chairperson recessed open session at 4:30 p.m., to convene in closed session with all Board
Members present to discuss and take action on Agenda Item 18. **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.

Report on Closed The Chairperson recessed closed session at 5:20 p.m., to reconvene in open session to receive a
Session 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 meeting in memory of Ms. Millie Milovich, a long-time resident of Inyo
County who passed away recently and who was the mother of the Inyo-Mono Agricultural
Commissioner, George Milovich. The Chairperson adjourned the meeting at 5:20 p.m. to 9:00 a.m.,
Tuesday, March 2, 2010, 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