

# MINUTES

# County of Inyo Board of Supervisors

**August 21, 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, August 21, 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 Arcularius led the Pledge of Allegiance.

**Public Comment** The Chairperson announced the public comment period. Ms. Kathy White, representing the Lone Pine Chamber of Commerce, provided an ending report on this year's County Exhibit at the Cal Expo State Fair. She said that the visitation numbers for the Fair were lower than last year and only 29 of the 58 counties had Exhibits this year. Ms. White said that the Inyo County Exhibit distributed more than 6,000 pieces of literature, had approximately 16,000 visitors to the booth and thanked this year's volunteers who helped her and her husband Rich White, man the booth for the duration of the Fair. Mr. Dave Wagner of the newly formed Historic Preservation Committee in Independence, provided information on the group and its plans, as well as information as a follow-up to Mr. Jack Pound's presentation to the Board earlier this month on the Pines Café property. Mr. Wagner indicated that the Committee was interested in obtaining ownership of the Café property as well as the Commander's House. Supervisor Fortney requested that a discussion on these properties be agendized in the future. Ms. Kathleen New of the Lone Pine Chamber of Commerce explained that the Board had graciously agreed to display the photographs of the participants of the Lone Pine Chamber's Photo Shoot Out Contest in the Board Room. She invited the Board and the public to a "soiree" the Chamber was sponsoring in the lobby of the Administrative Center, next Tuesday to kick-off the "Photo Exhibit." Supervisor Cervantes provided comments regarding the status of the CalPers Retirement fund.

**County Department Reports** The Chairperson announced the County Department Report Period. Ms. Suzanne Rizo, Director of Eastern Sierra Regional Child Support Services, updated the Board on her Department's activities during the preceding several months. She thanked and expressed her gratitude to Adele Hendrickson, Director of Central Sierra and Laura Roth of Director of El Dorado Child Support agencies that provided attorney back-up services while she was on maternity leave. She reported on the completion of the electronic file project. Ms. Rizo briefly commented on recruitment issues she is having with regard to the State placing education requirements on the Administrative Analyst position. She informed the Board that Commissioner Teri Lee has retired, effective immediately, because of the new retired annuitant law that became effective in January and reported that Judge Stout has kindly agreed to handle the Department's court proceedings. Ms. Jean Turner, Director of Health and Human Services, reported on her efforts concerning reconciling the State Merit System to local needs. She reported on ESAAA activities and meetings she has been conducting with the Region's seniors. Ms. Turner also explained that information that is being reported concerning seniors needs in the area is coming from the State Department of Aging website using 2010 census data. Ms. Turner also addressed information being reported concerning the difference in the costs of meals in Inyo County vs. Mono County. She explained that there is a difference in the cost of each program because Mono County uses full time benefitted positions as opposed to Inyo County that the uses part-time and volunteer help to provide senior meal services. She assured the Board that there is no difference in the qualify of meals served in the two programs.

**Emerg. Serv./Oak Creek Mud Flows** Moved by Supervisor Cervantes and seconded by Supervisor Cash to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.

**HHS-Behavioral Hlth./Mental Hlth. Board Appts.** Moved by Supervisor Cervantes and seconded by Supervisor Cash to appoint the following to the Mental Health Advisory Board to complete four-year terms ending June 30, 2015: Mr. Duane Blume, Ms. Betty Hinga, Ms. Debra Hokoana and Mr. Robert Morgan. Motion carried unanimously.

HHS-Inyo First 5/ Bishop Head Start Contract	Moved by Supervisor Cervantes and seconded by Supervisor Cash to ratify and approve the Contract between the County of Inyo and Bishop Indian Head Start for the provision of Child Health and Development services from July 1, 2012 through June 30, 2013, in an amount not to exceed \$22,000, contingent upon the Board's adoption of a FY 2012-13 budget; and authorize the Chairperson to sign. Motion carried unanimously.
P.W./GBUAPCD Keeler Road Paving	Moved by Supervisor Cervantes and seconded by Supervisor Cash to approve the Agreement between the County of Inyo and Great Basin Unified Air Pollution Control District to accept up to \$125,000 for activities related to the resurfacing of Old State Highway in the Community of Keeler; and authorize the Interim Public Works Director to sign. Motion carried unanimously.
CAO-Courthouse Funding Support Letter	Ms. Tammi Grimm, Court Executive Officer, explained why the Court was seeking a letter from the Board of Supervisors supporting funding for new court facilities in Inyo County. Ms. Grimm explained that the Courts in California have taken a \$1-billion budget hit over the past two years, with the State sweeping much of the money earmarked for new court construction into the General Fund to be used for Court operations. She said that this year the counties that had money in the Courthouse Construction Fund, like Inyo County, lost the funds to the State. She said that the AOC is in the process of reevaluating the courthouse construction projects, like the two in Inyo County, but with there only being \$60 million for the projects the competition for the funds is intense. She said that she and the Judges are continuing to advocate strongly for the two facilities in Inyo County and asked the Board to consider sending a letter supporting the funding of courthouse construction in Inyo County. The Board acknowledged the draft letter presented by the County Administrator and took a few moments to review the letter. The Board and Ms. Grimm discussed the security of other joint funds that could be used for courthouse construction in Inyo County from being absorbed by the State, with Ms. Grimm assuring the Board that those funds are protected. The County Administrator noted that one of the categories for consideration of projects by the AOC is "thinking outside the box." He provided an example of where Inyo County's original intentions with regard to building a new Court facility in Independence was just such a project, in that the County had provided general fund money for site preparation and to design the facility, and had provided property for the facility at the site of the old jail. He explained that the County's efforts were still available to the AOC and could be utilized to build at least one of the new court facilities proposed for Inyo County at much less the cost than the one currently being considered by the AOC. The Board, Ms. Grimm and staff continued to discuss the correspondence. Both Supervisors Fortney and Cervantes reiterated their positions of support for the larger court facility being build in Independence and said they could support the letter proposed by the County Administrator because of its generality. Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve the letter to the Court Facilities Working Group supporting the State funding for construction for new court facilities in Inyo County as presented by the County Administrator. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:15 a.m., to reconvene in open session at 10:25 a.m., with all Board Members present.
BofS/Flag Display Policy	The Board discussed the U.S. Flag Display Policy presented by Supervisor Fortney. They discussed in detail Section III concerning Item 2., the reference to firefighters and law enforcement serving Inyo County and Items 4. And 5., the use of a black mourning flag. Several Supervisors noted their concern in having the Chairperson make the decision on whether a person being asked to be memorialized has made significant contribution to the well being of the people of the County. The Board Members discussed the Section in detail. Supervisor Cash asked that Section III Item 2., be changed to say "... serving <i>in</i> Inyo County." Supervisor Fortney suggested that Section III Items 4. And 5., referring to the use of the black mourning streamer be eliminated and the policy strictly identify when the flags shall be flown at half mast on County facilities. The Board Members concurred with Supervisor Fortney's suggestion. Moved by Supervisor Cash and seconded by Supervisor Pucci to approve the Inyo County U.S. Flag Display Policy to establish the policy which authorizes the U.S. Flag to be flown at half staff on County facilities, as amended to insert the word " <i>in</i> " in Section III Item 2.; deleting Section III Items 3. and 4., and deleting any reference to the use of a "black mourning streamer" that may be made in other Sections of the policy; and direct that this policy be included in the Administrative Manual. Motion carried unanimously.
Motor Pool/ Workshop	The Chairperson announced that the workshop with Motor Pool Staff on recommendations for the 2012-13 Motor Pool Vehicle Purchases was being rescheduled to a future date.

BofS/Legislation Opposition SB 1221	Supervisor Fortney provided further information and clarification on the request for the Board to oppose SB 1221 to ban the use of dogs when hunting bear and bobcat. The Board discussed the implications of this legislation on Inyo County. Moved by Supervisor Arcularius and seconded by Supervisor Cash to A) approve a letter opposing SB 1221 (Leiu) and authorize the Chairperson to sign; and B) amend the Legislative Platform by adding Item No. 17 to the <i>Resource and Environmental Section</i> to read: <b>Oppose</b> any legislation that could negatively impact outdoor recreation including but not limited to off highway opportunities, fishing, hunting, hatchery operations, etc. Motion carried unanimously.
CAO-Info Serv./ Position Request	Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position comes from Health and Human Services, as certified by the Information Services Manager and the Director of Health and Human Services and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Network and Operations Analyst, the position could possibly be filled through an existing list or an internal recruitment, however, an open recruitment is more appropriate to ensure qualified applicant apply; and C) approve the hiring of one Network and Operations Analyst I at Range 65 (\$3,671 - \$4,464) through IV (\$4,768 - \$5,796) and authorize to hire at the E step depending upon qualifications. Motion carried unanimously.
Child Support Serv./ Proclamation	Moved by Supervisor Arcularius and seconded by Supervisor Pucci to approve a proclamation declaring August 2012 as Child Support Awareness Month in Inyo County. Motion carried unanimously.
Treasurer-Coso Partial Tax Payment	The Treasurer-Tax Collector, Ms. Alisha McMurtrie, provided additional justification and clarification for the request to provide Coso the ability to make a partial unsecured property tax payment. Moved by Supervisor Cervantes and seconded by Supervisor Cash to approve a request by Coso Operating Company, LLC acting on behalf of Coso Power Developers, Coso Finance Partners and Coso Energy Developers Partnership to submit a partial payment for the 2012-13 unsecured taxes in the amount of \$4,500,000 and direct the Treasurer-Tax Collector to process the payment upon receipt. Motion carried unanimously.
HHS-Soc. Serv./ Changes in Medi- Cal Administrative Funds	Ms. Jean Turner, Director of Health and Human Services, explained that in recent discussions at the State level, the possibility of privatizing certain functions of the Medi-Cal Administration for establishing eligibility which would negatively impact the County's Medi-Cal Administration funds is being considered. She went on to explain how this possible change would impact the County and her Department's Integrated Case Workers who deal with Medi-Cal eligibility. The Board and staff discussed the ramifications of this type of privatization on small rural counties, like Inyo, that may not have sufficient private resources to facilitate this change. The County Administrator explained that until more is learned about the possible impact to the County's workforce, for the immediate future, he had put a hold on any hiring offers where the position might be filled by persons who are impacted should the privatization proposal be approved. Ms. Turner said that she would continue to monitor the situation and keep the Board informed.
Planning/NRAC Term Extended	Mr. Josh Hart, Planning Director, explained that when the Board established the Natural Resources Advisory Committee it was for a three year period which has now expired. He said that he is requesting that the Board extend that term for a second three year period which is provided for in the Resolution that established the Committee. Moved by Supervisor Cash and seconded by Supervisor Pucci to extend the term of the Natural Resource Advisory Committee for three years. Motion carried unanimously.
BofS/Minute Approval	Moved by Supervisor Cervantes and seconded by Supervisor Pucci to approve the minutes of the August 7, 2012 Board of Supervisors Meeting. Motion carried unanimously.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including the display at the Interagency Visitors Center of the Shootout Contest photos, the ceremony in Bishop remembering Bishop City Police Officer Rich Perkins, a CSAC report, an RCRC update, a Big Pine Fire Safe Council Meeting and a FAC Meeting. The County Administrator noted that the 5 <sup>th</sup> Annual Employees BBQ would be held in conjunction with the Millpond Music Festival's first night's activities on September 21 <sup>st</sup> .

Recess/Reconvene The Chairperson recessed the regular meeting at 12:10 p.m., to reconvene at 1:05 p.m., in open session, with all Board Members present.

Planning/D.V. Presentation Representatives of the Death Valley National Park presented and discussed with the Board the Death Valley National Park the Wilderness and Backcountry Stewardship Plan and Environmental Assessment for Death Valley National Park.

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 convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items 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 3:30 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 3:30 p.m. to 9:00 a.m., Tuesday, August 28, 2012 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

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Chairperson, Inyo County Board of Supervisor

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

by: \_\_\_\_\_  
*Patricia Gunsolley, Assistant*