

MINUTES

County of Inyo Board of Supervisors

May 3, 2011

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, May 3, 2011, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Susan Cash presiding, Linda Arcularius, Rick Pucci, 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 from the public 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, provided the Board with copies of the Little Hoover Report Executive Summary, noting that several of Inyo County's concerns regarding the services to be provided to the aging population are addressed. The Water Director, Dr. Bob Harrington, reported meetings regarding the LORP Recreational Plan have been scheduled in Lone Pine and Independence, and that the Saturday tour of the LORP will culminate at the Friends of the Museum BBQ in Independence. Sheriff Bill Lutze reported on the corrective action plan implemented in light of a reduction in CalMet funding. The Sheriff also reported on a CalEMA Meeting he and the CAO had attended last week. The Board, Sheriff and County Administrator discussed the changes taking place at CalEMA and the difficulties these changes are having on the County of Inyo's ability to receive reimbursement for disasters. Mr. Jon Klusmire, Museum Services Director, reported on the upcoming Friends of the Museum BBQ, and to provide information on the beneficial relationship between the Friends of the Museum and the Museum. He explained that through the Friends assistance three permanent exhibits are on display at the Museum.
- CAO-Budget/Update The County Administrator, Mr. Kevin Carunchio, provided joint information from CSAC and the Sheriff's Association, regarding VLF funding.
- Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- District/Mt. Whitney Cemetery District Appointment Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to appoint Mr. Tom Noland to the Mt. Whitney Cemetery District Board of Trustees, to complete an unexpired four-year term ending May 1, 2012. Motion carried unanimously.
- HHS-Inyo First 5/ L.P. School Readiness Contract Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to ratify and approve the Contract between the County of Inyo and the Lone Pine Unified School District for the provision of School Readiness services for the period of March 1, 2011 through June 30, 2011, in an amount not to exceed \$13,600; and authorize the Chairperson to sign. Motion carried unanimously.
- Rd. Dept./Temp. Lone Pine Road Closure Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve the temporary closure of the south end of Lone Pine Ave., behind the Dow Villa for a mock DUI program between the hours of 12:45 p.m. and 2:00 p.m., on May 19, 2011. Motion carried unanimously.
- CAO-Personnel/ J.Turner Contract Amendment Supervisor Arcularius explained that the proposed amendment to the Health and Human Services Director's contract includes the addition of administrative leave time. She said that her non-support of this amendment has no reflection on her support of Ms. Turner. Supervisor Arcularius commended Ms. Turner for the great job she does. She said that she believes the administrative leave time needs to be considered more globally and that is the reason she is not supporting this Contract Amendment. Moved by Supervisor Fortney and seconded by Supervisor Pucci to approve Amendment No. 4 to the Agreement between the County of Inyo and Jean Turner for personal services as the Director of Health and Human Services, to amend the Contract for the County to provide eighty paid administrative hours off between July 1, 2011 and June 30, 2012; and authorize the Chairperson to sign. Motion carried on a four-to-one vote, with Supervisors Cash, Pucci, Fortney and Cervantes voting yes and with Supervisor Arcularius voting no.

Assessor/Bertholf Contract Amendment	In response to a question from Supervisor Cervantes, the Assessor, Mr. Tom Lanshaw, explained how important this consultant is in preparing for the upcoming Coso tax appeal hearing. The County Administrator also provided information on how important the contract is in preparing for the Coso appeal, explaining that Coso is the largest taxpayer in the County with a tax issue that is in the hundreds of millions of dollars. Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to approve Amendment No. 2 to the Contract between the County of Inyo and Harold W. Bertholf, Inc., for the provision of assessment appeal services, increasing the Contract by \$50,000 to an amount not to exceed \$175,000, for the period of August 1, 2009 through August 1, 2011, 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.
Caltrans/B.P. Incremental Speed Sign Changes	Ms. Teresa Erlwein from Caltrans provided additional information and further explanation regarding Caltrans' proposals to change the speed reduction transition signing south of Big Pine from the existing 10 mph incremental drops (55-mph, 45-mph, 35-mph) to a group of signs that inform a driver of the approaching lower speed zone (35-mph zone ahead, 35-mph zone ahead and 35-mph) and to increase the length of the existing 35-mph speed zone by moving the existing 35 mile per hour sign north of State Route 168/County Road intersection, thereby expanding the 35-mph zone several hundred feet. Ms. Erlwein responded to questions from the Board, explaining that the transition signing being recommended is the currently accepted method to slow highway traffic. The Board asked that Caltrans notify the individual District Supervisors when changes like these are being proposed in their respective districts.
Probation/Mock DUI Program	The Chief Probation Officer, Jeff Thomson, reported that as a result of technical difficulties the presentation on the Mock DUI program event that was held on February 24, 2011 in Death Valley was being rescheduled. Chief Thomson went on to invite the Board to the upcoming Mock DUI program event in Lone Pine scheduled for Thursday, May 19, 2011.
Rd. Dept./Plant Mixed Asphalt Contract	The Interim Public Works Director, Mr. Doug Wilson, presented the staff's recommendations regarding the award of the contract for Plant Mixed Asphalt. Moved by Supervisor Pucci and seconded by Supervisor Arcularius to award the bid and approve the Contract for Plant Mixed Asphalt Surfacing Material, to Granite Contraction of Watsonville, CA in an amount not to exceed \$750,000 (including sales tax) for the period of May 3, 2011 through June 30, 2011; and authorize the Interim Public Works Director to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Sheriff/Position Requests	Moved by Supervisor Cervantes and seconded by Supervisor Fortney 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 the position of Deputy Sheriff, the position could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply; C) approve the internal recruitment and filling of one Sergeant position at Range 74 SB-SD (\$4,891 - \$6,372); D) approve the internal recruitment and filling of one Investigator position at Range 71 SB-SD (\$4,681 - \$5,950); E) approve the internal recruitment and filling of one Corporal position at Range 70 SB-SC (\$4,443 - \$5,648) and F) approve the recruitment and hiring of one Deputy Sheriff position at Range 67 SA-SC (\$3,948 - \$5,145) and authorize hiring up to a D Step. Motion carried unanimously.
Sheriff/TouchPrint Booking System	Moved by Supervisor Fortney and seconded by Supervisor Pucci to A) declare Identix a sole-source provider of identification technology and equipment and authorize the purchase of a TouchPrint 5300 500ppi high definition palm, slap and roll live scan booking system, which includes TP-5300 scanner, TouchPrintTM Enterprise application software with slap to roll matching, and PC running Windows in a ruggedized stand-alone cabinet with 24" deck and 1-year help desk warranty, from Identix in an amount not to exceed \$29,927; and B) amend the FY 2010-11 RAN Budget Unit 056610 by increasing estimated revenue in Remote Access Network Funds (<i>Revenue Code #4214</i>) by \$29,937 and increasing appropriations in Equipment >\$5,000 (<i>Object Code #5650</i>) by \$29,927. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:10 a.m., to reconvene in open session at 10:15 a.m., with all Board Members present.

Water Dept./ Standing Comm. Mtg. Instructions	Dr. Bob Harrington, Inyo County Water Director, reviewed the items on the Agenda for the upcoming Standing Water Committee meeting. The discussion included the protocol for conducting Standing Committee Meetings, the Committee setting the amount of the LORP seasonal habitat flow, proposed modeling of LORP flows, and continuing discussions regarding the disagreement regarding whether groundwater extraction from beneath Owens Lake is subject to the Water Agreement. The Board agreed with Staff's recommendations regarding the proposed action items on the Agenda.
CAO-Film Commissioner Report	The Film Commissioner, Mr. Chris Langley presented the Film Commissioner's Third Quarterly Report for FY 2010-11. He reported on several commercial shoots, the possibility of several reality television shows filming in the area, the loss of a major film shoot, and other scouting opportunities that may materialize in future filming in the area.
Planning/Land Management Rule Correspondence	Mr. Josh Hart, Planning Director, reviewed the correspondence, highlighting the seven major points the Board has identified. The Board and staff discussed the letter, with the Board asking that a copy of the correspondence be sent to the Sustainable Forest Action Coalition and that the reference to recreational use also be enhanced. Moved by Supervisor Fortney and seconded by Supervisor Arcularius to approve the correspondence to the U.S. Forest Service regarding the proposed Land Management Planning Rule and Draft Environmental Impact Statement, as amended to enhance reference to recreational use, and authorize the Chairperson to sign. Motion carried unanimously.
BofS/Minute Approval	Moved by Supervisor Fortney and seconded by Supervisor Pucci to approve the minutes of the April 19, 2011 Board of Supervisors Meeting. Motion carried unanimously.
BofS/North Lone Pine Mutual Water Company	Moved by Supervisor Cervantes and seconded by Supervisor Fortney to approve the Letter of Support for New Water Main Project and authorize the Chairperson to sign the Certificate of Support. Motion carried unanimously.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including an Interagency Visitor's Center Meeting, the Big Pine Fire Victims Fund Raiser Dinner, a Northern Inyo Airport Advisory Committee Meeting, a report on Mule Days, a report on Baker Creek stocking, notice of the upcoming Mother's Day BBQ, meetings with the new Inyo Forest Supervisor, the Opener of Fishing Season Reception, travel to Sacramento to testify on the benefit of the Recreational Trails pilot program, and sharing of information learned while in Assemblywoman Conway's office regarding the Sierra Nevada Conservancy and the Mt. Whitney Fish Hatchery. The CAO reported on the DWP land auction, including discussions regarding the Hanby parcel and the intent to proceed with Phase III land auctions.
Public Comment	The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.
Recess./ Reconvene	The Chairperson recessed the regular meeting at 11:50 a.m., to reconvene in open session at 1:30 p.m., at the Inyo County Jail, with all Board Members present.
Sheriff/Tour of Jail's New Security System	The Board convened at the Inyo County Jail and Administrative Center, to tour the Jail and to receive a report on and to view the new security system at the Jail. The Board returned to the Board Chambers at 2:30 p.m., to continue the regular meeting.
Closed Session	The Board convened in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items 22. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(c)] – Decision whether to initiate litigation (one case.); No. 23. PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957] - Public Employee Appointment - Title: Director Public Works; No. 24. PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957] - Public Employee Performance Evaluation - Title: Director Public Works; 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; Director of Child Support Services, Susanne Rizo, and 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: Deputy Sheriffs Association (DSA) - 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. 28. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) - Negotiators: Labor Relations Administrator Sue Dishion and Director of Child Support Services Susanne Rizo.

- Report on closed Session The Chairperson recessed the closed session at 5:20 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 5:20 p.m. to 9:00 a.m., Tuesday, May 10, 2011 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