



County of Inyo Board of Supervisors

December 4, 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, December 4, 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 Pucci led the Pledge of Allegiance.

Public Comment The Chairperson announced the public comment period. Mr. Rich White, of the Lone Pine Chamber reported on this year's Cal Expo Exhibit. Supervisor Cervantes read an excerpt of a letter from Los Angeles Department of Water and Power to Great Basin Unified Air Pollution Control District.

County Department Reports The Chairperson announced the County Department Report period. Ms. Serena Denis, Interim Farm Advisor, introduced Mr. Dustin Blakey, the new Farm Advisor to the Board. Mr. Josh Hart, Planning Director, provided an update on the DRECP.

Introduction Mr. Doug Wilson, Interim Public Works Director, introduced Ms. Denise Hayden, Administrative Secretary in the Public Works Department to the Board.

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.

CAO-Info Serv./Signal Booster P.O. Moved by Supervisor Cash and seconded by Supervisor Cervantes to declare Nielsen's Equipment as sole source provider of cell phone boosters and ratify and approve the purchase of three cell phone signal boosters from Nielsen's Equipment in an amount not to exceed \$7,919.63. Motion carried unanimously.

Parks/Parks & Campgrounds Waste Hauling Contract South County Moved by Supervisor Cash and seconded by Supervisor Cervantes to award the bid to and approve and ratify the Contract between the County of Inyo and Bishop Waste Disposal for waste hauling services at County parks and campgrounds located in the South County area, including recycling services; for the period of December 1, 2012 through November 30, 2015, in an amount not to exceed \$18,956.16, 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.

Parks/Parks & Campgrounds Waste Hauling Contract North County Moved by Supervisor Cash and seconded by Supervisor Cervantes to award the bid to and approve and ratify the Contract between the County of Inyo and Bishop Waste Disposal for waste hauling services at County parks and campgrounds located North of Independence, including recycling services; for the period of December 1, 2012 through November 30, 2015, in an amount not to exceed \$62,174.49, 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.

Resol. #2012-47/ Bishop Library Roofing Project Mr. Paul Hancock, Engineering Assistant, made a presentation to the Board on the new type of roof that was installed at the Bishop Library. On a motion by Supervisor Cash and a second by Supervisor Cervantes, Resolution No. 2012-47, accepting improvements of the Bishop Library Re-Roofing Project and authorize the recording of a Notice of Completion for the Project, was approved: motion unanimously passed and adopted.

Sheriff/Repeater Maintenance Contract	The Auditor-Controller, Ms. Leslie Chapman, asked the Board to remove the not to exceed clause from the recommended action for approving the CTA-PSCO contract. She said that the Contract does not have a not to exceed amount and by inserting the clause it would set up an expectation that the Contract could not exceed the \$25,000 when it actually could. Ms. Chapman explained that while it is customary to have a not to exceed clause when approving County contracts, she did not believe it was necessary in this case. She said that the budget could be the document controlling expenditures for this Contract. Mr. Randy Keller, clarified that the clause was inserted as a means to limit the Sheriff's Department's spending authority. Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve the Contract between the County of Inyo and CTA-PSCO for the provision of radio repeater site maintenance; and authorize the Chairperson to sign.
Ag. Comm./Position Request	Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the Deputy Agricultural Commissioner/Sealer position exists, as certified by the Agricultural Commissioner, and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Deputy Agricultural Commissioner/Sealer, the position could be filled through an internal departmental recruitment, however an internal countywide recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one Deputy Agricultural Commissioner/Sealer at Range 80 (\$5,238 – \$6,371). Motion carried unanimously, with Supervisors Arcularius, Pucci, Fortney and Cervantes voting yes, and with Supervisor Cash abstaining.
HHS-Soc. Serv./ Position Request	Moved by Supervisor Arcularius and seconded by Supervisor Pucci to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the Office Assistant position exists in the Social Services budget, as certified by 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 Office Assistant, the vacancy could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one Office Assistant I at Range 44 (42,259 - \$2,750) or II at Range 46 (\$2,358 - \$2,877) depending upon qualifications. Motion carried unanimously, with Supervisors Arcularius, Pucci, Fortney and Cervantes voting yes and with Supervisor Cash abstaining.
HHS-Soc. Serv./ Position Request	Moved by Supervisor Arcularius and seconded by Supervisor Pucci to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the Integrated Case Worker position exists in the Social Services budget, as certified by 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 Integrated Case Worker, the vacancy could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one Integrated Case Worker I at Range 60 (\$3,271 – \$3,973) or II at Range 64 (\$3,590 – \$4,363), depending upon qualifications. Motion carried unanimously, with Supervisors Arcularius, Pucci, Fortney and Cervantes voting yes, and with Supervisor Cash abstaining.
HHS-ESAAA/ Update	Ms. Denelle Carrington, Fiscal Director, updated the Board of Supervisors/Eastern Sierra Area Agency on Aging Governing Board on issues affecting the delivery of senior services in Inyo County and the Eastern Sierra encompassed by Public Service Area 16. Ms. Carrington informed the Board that the Program has received \$2,000 in funding from the Pillsbury Foundation for this fiscal year and that the City of Bishop has budgeted \$5,000 for this fiscal year and next fiscal year.
CAO-Adv. Co. Res./ Comm. Project Grant Payments	Moved by Supervisor Cash and seconded by Supervisor Arcularius to authorize final payment for the completed Community Project Sponsorship Grant Projects as follows: \$1,000 to the Lone Pine Chamber of commerce for its Music in the Courtyard Program; \$1,500 to the Inyo Council for the Arts for the 2012 Millpond Music Festival; \$2,000 to the Bishop Area Chamber of Commerce and Visitors Bureau for hosting the Outdoor Writers Association of California Post Conference Tours. Motion carried unanimously.
Planning/EA Black Canyon Riparian Correspondence	Mr. Courtney Smith, Transportation Planner, reviewed the correspondence regarding the USFS EA for the proposed Black Canyon Riparian Restoration Project. Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to approve the correspondence regarding the U.S. Forest Services Environmental Assessment for the proposed Black Canyon Riparian Restoration Project; and authorize the Chairperson to sign. Motion carried unanimously.

Planning/Forest Plan Update/ Revision Comments	Mr. Doug Wilson, Interim Public Works Director, provided additional information and further explanation regarding staff recommendations concerning correspondence on the National Forest Plan Update/Revision. Mr. Wilson passed out a preliminary schedule that identifies major project milestones and briefly talked about what he thinks are the differences between coordination, which the County believes is the requirement and collaboration, which the Forest Service using to establish the peer review criteria. He explained that coordination does not require the County to identify its areas of expertise and in collaboration the Forest Service is defining the collaborators as those with certain areas of expertise, i.e., that of being published on issues pertaining to the Eastern Sierra. Mr. Wilson, the Board, and staff discussed the science synthesis process and how the Forest Service's decision to not allow the County to participate in the peer review process of the science synthesis because it does not meet the Forest Service's definition of expert will and/or should impact the County's future actions with regard to coordination. Supervisor Arcularius explained that the science synthesis is the basis on which the entire Forest Service Plan will be based, expressed her dismay over the County being excluded for the process, and questioned whether this is the time and circumstance under which the County should challenge the Forest Service on its lack of coordination. Mr. Wilson explained that Mr. Steve Porter, Deputy County Counsel, had relayed similar sentiments about the peer review process during the discussions with the Forest Service, commenting that if you have academics reviewing academics you will have an academic result. The Board and staff went on to discuss the importance of making sure the science synthesis is developed with a balanced approach including practical applications. The Board asked that County Counsel work on revising the letter on science synthesis and continued the discussion on the request to receive information regarding coordination with Forest Service staff concerning the Inyo National Forest Plan Update/Revision, to approve the correspondence regarding the Science Synthesis; to review the draft Collaboration and Communication Plan for the Update effort; and to approve the correspondence regarding the draft Plan; to next week's Board of Supervisors Meeting.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 11:05 a.m., to reconvene in open session at 11:20 a.m., with all Board Members present.
Water/IRWMP Contribution	Dr. Harrington, Water Director, provided additional information and further justification for the request to contribute \$5,000 to assist the Integrated Regional Water Management Plan. The Board, Dr. Harrington and the County Administrator discussed this recommendation. Moved by Supervisor Cash and seconded by Supervisor Arcularius to A) approve \$5,000 of financial assistance to the Integrated Regional Water Management Plan; and B) approve an appropriation change in the Water Department Budget Unit 024102, moving \$5,000 from Office and other Equipment <\$5,000 (<i>Object Code #5232</i>) to Other Agency Contributions (<i>Object Code #5539</i>). Motion carried unanimously.
Emerg. Serv./D.V. Roadeater Emergency	The County Administrator recommended the Board continue the D.V. Roadeater Emergency while staff continues to pursue appealing the decision of the Governor to not concur with the declaration of a local emergency. Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to continue the local emergency, the Death Valley Roadeater Emergency, that resulted in flooding in the eastern portion of Inyo County during the month of August 2012, per Resolution #2012-32. Motion carried unanimously.
BofS/Minute Approval	Moved by Supervisor Cash and seconded by Supervisor Pucci to approve the minutes of the Board of Supervisors Meetings of November 6, 2012 and November 20, 2012. Motion carried unanimously. Moved by Supervisor Cash and seconded by Supervisor Pucci to approve the minutes of the November 13, 2012 Board of Supervisors Meeting. Motion carried unanimously, with Supervisors Cash, Pucci, Fortney and Cervantes voting yes, and with Supervisor Arcularius abstaining.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including reporting on the CSAC Annual Conference.
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 12:15 p.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 21. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(C)].** – decision whether to initiate litigation (one case); No. 22. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriff's Association (DSA) - Negotiators: Labor Relations Administrator, Sue Dishion, Information Services Director, Brandon Shults, and Planning Director Josh Hart; No. 23. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].** Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistant Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion; No. 24. **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. 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 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: Inyo County Probation Peace Officers Association (ICPPOA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; and No. 27. **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 1:35 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 1:30 p.m., to 9:00 a.m., Tuesday, December 11, 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