



County of Inyo Board of Supervisors

April 24, 2012

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 April 24, 2012, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Marty Fortney presiding, Linda Arcularius, Susan Cash, Rick Pucci, and Richard Cervantes. Supervisor Cervantes provided the Invocation and led the Pledge of Allegiance.

Public Comment The Chairperson announced the public comment period. Rich and Kathy White representing the Lone Pine Chamber of Commerce provided a brief update on this year's Cal Expo Exhibit and asked that any Supervisors wishing to attend this year's award ceremony let them know prior to May 13, 2012 so that they can make the reservations.

County Department Reports The Chairperson announced the County Department Report period. Mr. Jeff Ahlstrom, Managing Landfill Engineer, updated the Board on the Integrated Waste Management revenue status, saying that the revenues are at 57.7% as of this week. Supervisor Fortney asked about the Baker Creek clean up, with Mr. Ahlstrom saying that he would continue to try and get that completed this week. Mr. Doug Wilson, Interim Public Works Director, informed the Board that there is a petition circulating in the Olancha area requesting that Caltrans District Director reverse his decision regarding the Olancha 4-Lane Project. Ms. Kammi Foote, Clerk-Recorder, previewed a PSA that she recorded for "you tube" to provide election information to those who are gathering their news via electronic media. Ms. Jean Turner, Director of Health and Human Services, reported on her continued efforts to ensure that the local seniors are provided with the correct information regarding the senior services being provided. Mr. Jeff Thomson, Chief Probation Officer, invited the Board to participate and observe the upcoming 15 Minute Program mock DUI Traffic Accident exercise in Bishop.

Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Cash 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-Bishop Fire Protection District Appointment Moved by Supervisor Cash and seconded by Supervisor Cervantes to reappoint Mr. Ted Metz to the Bishop Rural Fire Protection District Board to complete an unexpired four year term ending July 1, 2015. Motion carried unanimously.

HHS-EMS/So. Inyo Fire Protection District EMS Contract Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the Contract with Southern Inyo Fire Protection District for the exclusive provision of emergency medical services in Operating Area 9 (OA9), from July 1, 2011 through June 30, 2019; and authorize the Chairperson to sign. Motion carried unanimously.

P.W./McMurtrie-Tanksley, Inc. Contract Amendment Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve Amendment No. 1 to the Contract between the County of Inyo and McMurtrie-Tanksley, Inc., for fire hydrant replacement services, increasing the amount of the Contract by \$491 to a total not to exceed \$15,191.41 with funding for this amendment being contingent upon the Third Quarter Budget being adopted and extending the term of the Contract to May 31, 2012; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

Resol. #2012-17/ Electrical Upgrade Notice of Completion On a motion by Supervisor Cash and a second by Supervisor Cervantes, Resolution No. 2012-17 was approved accepting the improvements for the Inyo County Electrical Upgrade Project and authorize the recording of the Notice of Completion for the Project: motion unanimously passed and adopted.

- Rd. Dept./Electric Cable Tarp System P.O. Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the purchase of 6 Electric Cable Tarp Systems from LaAlbo Enterprises, Inc., in the amount of \$10,962; approve payment of associated fees/taxes/delivery (estimated sales tax \$849.56) that may be required to comply with State and/or Federal Regulations; and authorize the Interim Public Works Director or his designee to execute any documents required to complete this equipment purchase. Motion carried unanimously.
- Rd. Dept./Guardrail Kits P.O. Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the purchase of 8 Guardrail Kits for Mumy Lane from C & W Construction Specialties, in the amount of \$11,502.60 including \$762.60 sales tax and \$900 shipping; approve payment of any associated fees/taxes that may be required to comply with Federal, State or local regulations; and authorize the Interim Public Works Director or his designee to execute any documents required to complete this equipment purchase. Motion carried unanimously.
- HHS-Soc. Serv.-Sr. Serv./Position Request Moved by Supervisor Arcularius and seconded by Supervisor Cash to A) change the authorized strength in Senior Services Division by deleting a B-PAR Program Services Assistant (PSA) III at Range 44PT (\$12.10 to \$14.74 per hour); and B) 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 the Auditor-Controller; b) where internal candidates meet the qualifications for the position of Program Services Assistant, the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure a sufficient number of qualified applicants apply; and C) approve the hiring of one A-PAR Program Services Assistant I at Range 39PT (\$10.80 - \$13.12/hr.) or II at Range 42PT (\$11.55 to \$14.05/hr.) depending upon qualifications. Motion carried unanimously.
- Motor Pool/Ford Replacement Motor P.O. Moved by Supervisor Cash and seconded by Supervisor Arcularius to A) authorize the purchase and installation of a remanufactured Ford motor for a 2004 Ford Escape Motor Pool vehicle from Eastern Sierra Motors in the amount of \$5,173.42; and B) amend the FY 2011-12 Motor Pool Budget Unit 200100 by increasing appropriations in Vehicles (*Object Code #5655*) by \$5,174, and decreasing appropriations in Maintenance of Equipment (*Object Code #5171*) by \$5,174. Motion carried unanimously.
- Planning/WEMO Travel Management Plan Cooperating Agency Status Mr. Dan Stewart, Planning Coordinator, provided additional information and further justification for the request to investigate the development of an MOU with the Bureau of Land Management (BLM) to participate, as a cooperating agency, in the development of a Supplemental Environmental Impact Statement (SEIS) and associated Travel Management Plans within the West Mojave portion (WEMO) of the California Desert Conservation Area within Inyo County. Supervisor Cervantes expressed his opposition to the entire WEMO process, even though he thought it important for the County to remain involved. Staff noted that the County's involvement would be beneficial to the County and point out that by not being involved the County eliminates any opportunity to impact the outcomes. Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to authorize the Planning Department to investigate the development of an MOU with the Bureau of Land Management (BLM) to participate, as a cooperating agency, in the development of a Supplemental Environmental Impact Statement (SEIS) and associated Travel Management Plans within the West Mojave portion (WEMO) of the California Desert Conservation Area within Inyo County. Motion carried unanimously.
- Planning/NPS Saline Valley Management Plan Cooperating Agency Status The Planning Director, Mr. Josh Hart, reviewed the request by the National Park Services of the County to become a cooperating agency and participate in the development of a Saline Valley Warm Springs Management Plan. Mr. Hart indicated that he had concern about staff resource as the County becomes more involved as cooperating agencies. Supervisor Cervantes noted the importance of Saline Valley to the southeastern portion of the County and volunteered to sit on the Committee developing the Management Plan. Moved by Supervisor Cervantes and seconded by Supervisor Cash to authorize the Planning Department to investigate the development of a Cooperating Agency Agreement with the National Park Services to participate in the development of a Saline Valley Warm Spring Management Plan and Environmental Impact Statement. Motion carried unanimously.

Water Dept./LADWP Annual Operation Plan	Dr. Bob Harrington, Inyo County Water Director, presented the Board with copies of LADWP's proposed Owens Valley Operations Plan for Runoff Year 2012-13 (Annual Pumping Plan) and reviewed the report in detail and at length. Dr. Harrington noted that this year's Plan is presented differently than in the past, in that there is a maximum number of acre ft. to be pumped as opposed to the specific amount to be pumped from individual well fields. Dr. Harrington explained that the manner in which this year's Plan is presented makes it difficult for the County to analyze the impacts to the well fields. He said that the Valley wide pumping range is set at 61,900 acre ft. to 88,000 acre ft. Dr. Harrington also noted a discrepancy in the maximum total amount to be pumped Valley wide which is 88,000 vs. the total of the highest range in the well field by well field table that adds up to 93,000 acre ft. The Board discussed the discrepancy, what the intention might have been for the discrepancy, and how the County should proceed with its analysis of the pumping plan in light of the discrepancy and lack of specific pumping numbers of each of the well fields. The Board and Dr. Harrington went on to discuss the difficulty the County will have in analyzing and/or disputing a plan that is not specific about what it's planning. They also discussed the need to address the change in format and how it deviates from the requirements of the Long Term Water Agreement. Dr. Harrington explained that Water Department staff will proceed with analyzing the highest range of the well field by well field numbers which total 93,000 to provide comment on the Plan, which are due by Monday. The Board asked that the comment letter also request that the Final Plan be specific with regard to what the Department plans to pump from the Valley in this run off year, well field by well field as required by the Long Term Water Agreement.
Fish and Game Fund Expenditure Requests	The Board considered the recommendation by the Inyo Fish and Wildlife Commission to fully fund the requests by the Bishop Lions Club for \$3,000 to build a second handicap deck at Buckley Ponds and the Eastern Sierra Wildlife Care for \$3,000 for the care of injured animals. The Board discussed the budget information that had been provided regarding the Fine Fund's fund balance, including the revenue trends that reflect diminishing fine funds being accumulated. The Board expressed concern that if the revenue trends continue, the Fine Fund will be unable to fund these types of requests at this level in the future. Supervisor Fortney explained that the Fine Fund budget information had been shared with the members of the Fish and Wildlife Commission at their most recent meeting. He said that the members were unable to discuss this information because it had not been agendaized. Staff informed the Board that last month's revenue deposit was higher than projected and the Board discussed the possibility that this year's fourth quarter revenues might also exceed projections. The Board discussed reducing the requested amounts and revisiting the requests the first part of July after the fourth quarter revenue deposits are made and the Fish and Wildlife Commission has an opportunity to review the financial information and reconsider its recommendation regarding the requests from the Bishop Lions Club and the Eastern Sierra Wildlife Care. Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve expenditures from the Fine Fund at 50% of the requested amounts as follows: A) \$1,500 instead of \$3,000 to the Bishop Lions Club to build the next fishing dock at Buckley Ponds; B) \$1,500 instead of \$3,000 to Eastern Sierra Wildlife Care for the care of injured animals; and C) direct that consideration for funding the remaining 50% be brought back in July after final fourth quarter revenues are reported and the Fish and Wildlife Commission has an opportunity to make further recommendations. Motion carried unanimously.
Recess/Reconvene	The Chairperson recessed the regular meeting at 10:35 a.m., to reconvene in open session at 10:50 a.m., with all Board Members present.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including an RCRC Meeting at which the organization voted to change its name from Regional Council of Rural Counties to Rural County Representatives of California, a conference call with the Sierra Nevada Conservancy, an update on SRA fee legislation, an ESTA Meeting, a CSAC Meeting, a legislative update, a LAFCO Meeting, an LTC Meeting, an Indian Gaming Meeting, a Mule Days update, a Great Basin Unified Air Pollution Control District Board Meeting, a Fish and Wildlife Commission Meeting, and a Big Pine Fire Safe Council Meeting.
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 11:30 a.m., to reconvene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 17. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(b) – Significant Exposure to Litigation (one case);** No. 18. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c) – Decision Whether to Initiate Litigation (one case);** No. 19. **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, Information Services Director Brandon Shults, and Planning Director Josh Hart;** No. 20. **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. 21. **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;** No. 22. **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, Chief Probation Officer Jeff Thomson;** No. 23. **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;** and No. 24. **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.**

Report on Closed Session

The Chairperson recessed closed session at 1:15 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 1:15 p.m. to 9:00 a.m., Tuesday, May 1, 2012, 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