

MINUTES

County of Inyo Board of Supervisors

May 8, 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, May 8, 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 Supervisor Fortney led the Pledge of Allegiance.

Public Comment

The Chairperson announced the public comment period. Mr. John Dukes, a Keeler Resident and Director of the Keeler Community Services District, addressed the Board representing the Saline Preservation Association. He addressed a recent news report on a past Board Meeting and the concerns members of the Association had with a remark attributed to Supervisor Cervantes regarding people -- running around naked out there -- that they felt negatively portrayed the types of people who frequent the area. Mr. Dukes offered to take any interested Board Members out to the Hot Springs so they could see the area for themselves. Mr. Dick Noles, Bishop Resident, addressed the Board to report on the Buckley Ponds Clean Up Project and the new ADA Deck. He thanked all of the volunteers and organizations that helped on this project. Mr. Noles went on to talk about the wildlife water guzzlers that have been installed in the forests. He said that vehicular access to 7 of the guzzler sites has been eliminated by the Forest Service road closures, which has resulted in the volunteers having to hike to the guzzlers in order to perform routine maintenance. Mr. Noles expressed his sincere appreciation for and commended the volunteers who undertake the maintenance of the guzzlers. Mr. Noles then went on to inform the Board that one of the guzzlers in an area that has no vehicular access had been vandalized and nearly destroyed. Mr. Noles articulated his anger, frustration, and dismay at this senseless destructive act and expressed his great concern for the wildlife that will be denied a watering site in this very dry year. He said he has reported the vandalism to the Inyo County Sheriff and will be working with the Undersheriff to find out who did this. He also said that he will be meeting with representatives of the U.S. Forest Service to develop a plan to repair the guzzler. Mr. Noles said that he has concern with the safety of the volunteers should they come upon someone vandalizing the equipment and said that he is exploring monitoring and camera surveillance of the sites. Mr. Noles assured the Board that this senseless act of violence would not deter the efforts to keep the guzzlers operational. After querying Mr. Noles on the types of repairs that will be required, Supervisor Fortney volunteered to do the welding work to repair the pipes. Supervisors Arcularius and Cash requested that they be informed of when the meeting with the Forest Service is so that they might attend.

**County Department
Reports**

The Chairperson announced the County Department Report period. Mr. Jeff Ahlstrom, Managing Landfill Engineer, reported on Integrated Waste Management revenue and tonnage figures, explaining that the revenues are at about 60% of the projected amount, with an August billing still to be collected for \$75,000 which would put the revenues at 68.2%. Mr. Doug Wilson, Interim Planning Director, reported on the Northern Inyo Airport Advisory Committee meeting. He said the group has developed new By-Laws and elected to have the Chairperson of the Committee communicate the Committee's recommendations to the Board. Mr. Wilson also informed the Board that the Committee believes that Public Works staff should be assigned to support the Committee and its activities. Mr. Wilson reported that repairs to Runway 1634 at the Bishop Airport have begun and the Runway will be closed until the repairs are completed. Dr. Bob Harrington, Inyo County Water Director, informed the Board of the upcoming Technical Group Meeting, scheduled for 1:00 p.m., tomorrow, May 9, 2012, in Bishop at the DWP Offices. Dr. Harrington briefly reviewed the items on the Technical Group Meeting Agenda. Mr. Jon Klusmire, Director of Museum Services, invited the Board to visit the Eastern California Museum's new exhibit which is a compilation of black and white photos that document life at the Manzanar Internment Camp. Mr. Klusmire went on to invite the Board to the upcoming Annual Friends of the Museum Deep Pit BBQ which will be held on Saturday, May 12, 2012, from 4 p.m. to 6 p.m., on the Museum grounds.

Introduction	Mr. Art Maillet, District Attorney, introduced his new Deputy District Attorney, Mr. Kevin Christensen, to the Board.
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.
HHS-Behavioral Hlth. Serv./Country Villa Merced Contract Amendment	Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve Amendment No. 1 to the Contract between the County of Inyo and Country Villa Merced Behavioral Health (for residential placement of adults in a locked facility, increasing the Contract by \$30,000 to an amount not to exceed \$60,000, for the period of July 1, 2011 through June 30, 2012; and authorize the Chairperson to sign. Motion carried unanimously.
Sheriff/Cannabis Eradiation Program Agreement	Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to A) approve the 2012 Domestic Cannabis Eradication/Suppression Program Letter of Agreement in the amount of \$7,500, contingent upon the Board's adoption of a FY 12-13 Budget; and B) authorize the Sheriff to sign the agreement and all necessary documents. Motion carried unanimously.
Water/Saltcedar Eradication Chemicals P.O.s	Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve the purchase of 150 gals of Garlon 4 herbicide and 600 gallons of Improved JLB Oil Plus, with dye from Silverado Ranch Supply in an amount not to exceed \$25,746.87, including tax. Motion carried unanimously.
HHS-Behavioral Hlth. Serv./Position Request	Moved by Supervisor Cash and seconded by Supervisor Arcularius to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position exists in the Mental Health Budget as certified by 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 Chief, the position could possibly be filled by internal recruitment, however, an open recruitment may be more appropriate to ensure a sufficient number of qualified candidates apply; and C) approve the hiring of one Program Chief at Range 84 (\$5,777 - \$7,022). Motion carried unanimously.
HHS-Behavioral Hlth. Serv./Anthem Blue Cross Contract CMSP Services	Moved by Supervisor Arcularius and seconded by Supervisor Pucci to approve the Contract with Anthem Blue Cross, allowing the Health and Human Services Behavioral Health Division to bill for services provided for residents covered by programs of the County Medical Services Program (CMPS); and authorize the Chairperson to sign. Motion carried unanimously.
Integ. Waste/Waive Gate & Disposal Fees Big Pine Tribe	Mr. Jeff Ahlstrom, Managing Landfill Engineer, provided additional information and further justification to waive gate and disposal fees as requested by the Big Pine Paiute Tribe, to facilitate the disposal of building demolition debris as the result of a house fire on the Reservation. Ms. Gloriana Bailey, representing the Tribe and the family whose home was lost in the fire, provided further information about the clean-up efforts. Ms. Bailey confirmed that the family has already started to separate the recyclable materials from the debris. The Board offered their sympathy to the family on their loss. Moved by Supervisor Cervantes and seconded by Supervisor Pucci to approve the request by the Big Pine Paiute Tribe of the Owens Valley and waive the gate and disposal fees for the disposal of building demolition debris.
CAO-Personnel/ Position Request	The request by the County Administrator for authorization to fill a vacant Deputy County Administrator position was pulled from consideration at the request of the County Administrator.
CAO-Advertising County Resc./Grant Payments	Mr. Jon Klusmire, Director of Museum Services, provided the final report on the Lone Pine Chamber of Commerce's Early Opener Trout Derby and the Bishop Chamber of Commerce and Visitors Bureau's County Treasure Map Brochure reprint projects. Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to authorize final payments for completed Community Project Sponsorship Grant Projects as follows: \$2,750 to the Lone Pine Chamber of Commerce for the Early Opener Trout Derby and \$2,500 to the Bishop Area Chamber of Commerce & Visitors Bureau for reprinting the Inyo County Treasure Map Brochure. Motion carried unanimously.
Clerk-Recorder/ Legislation Opposition	Ms. Kammi Foote, Clerk-Recorder, provided further background on AB 2299 which is legislation that will fundamentally change the way records are kept and will impact real property rights in California. Ms. Foote, reviewed how this legislation will impact Inyo County, explaining that this legislation will require that public safety officials' property ownership information be shielded from the public and take certification of ownership away from title companies and make it the responsibility of the counties. She also informed the Board that she had received word that the El Dorado County Board of Supervisors has approved a very similar letter.

Supervisor Arcularius explained that the State Sheriff's Association is supporting this legislation and that she had spoken with Sheriff Lutze, who had indicated to her that he would not take a position on this request at this time. Supervisor Arcularius also asked if the verbiage of the last paragraph could be modified to be less specific since the County is unable to ascertain the exact costs of the impacts of this legislation. Supervisor Cash requested that Assemblywoman Conway and Senator Fuller be provided a copy of the letter. Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to A) amend the Inyo County Legislative Platform by adding No. 22 to the General Government Section to read: 22. **Oppose** legislation that minimizes, restricts and/or eliminates real property rights of private citizens; and B) approve the correspondence to the County's State Legislators opposing AB2299, as amended; and authorize the Chairperson to sign. Motion carried unanimously.

Recess/
Reconvene

The Chairperson recessed the regular meeting at 10:17 p.m., to reconvene in open session at 10:30 a.m., with all Board Members present.

Resol. #2012-18/
Approving the
Procedures and
Environmental
Documentation For
Implementation of
AB 628 the
Adventure Trails
Pilot Program

Mr. Doug Wilson, Interim Public Works Director, pointed out a minor errors that would be corrected in that "dusk to dark" would be changed throughout the documents to read "dawn to dusk." Mr. Wilson, Mr. Courtney Smith, Transportation Planner, and the Board discussed the procedures and the process in detail and at length, with the Board asking that in addition to the "dawn to dusk" correction that the public notice period to adjacent property owners be extended from 7 days to 21 days and that a sentence be added to Section 17 of the Draft Implementing Procedure that reads "If a change to starting point or endpoint requires the submittal of a separate application the 90-day period will be extended until the segment is acted upon by the Board of Supervisors." Mr. Dick Noles of Bishop, addressed the Board to support this action and to comment on the implementation of the Adventure Trails. The Board and staff continued to discuss the implementation of the legislation in detail and at length, with the Board Members thanking staff for moving so quickly on this first step in the process, commending staff for a great job, and expressing their optimism that this Project will be a great success and benefit to the County. On a motion by Supervisor Cash and a second by Supervisor Arcularius, to as amended above, A) approve a resolution titled "A Resolution of the Board of Supervisors Approving 1) the Mitigated Negative Declaration of Environmental Impact for the Procedures to Implement Assembly Bill 628 and 2) Approving the Implementing Procedures; B) certify that the subject Mitigated Negative Declaration of Environmental Impact was prepared in compliance with CEQA, was presented and considered by your Board, and reflects the independent judgment of the Board; C) approve the environmental document for the Implementation Procedures for Assembly Bill 628 based on all of the information in the public record and on recommendation of the Planning Commission; and D) approve the procedures to implement the Pilot Program authorized by Assembly Bill 628: motion unanimously passed and adopted.

P.W./Surplus
Electrical Equip.

Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to declare an entrance panel main and meter section, and two 225 amp circuit breakers as surplus and authorize the Purchasing Agent to sell the surplus equipment. Motion carried unanimously.

P.W./Budget
Amendment and
Quincy Engineering
Contract
Amendment for
Sabrina Bridge
Replacement
Project

Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to A) amend the FY 2011-12 State Funded Road budget Unit 034601 by increasing estimated revenue in Federal Grants (Revenue Code #4555) by \$143,500 and increasing appropriations in Sabrina Bridge (*Object Code #5711*) by \$143,500; (*4/5's vote required.*); and B) approve amendment No. 1 to the Contract between the County of Inyo and Quincy Engineering, Inc. for the provision of engineering services for the Sabrina Bridge Replacement Project increasing the Contract by \$143,500 to a total contract amount of \$632,582 and extending the term of the contract from an ending date of June 30, 2012 to June 30, 2013, contingent upon the Board's adoption of a FY 2012-13 Budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

HHS-Senior Serv./
ESAAA Proposal

Ms. Jean Turner, Director of Health and Human Services, provided further information regarding the State's request for additional information on the County's Eastern Sierra Area Agency on Aging proposal. Moved by Supervisor Arcularius and seconded by Supervisor Cash to confirm, with regard to the County's proposal to be designed as the new Area Agency on Aging for PSA 16, the County's intention to meet all required assurances under the federal Older Americans Act as well as under the California Older Americans Act. Motion carried unanimously.

- Board Members and Staff Reports The Board Members reported on their activities during the preceding week, including the Devil's Hole Workshop in Death Valley, the Wild Wild West Marathon, the Standing Committee Meeting in Los Angeles, Mule Days update, meetings with Bishop Seniors, Northern Inyo Airport Advisory Committee Meeting, a State Water Plan webinar scheduled for May 23, an Arts Council Meeting with an update on Millpond Music Festival and the Memorial Day Craft Fair, a Sierra Nevada Conservancy conference call, the Choo Choo Swap Meet, and the Sierra Cascade Dialog.
- 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 11:50 a.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 19. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]** - Public Employee Performance Evaluation – Title: Director of Health and Human Services; No. 20. **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. 21. **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. 22. **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. 23. **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. 24. **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. 25. **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 1:05 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 1:05 p.m. to 9:00 a.m., Tuesday, May 15, 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