

MINUTES

County of Inyo Board of Supervisors

September 21, 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, September 21, 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 Cervantes provided the Invocation, and Supervisor Arcularius 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 Department Reports The Chairperson announced the County Department Report period. Ms. Jean Turner, Director of Health and Human Services, announced the time and place for upcoming flu shot clinics. Mr. Josh Hart, Planning Director, updated the Board on renewable energy activities. Mr. Ted Pedersen, Public Works Director, updated the Board on road maintenance activities.
- Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Arcularius and seconded by Supervisor Cash to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- Motor Pool/Vehicle Purchases Moved by Supervisor Arcularius and seconded by Supervisor Cash to award the bid to and approve the purchase from Eastern Sierra Motors as the low bidder, of the following 2011 Ford vehicles: one F-250 Truck in an amount not to exceed \$27,101.11; one F-250 Cab & Chassis in an amount not to exceed \$26,244.10; two Explorers in an amount not to exceed \$53,405.48; two Fusions AWD in an amount not to exceed \$45,545.42; and one E-350 Econoline Van in an amount not to exceed \$23,862.10. Motion carried unanimously.
- Clerk-Recorder-Elections/Voting System Support Contract Moved by Supervisor Arcularius and seconded by Supervisor Cash to declare Dominion Voting Systems as a sole-source provider of election related services, support, and software for Inyo County's voting system, and approve and ratify the Contract between the County of Inyo and Dominion Voting Systems for the provision of election related services, support, and software, in an amount not to exceed \$13,000 for the period of August 1, 2010 through July 31, 2013, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.
- Resol. #2010-44/
Vacation of Portion of Pangborn Lane On a motion by Supervisor Arcularius and a second by Supervisor Cash, Resolution No. 2010-44, a Resolution of Vacation pursuant to Streets and Highways Code Division 9, Chapter 4, Summary Vacation, for the portion of Pangborn Lane that was relocated when Caltrans four-laned US 395 north of Lone Pine, was approved: motion unanimously passed and adopted.
- P.W./Core Trust Lease Amendment Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve Amendment One to the Lease between the County of Inyo and Core Trust, for office space at 230 West Line Street, changing the title, effective August 1, 2010; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- P.W./Museum Consulting Services Contract Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve the Contract between the County of Inyo and ASM Affiliates for museum consulting services to create a Virtual Transportation Museum, for the period of September 21, 2010 through June 30, 2011, in an amount not to exceed \$24,980.50; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- P.W./RMT Contract Amendment Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve Amendment 8 to the Contract between the County of Inyo and RMT for environmental consulting services for the Tecopa Hot Springs Park Sewage Pond Repair Project, increasing the total Contract amount by \$126,000 from \$413,000 to \$539,000; and authorize the Chairperson to sign, contingent upon the

appropriate signatures being obtained. Motion carried unanimously.

P.W./ESE Contract
Amendment Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve Amendment No. 12 to the Contract between the County of Inyo and ESE for engineering services, for materials testing services for the Riverside Road Bridge Replacement Project, increasing the total contract amount by \$27,000 from \$454,000 to \$481,000; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

Rd. Dept./Granite
Construction
Aggregate
Materials Contract Moved by Supervisor Arcularius and seconded by Supervisor Cash to award the bid to and approve the Contract with Granite Construction for the provision of aggregate materials for the period of August 15, 2010 through December 31, 2010, in an amount not to exceed \$61,171.88; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

Rd. Dept./Western
Emulsions Liquid
Asphalt Contract Moved by Supervisor Arcularius and seconded by Supervisor Cash to award the bid to and approve the Contract with Western Emulsions, Inc., for the provision of liquid asphalt products for the period of August 15, 2010 through December 31, 2010, in an amount not to exceed \$232,806; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

BofS/Chong Thank
You Letter Moved by Supervisor Cash and seconded by Supervisor Fortney to approve the letter to Rachel Chong thanking her for her help and assistance in getting the Digital 395 Project funded; and authorize the Chairperson to sign. Motion carried unanimously.

CAO-Budget/FY
2010-2011 Final
Budget Adoption The County Administrator reviewed the final budget adoption recommendations. He reviewed the final budget figures for General Fund and Non General Fund. FY 2010-2011 Final Board Approved Budget including but not limited to: 1) those changes to the CAO Recommended Budget that were directed by your Board to be included in the Final Budget; and 2) any other changes which may be made as a result of this discussion; Mr. Carunchio extended his thanks and appreciation to the Budget Team and Department Heads for their help in presenting this year's budget. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to adopt the FY 2010-2011 Final Budget as recommended by the County Administrator and as amended, as necessary. Motion carried unanimously.

Resol. #2010-45/
Final Budget On a motion by Supervisor Arcularius and a second by Supervisor Fortney, Resolution No. 2010-45 is approved adopting the Final Budget for FY 2010-2011: motion unanimously passed and adopted.

HHS-Behavioral
Hlth. Serv./Position
Request Moved by Supervisor Fortney and seconded by Supervisor Brown to find that consistent with the adopted Authorized Position Review Policy a) the availability of funding for the requested positions exists as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; b) where internal candidates meet the qualifications for the position, the vacancies could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure qualified applicants apply; c) approve the hiring of one full time Case Manager, either at Level I, Range 57 (\$3,046 – \$3,701) or II, Range 60 (\$3,271 - \$3,973) depending upon qualifications; and D) approve the hiring of one BPAR Health and Human Services Specialist at Range 53PT (\$14.88 - \$18.12). Motion carried unanimously.

Sheriff's Dept./
Position Request Moved by Supervisor Arcularius and seconded by Supervisor Brown to find that consistent with the adopted Authorized Position Review Policy a) the availability of funding for the requested position exists as certified by the Sheriff and concurred with by the County Administrator and Auditor-Controller; b) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, however, there may not be sufficient internal applicants to fill the requested position, thus necessitating an open recruitment to ensure the position is filled with the most qualified applicant; and c) approve the hiring of one part-time APAR Dispatcher (1-19.99 hours per week) at Range PT50 (\$13.90 - \$16.87/per hour). Motion carried unanimously.

Resol. #2010-46/
Olancho CSD
Treasury Loan On a motion by Supervisor Cash and a second by Supervisor Fortney, Resolution No. 2010-46 was approved, pursuant to the provisions of Article XVI, Section 6 of the California Constitution, thereby approving an interim loan from the County Treasury to the Olancho Community Service District in the aggregate amount of \$20,000 for the purpose of financing the District's operation costs during FY 201-11 prior to receipt of their annual property tax apportionment: motion unanimously passed and adopted.

County Counsel/
Deputy CC Step IV Mr. Randy Keller, County Counsel, provided further information and explanation on the request to authority to hire a Deputy County Counsel at the IV step at Range 85. Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the appointment of a Deputy County Counsel IV, at Range 85, Step E, \$7,915 (includes 10% premium license stipend) pursuant to Personnel Rule 5.5, Compensation for New Employees. Motion carried unanimously.

Recess/
Reconvene The Chairperson recessed the regular meeting at 8:55 a.m., to reconvene in closed session at 9:05 a.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. 23. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, Undersheriff Jim Jones, Deputy County Counsel Susanne Rizo, Chief Probation Officer Jeff Thomson; No. 24. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistants Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion; No. 25. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriffs Association (DSA) - Negotiators: Labor Relations Administrator Sue Dishion and Deputy County Counsel Susanne Rizo; No. 26. **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. 27. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County correctional Officers Association (ICCOA) - Negotiators: Labor Relations Administrator Sue Dishion; and No. 27A. **REAL PROPERTY NEGOTIATIONS – CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code §54956.8)** – Property – APN No. 018-090-07 – Big Pine, California – Negotiating Parties – Inyo County Administrator –Under Negotiations – terms and conditions. The Chairperson recessed closed session at 9:33 a.m., to reconvene in open session with all Board Members present.

Caltrans Projects
Update Caltrans District 9 Director, Mr. Tom Hallenbeck, updated the Board on a variety of Caltrans Projects throughout Inyo County and the Eastern Sierra. The Project Manager for the Olancha-Cartago 4-lane Project provided information on the project. He reviewed the five alternatives for the project and notified the Board about tomorrow night’s meeting in Olancha regarding the project. Supervisor Cash expressed her concern with the “relinquishment fact sheet” that implies that the County of Inyo is a partner and as such in favor of the relinquishment of the road under four of the five alternatives. She explained that this is the first time the Board has had the opportunity to discuss the project alternatives and the relinquishment of roads at any length. The Board also requested that the deadline for comments on the Environmental Document be extended. Mr. Troy Patton Olancha Resident, addressed the Board to comment on his concerns with several of the proposed alternatives and the deadline for responses to the Environmental Document.

BofS/Olancha
Business Owners Mr. Herman Meylemans the Owner of the Ranch House Restaurant, addressed the Board to provide information on why the business owners and property owners in the area support Alternatives No. 1. and 2, which utilize the existing highway through the community rather than bypassing the community. He provided information on why he felt the Environmental Assessment is inadequate. He explained that the “Neg Dec” claims there are no significant impacts associated with the by-pass alternatives. Mr. Meylemans explained how a by-pass would detrimentally affect the economics and property values in the area. He also expressed concern with the deadline for the responses. Mr. Troy Patton, Olancha Resident, addressed the Board to share his concerns with the project alternatives. Because of travel constraints for several Board Members, and the scope of the discussion concerning the Project, the Board continued this discussion as well as the previous Caltrans discussion regarding the Olancha-Cartago 4-lane Project, to next week, Tuesday, September 28, 2010, at 10:30 a.m.

P.W./FEMA Flood Mapping Workshop The Chairperson recessed open session at 10:45 a.m., to convene in a workshop with representatives of FEMA to discuss the map modernization initiative process associated with the National Flood Insurance Program maps and related issues. The Chairperson recessed the workshop at 11:35 a.m., to reconvene in closed session, at 11:40 a.m., with all Board Members present.

Closed Session The Board convened in closed session to continue discussions on the previously noted closed session items.

Report on Closed Session The Chairperson recessed closed session at 1:00 a.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 1:00 p.m., to 9:00 a.m., Tuesday, September 28, 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