

MINUTES

County of Inyo Board of Supervisors

September 28, 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 28, 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 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 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 Brown to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- Ag. Comm./Parts P.O. Moved by Supervisor Cash and seconded by Supervisor Brown to declare Valley Cycle & Motorsports, Inc. a sole-source provider of parts for FY 2010-11 and approve two blanket purchase orders to Valley Cycle & Motorsports, Inc., for the purchase of parts for maintenance of equipment in the following amounts: \$6,000 for Eastern Sierra Weed Management Area; and \$12,000 for Owens Valley Mosquito Abatement Program. Motion carried unanimously.
- County Counsel/ Conflict of Interest Codes Mr. Randy Keller, County Counsel, reported that the Lone Pine CSD had inadvertently not checked the "current" box for their Biennial Report. He said that oversight has been corrected and asked that the Board approve the amended Lone Pine CSD Conflict Code. Moved by Supervisor Cash and seconded by Supervisor Brown to receive and approve the 2010 Conflict of Interest Code Biennial Reports from local Agencies as identified and amended by staff; and receive and approve the Conflict of Interest Code for local agencies as identified by Staff. Motion carried unanimously.
- HHS-Health Serv./ State Contract Public Health Emergency Response Moved by Supervisor Cash and seconded by Supervisor Brown to modify and approve the Amended Agreement between the County of Inyo and State of California Department of Public Health for the provision of local public health emergency response, in the amount of \$149,344.45 for the period of July 31, 2009 through July 30, 2011; and authorize the Director of Health and Human Services to sign. Motion carried unanimously.
- HHS-Misc./ESTA Bus Passes Moved by Supervisor Cash and seconded by Supervisor Brown to approve an annual bulk purchase of ESTA bus passes for Health & Human Services Programs in an amount not to exceed \$13,668.75. Motion carried unanimously.
- Planning Lone Pine Design Review Board Appointment Moved by Supervisor Cash and seconded by Supervisor Brown to reappoint Mr. Rick Leslie to the Lone Pine Architectural Design Review Board, representing the professional architect category, to complete an unexpired two-year term ending August 19, 2012. Motion carried unanimously.
- Probation/Mono County Contract for Juvenile Commitments Moved by Supervisor Cash and seconded by Supervisor Brown to approve the Contract between the County of Inyo and Mono County for the placement of Mono County juvenile commitments in the Inyo County Juvenile Center, at the rate of \$95 per day per minor for the period beginning July 1, 2010 until terminated; and authorize the Chairperson to sign. Motion carried unanimously.

CAO/Transit./ESTA Lone	The County Administrator provided additional information and further justification for the loan to the Eastern Sierra Transit Authority. He noted that the Board could expect to see a change in the JPA to cover a change in the fiscal authority in light of recent events with the Town of Mammoth Lakes. Supervisor Arcularius noted that ESTA is working on becoming self-sufficient explaining that the first request for a loan from ESTA was for \$85,000 and last year's request was \$50,000 and this year's request is down to \$40,000. Moved by Supervisor Cash and seconded by Supervisor Arcularius to lend the Eastern Sierra Transit Authority (ESTA) \$40,000 from County funds for a term not to exceed December 1, 2010 through September 1, 2011, based on ESTA agreeing to certain conditions; and approve the 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.
Probation/Vacant 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 Chief Probation Officer and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position of Deputy Probation Officer I, the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply; C) approve the hiring of one Deputy Probation Officer I, at Range 67 (\$3,852 - \$4,676); D) where internal candidates meet the qualifications for the position of Group Counsel I, the vacancy could be filled through an internal recruitment; and E) approve the hiring of one Group Counselor I at Range 62 (\$3,426 - \$4,166). Motion carried unanimously.
Planning/Owens Lake Master Plan	The Planning Director, Mr. Josh Hart, provided information and further explanation regarding the Owens Lakebed Master Plan. The Board and Mr. Hart discussed the Plan in detail and at length. Supervisors Arcularius and Cervantes shared some of their insights regarding the progress and future considerations regarding the Plan.
HHS-AODS/ Proclamation	Representatives of Health and Human Services updated the Board on AODS programs. Mr. Paul Flesia, addressed the Board to share his recovery story and to talk about how important the program has been to him. The Clerk requested several format changes including removing "National" from the title; that the "Now therefore" paragraph be changed to read "Now Therefore, the Board of Supervisors of the County of Inyo, proclaims the month of September 2010, as Alcohol and Drug Addiction Recovery Month in Inyo County" and the addition of a "Passed and Adopted" and vote paragraph be added prior to the signature line. Moved by Supervisor Cash and seconded by Supervisor Brown to approve the proclamation, as amended, declaring September 2010 as Alcohol and Drug Addiction Recovery Month. Motion carried unanimously.
BofS/Minute Approval	The County Administrator suggested the addition of the following language on page three, line three of the first paragraph "...because Terra Verde was now signing the term Sheet and assuming the associated risk of the County not executing a subsequent Financial Agreement with Saulsbury Hill Financial." Moved by Supervisor Fortney and seconded by Supervisor Cash to approve the minutes of the July 14, 2010 Board of Supervisors Meeting, as amended. Motion carried unanimously.
Closed Session	The Chairperson recessed open session at 9:45 a.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 23. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c) – Decision whether to initiate litigation (one case); No. 24. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(b) – Significant exposure to litigation (one case); No. 25. 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. 26. 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. 27. 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. 28. 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. 29. 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.

- Recess/
Reconvene The Chairperson recessed closed session at 10:50 a.m., to reconvene in open session at 11:00 a.m., with all Board Members present.
- Planning/Browns-
Fields Assessment
Coalition Joanie Eastly, Nye County Commissioner, addressed the Board to provide additional information and further justification for Inyo County to participate in a Brownfield's Assessment Coalition Grant with various counties in Nevada. Commissioner Eastly provided information on how the partnership with Nevada counties would be beneficial to Inyo County and how the grant process would work. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to authorize the Chairperson to sign correspondence expressing the County's intention to partner with Nye County to pursue the grant. Motion carried unanimously.
- CAO-Annual Film
Commissioner
Report The Board received the Annual Report on the County's filming activities from the Film Commissioner, Mr. Chris Langley. Mr. Langley reviewed the filming statistics, including the amount of local money generated by filming activities. Mr. Langley also presented the Board with a copy of this year's Lone Pine Film Festival poster.
- Schools/Supt. Of
Schools Annual
Report Dr. Terence McAteer, Inyo County Superintendent of Schools updated the Board on a variety of County School issues, including the successful transition for Bishop Unified School District, the ROP Program, Youthbuild Charter Schools, the Mt. Whitney Virtual High School, STAR test results, new language arts programs, the K-5 countywide Art Docent Program launched by the Inyo Council for the Arts and the retooling of nutrition and sex education programs.
- Recess/
Reconvene The Chairperson recessed the regular meeting at 12:00 p.m. to reconvene in closed session at 1:00 p.m., with all Board Members present.
- Closed Session The Board convened in closed session to continue discussions on previously noted closed session items. The Chairperson recessed closed session at 1:30 p.m., to reconvene in open session with all Board Members present.
- BofS/Caltrans
Olancha-Cartago
4-Lane Project The Board and Mr. Tom Hallenbeck, District 9 Director, continued the discussion began last week concerning the Olancha-Cartago 4-lane project. Mr. Hallenbeck reported on last week's community meeting in Olancha regarding the project and announced that the deadline for comments on the Draft Environmental Document has been extended to October 22, 2010. He provided the Board with copies of maps showing the route for several of the alternatives. He noted the cost of acquiring land for each of the alternatives. Mr. Hallenbeck also talked about the complexities of rite-of-way issues. The Board expressed concern with a variety of issues relating to several of the alternatives that would move the highway away from the community including emergency vehicle accessibility and the negative impact to the existing communities.
- BofS/Caltrans
Olancha-Cartago
4-lane Project The Board continued its discussion with the representatives from the Olancha and Cartago area regarding the Olancha-Cartago 4-lane project. The following people addressed the Board to provide additional justification for their request that the Board support Alternative No. 1 for the project: Mr. Troy Patton, Ms. Beth Porter, Mr. Herman Melymans, and Mr. Andre Long. Issues the group discussed included the inadequacy of the Environmental Document, the inappropriate use of housing data from the Ridgecrest area, the feasibility of moving cattle through a narrow tunnel under the highway, and the cost of road relinquishment to the County. The Board accepted petitions from two of the local businesses, which were signed by hundreds of people from out of the area who were opposed to the by-pass alternatives. While the majority of the Board was tentatively supporting Alternative No. 1, the Board expressed a desire to know what the road relinquishment costs are prior to making a decision. Moved by Supervisor Arcularius and seconded by Supervisor Cash to direct staff to reagentize this item for further discussion next week, at which time Public Works is to present road relinquishment costs and a letter for the Board's consideration regarding supporting Alternative No. 1 for the Project through the Community that utilizes the existing highway. Motion carried unanimously.
- Recess/
Reconvene The Chairperson recessed the regular meeting at 3:30 p.m., to reconvene in a workshop at 3:38 p.m., with all Board Members present.

HHS-Senior Programs Workshop	The Board convened in a workshop with representatives of the Health and Human Services Department on the continuum of services for vulnerable adults available in the County. At the conclusion of this workshop the Board immediately convened in a subsequent workshop.
HHS-IMAAA Costs Workshop	The Board convened in a workshop with representatives of the Health and Human Services Department on the Inyo Mono Area Agency on Aging County general fund costs and senior needs. The Chairperson recessed the workshop at 4:45 p.m., to reconvene in closed session at 4:55 p.m., with all Board Members present.
Closed Session	The Board met in closed session to continue its discussion on the previously noted closed session items.
Report on Closed Session	The Chairperson recessed closed session at 5:05 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 5:05 p.m., to 9:00 a.m., Tuesday, October 5, 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*