



County of Inyo Board of Supervisors

December 14, 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, December 14, 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. Chief Ray Seguine and Commissioner Lloyd Anderson of the Bishop Rural Fire Protection District presented a plaque to departing Third District Supervisor Beverly Brown to thank her for her support of the Fire District over the past four years.

County Dept. Reports The Chairperson announced the County Department Report period. The Planning Director, Mr. Josh Hart, updated the Board on the Renewable Energy General Plan Amendment process. Dr. Bob Harrington, Water Director, informed the Board that the County's IRWMP Plan has received DWR Grant funding for the planning process. The Agricultural Commissioner, Mr. George Milovich, reported on the Annual Secretary of Agriculture's Annual Meeting.

Closed Session The Chairperson recessed open session at 9:15 a.m., to convene in closed session, with all Board Members present to discuss and take action as appropriate on Agenda Items No. 3. **PERSONNEL (Pursuant to Government Code §54957)** - Public Employee Appointment - Title - Director of Public Works; No. 4. **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. 5. **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 - Labor Relations Administrator Sue Dishion, and Deputy County Counsel Susanne Rizo; No. 6. **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 - Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion; and No. 7. **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.

**Resol. #2010-54
Ord. 1160** The Chairperson recessed closed session at 11:00 a.m., to reconvene in open session, with all Board Members present. On a motion by Supervisor Arcularius and a second by Supervisor Cash, Resolution No. 2010-54, implementing General Plan Amendment #2010-04/Kemp was approved and Tentative Tract Map #248/Kemp was approved: motion unanimously passed and adopted.

On a motion by Supervisor Arcularius and a second by Supervisor Cash, Ordinance 1160 titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2010-05/Kemp and Amending the Zoning Map of the County of Inyo by Changing the Existing Zoning on 31 Acres of a 630-Acre Site at the Southeast Corner of Indian Springs Drive and Tuttle Creek Road (APN 026-150-29) From Open Space, 40-Acre Minimum (OS-40) to Rural Residential (RR), 2.5-acre Minimum Lot Size (For Twelve 2.5-Acre Lots) and to Public (P) (For One 1-Acre Lot)," was adopted: motion unanimously passed and adopted.

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| <p>Planning/Alabama Hills Designation Support Letter</p> | <p>The Planning Director, Mr. Josh Hart, reviewed the correspondence to Senator Feinstein regarding the Alabama Hills Stewardship Group's proposed legislation to designate the Alabama Hills a National Scenic Area. Supervisor Fortney explained that while he was supportive of the community's efforts, he was not supporting the legislation placing a federal designation on this or any other federal land in Inyo County. Supervisor Fortney explained that while he was not supporting this request, if it should be the desire of the majority of the Board to send a letter, he would like to see the language regarding the County's involvement in land management strengthened. Mr. Reginald Cook, a property owner in the area, addressed the Board to identify concerns he had with BLM limiting and charging for access to his property and to ask that his access issues be included in the legislation. The Board expressed concern with BLM's interpretation of Mr. Cook's access issues, with Supervisor Cash explaining that this legislation is the perfect avenue to address those issues. Several of the Board Members reiterated their position regarding support for this legislation, which was that they supported the community's efforts, but were not expressly supporting the designation of more federal land in Inyo County without strong assurances and protections for the County of Inyo's jurisdictional land management authorities to govern and coordinate with federal entities on the management of these public lands. Supervisors Arcularius and Cash also expressed their concern with this legislation being incorporated into the "omnibus" bill, which is speeding through Congress, saying that the letter to Senator Feinstein should be amended to incorporate a statement that qualifies the County of Inyo's support for the legislation, including that it is conditioned upon it remaining a stand alone bill. The County Administrator suggested several changes to the letter, which incorporates the Board's wishes as discussed. Messrs. Thompson and Mazzu of the Alabama Hills Stewardship Group addressed the Board to respond to questions and provide further information regarding the legislation. The Board also discussed requesting acknowledgement of its concerns from the Senator. The Board, Staff and members of the audience continued to discuss the proposed legislation and the letter to Senator Feinstein in detail and at length. Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the correspondence to Senator Dianne Feinstein regarding the Alabama Hills Stewardship Group's legislation to designate the Alabama Hills a National Scenic Area, as modified by the County Administrator; and authorize the Chairperson to sign. Motion carried on a four-to-one vote with Supervisors Arcularius, Cash, Brown and Cervantes voting yes, and with Supervisor Fortney voting no.</p> |
| <p>Recess/ Reconvene</p> | <p>The Chairperson recessed the regular meeting at 12:35 p.m., to reconvene in open session at 1:15 p.m., with all Board Members present.</p> |
| <p>Emerg. Serv./Oak Creek Mud Flow</p> | <p>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.</p> |
| <p>CAO-Personnel/ Rizo CSS Director Contract</p> | <p>Moved by Supervisor Cash and seconded by Supervisor Brown to approve the Contract between the County of Inyo and Susanne M. Rizo for the provision of personal services as the Director, Child Support Services/Child Support Attorney, at a monthly base salary of \$7,500, effective January 1, 2011; and authorize the Chairperson to sign. Motion carried unanimously.</p> |
| <p>Resol. #2010-55/ Appt. Officials Salary Change</p> | <p>On a motion by Supervisor Cash and a second by Supervisor Brown Resolution No. 2010-55, titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Amending Resolution 2006-06 Changing Salary and/or Terms and Conditions of Employment for Appointed Officials Employed in the Several Offices or Institutions of the County of Inyo," was approved: motion unanimously passed and adopted.</p> |
| <p>Resol. #2010-56/ Management Employees Salary Change</p> | <p>On a motion by Supervisor Cash and a second by Supervisor Brown Resolution No. 2010-56, titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Rescinding Resolution 2006-05 and Setting Salary and/or Terms and Conditions of Employment for Management Employees Employed in the Several Offices or Institutions of the County of Inyo," was approved: motion unanimously passed and adopted .</p> |
| <p>Resol. #2010-57/ Non-Represented Employees Salary Change</p> | <p>On a motion by Supervisor Cash and a second by Supervisor Brown Resolution No. 2010-57, titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Setting Salary, Terms and Conditions of Employment for Non-Represented Employees Employed in the Several Offices or Institutions of the County of Inyo, and Rescinding Resolution 2007-32," was approved: motion unanimously passed and adopted.</p> |

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| HHS-Behavioral Hlth. Serv./Alpine Counseling Center Contract | Moved by Supervisor Cash and seconded by Supervisor Brown to approve the Contract between the County of Inyo and Alpine Counseling Center for the provision of drug court related services in an amount not to exceed \$18,120 for the period of January 1, 2011 through December 31, 2011, contingent upon the Board's adoption of a FY 2011/12 budget; and authorize the Chairperson to sign. Motion carried unanimously. |
| Planning/AULG Certification of Funding Expenditures | Moved by Supervisor Cash and seconded by Supervisor Brown to certify that \$452,339.36 in funds provided to Inyo County as an Affected Unit of Local Government (AULG) under the Nuclear Waste Policy Act, as amended, have been expended in accordance with the provisions of that Act, Public Law 97-425, and the 2010 Energy and Water Development and Related Agencies Appropriations Act (Public Law 11-85); authorize the Chairperson to sign the certification; and direct staff to submit the certification to the U.S. Department of Energy. Motion carried unanimously. |
| HHS-Misc./Human Services Supervisor Position | Moved by Supervisor Arcularius and seconded by Supervisor Cash 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 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 vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply for this higher level position; and C) approve the hiring of one Human Services Supervisor at Range 66 (\$3,757 – \$4,574). Motion carried unanimously. |
| E. Health/Well Permit Policy Change | Mr. Marvin Moskowitz Environmental Health Director, provided additional information and further justification for the request to have the Board rescind the policy requiring Board approval of LADWP well permit applications on the occasion of the LADWP applications for four stock water well permit applications. The Board expressed a desire to have consistent policies, which do not treat individuals or entities differently and agreed with Staff's assessment of the situation regarding well permit approvals. Moved by Supervisor Fortney and seconded by Supervisor Arcularius to rescind the Board's policy of requiring the Department of Environmental Health Services to obtain Board approval for well construction or destruction permits on LADWP property. Motion carried unanimously. |
| CAO-Adv. Co. Resources/2010-11 Comm. Sponsorship Grant Awards | Mr. Jon Klusmire, Museum Services Manager, provided additional information and explanation regarding the recommendations for funding for the 2010-11 Community Project Sponsorship Program Grant awards. The Board and Staff discussed the individual recommendations for project funding, with the Board thanking the members of the review panel for their help and assistance. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve the 2010-2011 Community Project Sponsorship Program Grant awards recommended by the Community Project Sponsorship Program Grant Review Panel, in the amounts recommended by the Panel in the amount of \$100,000; and approve the Contracts between the County of Inyo and the Grant recipients, in the amounts approved by the Board; and authorize the County Administrator to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously. |
| Planning/Land Tenure Project | Mr. Josh Hart, Planning Director, introduced Vickie Taton of the Sierra Business Council, who made a presentation to the Board regarding the status of the Eastern Sierra Land Tenure Project. The Board and Ms. Taton discussed the project, with the Board conveying its desire to be finished with this project. |
| Ag. Comm./DWP Lease Agreement for 218 Wye Rd. | The Board congratulated the Agricultural Commissioner, Mr. George Milovich, for the successful conclusion of efforts to identify land for the placement of a facility to house the Ag Commissioner's programs equipment and supplies. Moved by Supervisor Cash and seconded by Supervisor Brown to approve the Lease Agreement between the County of Inyo and Los Angeles Department of Water and Power for a 3/4-acre parcel located at 218 Wye Road in Bishop, for a period of fifteen years at the basic rate of \$500 per year, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign contingent upon the appropriate signatures being obtained. Motion carried unanimously. |

Sheriff/Positions 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 positions comes from the General Fund, as certified by the Sheriff and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for two positions, the vacancies could possibly be filled through an internal recruitment, but an open recruitment for two Deputy Sheriff's positions would be more appropriate to ensure qualified applicants apply; and C) approve the internal recruitment and filling of (a) one Undersheriff position at Range 85SC-SE (\$6,391-\$8,186), (b) two Lieutenant positions at Range 81SC-SE (\$5,821-\$7,617), (c) two Sergeants positions at Range 74SB-SD (\$4,891-\$6,372), (d) one Investigator position at Range 71SB-SD (\$4,681-\$5,950); and (e) one Corporal position at Range 70SB-SC (\$4,443-\$5,648), and the recruitment and hiring of two Deputy Sheriff positions at Range 67SA-SC (\$3,948-\$5145). Motion carried unanimously.

Water/IRWMP Plan The Board and Dr. Harrington reviewed the IRWMP plan and discussed whether to adopt the plan, the draft of which was distributed to the Board during last week's board Meeting, for submittal in January. Dr. Harrington noted that the project identified by the Big Pine Tribe to study the need for local fish hatcheries would be eliminated from the Plan because of the lack of consensus for the project.

Museum/Position Request Moved by Supervisor Arcularius and seconded by Supervisor Fortney to A) create a new job title and approve the job description for Curator of Collections and Exhibits, at Range 60 (\$3,271-\$3,973); B) change the authorized strength in the Museum by deleting one Museum Specialist position at Range 60 and adding one Curator of Collections and Exhibits position at Range 60; and C) find that consistent with the adopted Authorized Position Review Policy: i) the availability of funding for the requested position exists, as certified by the Museum Services Administrator and concurred with by the County Administrator and Auditor-Controller; ii) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through a closed countywide recruitment; and iii) authorize the hiring of a Curator of Collections and Exhibits at Range 60. Motion carried unanimously.

Library Serv./ Position Request Moved by Supervisor Fortney and seconded by Supervisor Cash 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 Library Services Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could be filled through a closed County recruitment; and C) authorize the hiring of one Librarian I or II, at Range 54 (\$2,840-\$3,454) or 57 (\$3,046-3701) depending upon qualifications, one BPAR Library Specialist III, at Range 50 (\$13.90-\$16.87 per hour), and one APAR Library Specialist I, at Range 46 (\$12,65-\$15.42 per hour). Motion carried unanimously.

BofS/Minute Approval Supervisor Fortney asked if the County has received a response to the letter to the City of Bishop regarding EMS Services in the Bishop area, which was discussed during last week's meeting. The County Administrator explained that the County is still awaiting a reply. Moved by Supervisor Fortney and seconded by Supervisor Cash to approve the minutes of the Special Meeting of November 29 & 30, 2010. 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 1:45 p.m. to reconvene in closed session, to continue consideration of previously noted closed session items.

Report on Closed Session The Chairperson recessed closed session at 2:45 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 2:45 p.m., to 9:00 a.m., Tuesday, December 21, 2010, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

Attest: *KEVIN D. CARUNCHIO*
Clerk of the Board

by: _____
Patricia Gunsollev, Assistant

Chairperson, Inyo County Board of Supervisors