

# MINUTES

# County of Inyo Board of Supervisors

## June 4, 2013

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 9:25 a.m., on Tuesday, June 4, 2013, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Linda Arcularius presiding, Jeff Griffiths, Rick Pucci, Mark Tillemans and Matt Kingsley. Supervisor Tillemans led the Pledge of Allegiance.

- Public Comment        The Chairperson announced the public comment period and there was no wishing to address the Board.
- County Department Reports        The Chairperson announced the County Department Report period. The Acting Auditor-Controller, Ms. Amy Shepherd presented the Board with copies of the Annual Financial Audit and the Single Audit for 2012. Ms. Susanne Rizo, Director of Child Support Services, provided a program update, noting the enrobing ceremony for Commissioner Noles. Ms. Jean Turner, Director of Health and Human Services, provided a senior services program funding update. The Interim Public Works Director, reported on the status of the photovoltaic solar project at the Independence campus, on the meeting with the Death Valley Parks Service on Saline Road, and notification that the County did not qualify for State Parks Grant Funding but because there is sufficient funds for all projects, the County may be funded anyway. Dr. Bob Harrington, Water Director, reported on the Water Commission meeting in Big Pine.
- HHS-Soc. Serv./  
Kern County  
Adoption Services  
Contract        Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve the Agreement between the County of Inyo and Kern County for Kern County Social Services to continue providing public adoption services as outlined in statute and regulation for Child Welfare Services and authorize the Director of Health and Human Services to sign. Motion carried unanimously.
- HHS-Soc. Serv./  
MAA, TCM and  
LGA Medi-Cal  
Admin Contract        Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve the agreement between the County of Inyo and Marin County for hosting the Medi-Cal Administrative Activities (MAA) and Targeted Case Management (TCM) Local Government Agency (LGA) Consortium for the period of July 1, 2013 through June 30, 2015, approve payment to Marin County for Host Entity Fees by March 31, 2014 for FY 13-14 and by March 31, 2015 for FY 14-15 in an amount not to exceed \$5,000 per fiscal year, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Soc. Serv./  
UC Davis Training  
Contract        Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve the Contract between the County of Inyo and the Regents of the University of California on behalf of its Davis Campus University Extension for training services in an amount not to exceed \$67,150 for the period of July 1, 2013 through June 30, 2014, contingent upon the Board's adoption of a FY 2013-14 budget; and authorize the Chairperson to sign. Motion carried unanimously.
- Sheriff/Ammunition  
P.O.        Moved by Supervisor Pucci and seconded by Supervisor Kingsley to declare Dooley Enterprises, Inc., a sole-source provider of ammunition and authorize the purchase of ammunition from Dooley Enterprises, Inc., as recommended by Staff, in an amount not to exceed \$14,959.60. Motion carried unanimously.
- Ag. Comm./Crop  
Report        The Acting Agricultural Commissioner, Mr. George Milovich, presented the 2012 Annual Crop and Livestock Report. He reviewed the Inyo County statistics in depth and at length, discussing the current and future trends and what to expect in Inyo County in the coming year as a result of the trends.
- Auditor/Position  
Request        Moved by Supervisor Pucci and seconded by Supervisor Kingsley to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position of Assistant Auditor-Controller exists as certified by the Auditor-Controller and concurred with by the County Administrator; B) where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of one Assistant Auditor-Controller at a flat salary of \$6,074 per month. Motion carried unanimously.

Child Support Serv./ Position Request	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position of Child Support Officer exists as certified by the Director of Child Support Services and concurred with by the County Administrator and Auditor-Controller; B) where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of one Child Support Officer I at Range 57 (\$3,046 – \$3,701) or II, at Range 60 (\$3,271 - \$3,973) depending upon qualifications. Motion carried unanimously.
Planning/Critical Frog Habitat Designation	Mr. Josh Hart, Planning Director, reviewed the notices issued by U.S. Fish and Wildlife Service proposing to designate critical habitat for the Sierra Nevada Yellow-Legged Frog, the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog, and the Yosemite Toad. The Board and Mr. Hart, discussed the impacts, i.e., social-economic, cultural, etc., of the proposed designations on the County of Inyo, and its neighbors. The Board, Mr. Hart, County Counsel and the County Administrator discussed several of the alternatives available to the County regarding requesting a hearing and/or requesting an extension for deadline for comments. The Board and staff also discussed the importance of presenting the County's position on the socio-economic impacts of the designations from a professional standpoint and how the information garnered for this item could be used in the development of the Forest Plan Revision/Update, as well as the timing to develop the information. The County Administrator suggested the Board send a letter requesting an extension to the deadline for comments, and should that not be granted, then request that a hearing be scheduled. Moved by Supervisor Pucci and seconded by Supervisor Tillemans to move forward with the development of socio-economic data from a professional group to respond to the U.S. Fish and Wildlife notices of critical habitat designations for the Sierra Nevada Yellow-Legged Frog, the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog and the Yosemite Toad, request a 60 day extension to comment period and failing the granting of the extension, to, in the absences of anyone else making the request, request that a hearing be conducted, and authorize the Chairperson to sign the correspondence. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 11:00 a.m., to reconvene in open session at 11:12 a.m., with all Board Members present.
BofS/Minute Approval	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve the minutes of the Board of Supervisors Special Meeting of May 10, 2013. Motion carried unanimously.
CAO/Wildan Engineering Services Contract Amendment	Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve Amendment No. 4 to the Contract between the County of Inyo and Wildan Engineering for the provision of professional engineering and management services as the Acting Director of Public Works, increasing the amount of the Contract by \$100,000 to an amount not to exceed \$789,000 and extending the ending date of the Contract to December 31, 2013, contingent upon the Board's adoption of a FY 2013-14 budget; and authorize the Chairperson to sign. Motion carried unanimously.
P.W./Plans & Specs for Ag Storage Bldg.	Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve the Plans and Specifications for the Agriculture Department Storage Building Project; and authorize the Interim Public Works Director to advertise and bid the Project. Motion carried unanimously.
Fish and Wildlife/ AB711 & AB1213 Opposition Letter	Supervisor Arcularius said that she had spoken with Congresswoman Conway who had indicated that she opposed AB 711 and AB 1213 earlier in the week and asked that the draft letter be reworded to thank the Congresswomen for her opposition of the legislation. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve a letter to Assemblywoman Connie Conway opposing AB 711 which expands the lead ban on shotgun shot and rifle bullets, and AB 1213 which amends The Bobcat Protection Act of 2013 to expand bobcat protection, as amended to reflect thanks for the opposition position already taken; and authorize the Chairperson to sign. Motion carried unanimously.
CAO-Sheriff-P.W./ New Animal Shelter	The update regarding the fund raising efforts of the ICARE organization for the construction of new animal shelter facilities was postponed to June 18, 2013.

Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including the CSAC Legislative Conference, the CSAC Board of Directors Meeting, a tour of the County's Charter Schools, 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.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:20 a.m., to reconvene in closed session at 1:15 p.m., with all Board Members present.
Closed Session	<p>The Board met in closed session to discuss and take action as appropriate on Agenda Items No. 15. <b>CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]</b> - City of Los Angeles, Department of Water and Power of the City of Los Angeles v. Inyo County Board of Supervisors, et al. Inyo County Superior Court Case No. 12908; Blackrock 94 Dispute Resolution; No. 16. <b>CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]</b> - Owens Valley Committee v. County of Inyo; Inyo County Board of Supervisors, et al.; CG Roxanne, LLC, and Does 21 through 100, Inyo County Superior Court Case No. SICVPT 1354991; No. 17. <b>CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]</b> – Verizon California Inc., a California Corporation v. California State Board of Equalization; County of Inyo, et al., Sacramento County Superior Court Case No. 34-2013-00138191; No. 18. <b>PERSONNEL [Pursuant to Government Code §54957]</b>. Public Employee Appointment – Title - County Counsel; No. 19. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]</b>. Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistant Association (EOAA) - Negotiators: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion; No. 20. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]</b>. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Correctional Officers Association (ICCOA) - Negotiators: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion; No. 21. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]</b>. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, and Information Services Director Brandon Shults; No. 22. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]</b>. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) - Negotiators: Information Services Director Brandon Shults, Chief Probation Officer Jeff Thomson, and Labor Relations Administrator Sue Dishion; No. 23. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]</b> - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Law Enforcement Administrators' Association (LEAA) - Negotiators: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion; and No. 24. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]</b> - 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.</p>
Report on Closed Session	The Chairperson recessed closed session at 4:50 p.m., to convene 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 meeting in memory of Stan Matlick. The Chairperson adjourned the meeting at 4:50 p.m., to 9:00 a.m., Tuesday, June 11, 2013 in the Board of Supervisors Room, at the County Administrative Center, in Independence,