

MINUTES

County of Inyo Board of Supervisors

September 27, 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, September 27, 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 Arcularius 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, reported on several items and issues relative to her department including (a) a State Merit System Meeting she had attended, (b) audit results of the WIC program which is now called the CalFresh Program, giving kudos to her staff for the great results; (c) a change in leadership at the Southern Inyo Fire Protection District; and (d) an IMAAA Governing Board Meeting. Mr. Doug Wilson, Interim Public Works Director, reported that the Bishop Sunland Landfill Gatehouse construction project got underway yesterday. Sheriff Lutz followed-up on the report regarding the Southern Inyo Fire Protection District, explaining how coverage would work until a new Chief is in place.
- Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Arcularius and seconded by Supervisor Fortney to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- CAO-Info Serv./GIS P.O. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve the purchase of mobile Geographical Information System equipment and related peripherals from California Surveying and Drafting Supply, as the low bidder, in an amount not to exceed \$35,851. Motion carried unanimously.
- CAO-Adv. Co. Resc./Cal Travel Medial Ad Payment Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve a payment to the California Travel Media in the amount of \$14,919.20 for two separate Inyo County ads in the 2012 California Visitors Guide to take advantage of various discounts totaling \$9,319. Motion carried unanimously.
- HHS-Behavioral Hlth. Serv./Drug Court Grant Moved by Supervisor Arcularius and seconded by Supervisor Fortney to acknowledge State award of a Comprehensive Drug Court Implementation Grant in the amount of \$24,281 for the period of January 1, 2012 through December 31, 2012, contingent upon the Board's adoption of future budgets; and authorize Linda Benson, Alcohol and Drug Administrator to sign the Notice of Grant Award. Motion carried unanimously.
- HHS-Behavioral Hlth. Serv./Davis Guest Home Contract Moved by Supervisor Arcularius and seconded by Supervisor Fortney to ratify and approve the Contract between the County of Inyo and Davis Guest Home for the provision of mental health placement services for the period of August 15, 2011 through June 30, 2012, in an amount not to exceed \$25,000; and authorize the Chairperson to sign. Motion carried unanimously.
- Rd. Dept./Liquid Asphalt Contract Moved by Supervisor Arcularius and seconded by Supervisor Fortney to award the bid to and approve the Contract with Environmental Concepts for the purchase of liquid asphalt products for the period of October 1, 2011 through December 31, 2011, in an amount not to exceed \$126,762; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

- Water Dept./Garlon and JLB Oil Plus P.O. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve the purchase of 190 gallons of Garlon 4 herbicide and 225 gallons of Improved JLB Oil Plus with dye, from Red River Specialties, Inc., for a total amount not to exceed \$18,893.97. Motion carried unanimously.
- Rd. Dept./Plant Mixed Asphalt Material P.O. In response to a question from Supervisor Cervantes, Mr. Doug Wilson, Interim Public Works Director, informed the Board that the recommendation for plant mixed asphalt surfacing material was awarding the contract to the only bidder for the material. Moved by Supervisor Cervantes and seconded by Supervisor Pucci to award the bid to and approve the Contract with Granite Construction Company for the purchase of plant mixed asphalt surfacing material in an amount not to exceed \$472,000, including sales tax, for the period of October 1, 2011 through December 31, 2011; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- Water Dept./IRWMP Management Mtg. The request by the Water Department for direction regarding the September 28, 2011 Regional Water Management Group meeting for the Inyo-Mono Integrated Regional water Management Plan (IRWMP), was pulled from the Agenda at the request of the Department.
- Planning/Letter to CPUC Supporting Digital 395 Middle Mile Project Moved by Supervisor Arcularius and seconded by Supervisor Fortney to authorize the Chairperson to sign the correspondence to the California Public Utilities Commission and the National Telecommunications and Information Administration regarding the Notice of Intent to Adopt a Mitigated Negative Declaration and Notice of Availability of a Draft Joint Environmental Assessment and Initial Study for the Digital 395 Middle Mile Project. Motion carried unanimously.
- CAO/MuniServices, Agreement The County Administrator, Mr. Kevin Carunchio, provided additional information and further justification for approval of the contract for Sales and Use Tax audit services. Moved by Supervisor Pucci and seconded by Supervisor Fortney to approve the Agreement between the County of Inyo and MuniServices, LLC, for the provision of Sales and Use Tax and Audit Services, contingent upon the Board's approval of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- BofS/Minute Approval Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to approve the minutes of the September 13, 2011 Board of Supervisors Meeting. Motion carried unanimously.
- Board Members and Staff Reports The Board Members reported on their activities during the preceding week including RCRC Conference Reports by Board Members attending the Conference, a Strategic Visioning Group Meeting, the Carson and Colorado birthday celebration for Engine 18, a meeting with two DWP lessees regarding impacts from the LORP Recreation Plan on their leases, a legislative update with requests for a veto letter regarding AB 646 regarding collective bargaining process, and an opposition letter on AB 1220 regarding extension of time to file law suits on Housing Elements, the IMAAA Governing Board Meeting, and information on the Mammoth Land Exchange and legislation that was introduced by Congressman McKeon regarding properties in Inyo County that Inyo County had been unaware of. The County Administrator reported on a realignment conference he had attended last week, meetings concerning the DRECP process and the Bright Source Project, noting that a public meeting is scheduled in Tecopa the first part of November on this.
- Recess/Reconvene The Chairperson recessed the regular meeting at 10:10 a.m., to reconvene in open session at 10:20 a.m., with all Board Members present.
- Planning/Mammoth Land Exchange Mr. Josh Hart, Planning Director, provided information regarding the proposed Mammoth Base Land Exchange being brokered by Mammoth Mountain Ski Area with the U.S. Forest Service. He noted the introduction of HR 2157 by Congressman McKeon regarding DWP properties in Inyo County that are being considered in the exchange.

Mr. Ed Armenta, Inyo National Forest Supervisor, addressed the Board to talk further about the land exchange. He said that this is in the beginning stages and there are many more steps that have to be followed before the exchange is even finalized. He said that in California land exchanges are handled through the Regional Lands Team, noting this as one of the reasons for his lack of earlier notification to the Board. The Board talked with Mr. Armenta about the requirements that the Forest Service coordinate with local jurisdiction on this type of a project which will obviously affect Inyo County's land use. Supervisor Cash noted that in the letter the County received providing notice of the Exchange, the Forest Service refers to The Federal Land Policy and Management Act (FLPMA) as one of the regulating documents, which is the Act that defines the requirement for local coordination, yet the Forest Service has, in its past dealings with Inyo County, been unwilling to recognize as the authority for coordination. Supervisor Cash went on to identify that in conversations she had with County Supervisors from the other counties being affected by this proposed land exchange none were aware of the proposed exchanges in their counties. She noted in one county's case the land being proposed for exchange was located on the shore line of a California Lake and includes the water rights to the lake.

The Board and Mr. Armenta continued to discuss various aspects of the proposed land exchange and the process which was being undertaken. Ms. Margaret Woods, District Ranger, provided information on the specific properties located in Inyo County, saying that those properties have several issues attached to them so these properties are a long way off from ultimately being considered in the exchange. Supervisor Fortney reminded the Forest Service of his desire to have USFS property in Big Pine considered for release and asked that the property be included for consideration in this Exchange.

The Board and Mr. Armenta talked at length about HR 2157 with the Board wondering why, if legislation can be introduced to increase the 25% payment threshold with regard to the DWP properties, then why could not legislation be introduced to allow the Forest Service to participate in an outright land sale rather than the swap of 20 acres of land in the Mammoth area for 1,700 acres of land in numerous other locations with the Board noting the incongruity of this concept in light of the Forest Service's acknowledged budget problems. The Board talked about its options, and directed Staff to draft a letter to the Forest Service for the Board's consideration invoking coordination for the Mammoth Base Land Exchange proposal.

Recess/
Reconvene

The Chairperson recessed the regular meeting at 11:10 a.m., to reconvene in open session at 11:17 a.m., with all Board Members present.

Farm Advisor/UC
Extension Update

Donald Klingborg, DVM, Lead-Advocacy & County Partnerships, UC Office of the President, along with Serena Dennis, 4-H Program Representative and Acting County Director and the recently hired Master Gardner Hannah Murray, updated the Board on the UC Extension Program, the 4-H Program and the Master Gardner Program.

BofS/Engine 18
Project Update

The Board heard from Mr. Randy Babcock, a representative of the Carson and Colorado Railway, who updated the Board on its work on Engine #18 which is located at Dehy Park. The Board watched a power point presentation that showed pictures of the various restoration activities that are taking place on and off site. At the conclusion of the presentation the group requested that the Board begin to develop plans for a permanent site to house the Engine and that it not be relegated to non-operational status. The Board congratulated the group on their successes and wished them the best in their future activities.

Recess/
Reconvene

The Chairperson recessed the regular meeting at 12:10 p.m., to reconvene in open session at 2:10 p.m., immediately following the adjournment of the Board of Equalization Meeting that had begun at 1:10 p.m. (See separate minutes.)

Public Comment

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

- Closed Session 20. The Board recessed open session to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 20. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]** - Public Employee Appointment - Title: Director Public Works; and No. 21. **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: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.
- 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 2:45 p.m., to 9:00 a.m., Tuesday, October 4, 2011, in the Board of Supervisors Room at the County Administrative Center in Independence.

 Chairperson, Inyo County Board of Supervisor

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

by: _____
Patricia Gunsolley, Assistant