

# MINUTES

# County of Inyo Board of Supervisors

## September 16, 2014

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 10:00 a.m., on September 16, 2014, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Rick Pucci presiding, Linda Arcularius, Jeff Griffiths, Mark Tillemans and Matt Kingsley.

- Pledge Supervisor Arcularius led the Pledge of Allegiance.
- Public Comment The Chairperson announced the public comment period and there was no one from the public wishing to address the Board.
- BofS/EMS Provider of the Year Proclamation Moved by Supervisor Tillemans and seconded by Supervisor Arcularius to approve the Proclamations honoring Judy Palmer of the Southern Inyo Fire Protection District and Wendi Stell of the Lone Pine Fire Department as Inyo County 2014 EMS Providers of the Year. Motion carried unanimously. After approval of the Proclamations, Supervisor Kingsley presented the Proclamations to Ms. Palmer and Ms. Stell.
- CAO-Personnel/Leave of Absence Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to approve a request for a leave of absence without pay from September 16, 2014 through October 7, 2014, in accordance with Article X Leaves, 10.4(a) of the Inyo County Personnel Rules and Regulations. Motion carried unanimously.
- Clerk-Elections/Ballot Printing Moved by Supervisor Arcularius and seconded by Supervisor Griffiths, for the November 4, 2014 General Election to: A) approve the printing costs of the Official Ballots and Sample Ballot Booklets by ProDocument Solutions, Inc., in an amount not to exceed \$20,000; and B) authorize the prepayment of \$5,650 (1/2 of the estimated total printing cost) in order to obtain a discount of 2%. Motion carried unanimously.
- HHS-National Recovery Month Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to declare September 2014 as National Recovery Month. Motion carried unanimously.
- P.W./Shoshone Dev. Sheriff's Substation Lease Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to approve the Lease Agreement between the County of Inyo and Shoshone Development for office space for the Sheriff's Substation (real property described as Adobe #2, Highway 127, Shoshone, CA) for the three year period of November 1, 2014 through October 31, 2017, with two one-year options to renew, at the initial rate of \$443, per month, contingent upon the Board's adoption of future budgets; and authorize the Public Works Director to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- Resol. #2014-41/ Water Conservation Measures On a motion by Supervisor Tillemans and a second by Supervisor Kingsley, Resolution No. 2014-41, titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Adopting Mandatory Drought Water Conservation Measures," was approved: motion unanimously passed and adopted.
- Probation/Electronic Monitoring Program Chief Thomson provided additional information and further explanation of the Electronic Monitoring Program. Moved by Supervisor Arcularius and seconded by Supervisor Tillemans to approve the Probation Department's Electronic Monitoring Program as presented. Motion carried unanimously.

Probation/Letter of Intent re: Recidivism Reduction Grant

The Chief Probation Officer provided additional information and further explanation concerning the Board of State and Community Corrections (BSCC) Community Recidivism Reduction Grant, saying that the letter of intent does not obligate the County should it not want to pursue the Grant, but without the letter the County is precluded from applying for the Grant. Moved by Supervisor Kingsley and seconded by Supervisor Arcularius to review the letter from the BSCC dated August 12, 2014 regarding the Community Recidivism Reduction Grant as described in Penal Code Section 1233.10; determine that the Inyo County Board of Supervisors is considering accepting funding from the Recidivism Reduction Fund in the amount of \$10,000; and authorize Chief Probation Officer to submit a letter of intent to the BSCC. Motion carried unanimously.

Planning/Forest Plan NOI Comment Letter

The Planning Director, Mr. Josh Hart, updated the Board on activities concerning the Forest Plan Revision. He reviewed the draft correspondence on the Notice of Intent (NOI) with the Board. The Board Members commented on the letter. Mr. Steve Toomey representing APPL addressed the importance of protecting sustainability and multiple use in the Forest Plan and asked the Board to ensure that there is a mechanism for the public to participate in the process. Mr. Ed Waldheim of the California Trail Users Coalition addressed the wilderness inventory mapping, stressing the importance of having clear and concise descriptions of the access routes. Mr. Waldheim gave the Board Members copies of area maps that delineate trails and routes for a large portion of the public lands in southern California, including portions of Inyo County. The Board and Mr. Hart went on to discuss the correspondence and the wilderness inventory mapping, in detail and at length, including the importance of the Gruen and Gruen letter regarding socio-economics. Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to approve the correspondence to the Forest Service regarding the Notice of Intent (NOI) to Prepare an Environmental Impact Statement for the Inyo National Forest Plan, as amended and authorize the Chairperson to sign. Motion carried unanimously.

Resol. #2014-42/ Closure and Post Financial Closure Assurances

Ms. Pam Hennarty, Sr. Deputy County Administrator, provided additional information and further explanation concerning the financial assurances for the closure and post closure maintenance and corrective action for the County's landfills that is being required by Cal Recycle. She explained that the County has budgeted money through an enterprise account for the closure and post closure maintenance costs and now the State is requiring that the County also pledge funds for corrective action plans. Ms. Hennarty recapped the financial statistics of what the County has and is doing to meet the demands of the State regarding County landfill closure and post closure maintenance costs and funds pledge for corrective action plans, which included:

- (a) that last year the County budgeted \$108,000, and this year the County budgeted \$105,000 for closure and post closure maintenance costs;
- (b) these amounts are set aside to cover the more than \$12.6 million the State has estimated for the cost of closing the County's landfills when they reach their capacity;
- (c) when all of the State and Federal regulations are calculated, the State expects the County of Inyo to pledge \$900,000 a year to cover the costs of the corrective action and post closure requirements that will be required when the landfills reach capacity and beyond the closure should problems arise that have to be corrected;
- (d) the \$900,000 a year is the amount that is required before the County ever process one bit of waste;
- (e) the County's gate fees at the landfills generate from self haulers and commercial haulers only \$618,000 a year to cover the \$900,000 in State and Federal mandates and for costs of processing the waste; and
- (f) additionally, the County pays \$108,000 a year to the State to cover the State's costs to ensure that the County is meeting the requirements.

The County Administrator explained that the closure and post closure maintenance costs are one-size fits all standards applied across the United States. He said the standards are driven by Federal Sub Title D relative to landfill siting and they are designed for landfills east of the Mississippi that get a lot more rain fall then landfills in the west, in particularly in "The Land of EVEN Less Water," where some of the closure standards we are designing to and constructing to will never be applicable here because we don't have the precipitation to percolate down to cause leachate and groundwater problems. He also explained how far reaching the new standards are that require corrective action funds, by siting an example of the State making a corrective action finding against Inyo County which required the County to clean-up and contain an old dump site that has not been used in decades, that was compromised by rain water, that is not even a part of the County's solid waste facilities system.

The County Administrator, Ms. Hennarty, and the Board discussed the regulations and the impact to Inyo County now and in the future. The Board asked that Ms. Hennarty find a way to provide this information to the public.

On a motion by Supervisor Arcularius and a second by Supervisor Griffiths, Resolution No. 2014-42, titled "A Resolution of the Inyo County Board of Supervisors, Rescinding Inyo County Resolution No. 97-24 Which Created an Enterprise Fund and Related Financial Assurance Mechanism for Closure and Postclosure Maintenance of Inyo County Landfills," was approved: motion unanimously passed and adopted.

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| Resol. #2014-43/<br>Corrective Action<br>Financial<br>Assurances | On a motion by Supervisor Arcularius and a second by Supervisor Griffiths, Resolution No. 2014-43, titled "A Resolution of the Inyo County Board of Supervisors, State of California, Establishing Financial Assurance for Closure, Postclosure Maintenance and Corrective Action of the Inyo County Landfills," was approved: motion unanimously passed and adopted. |
| Integ. Waste/Pledge<br>of Revenue<br>Agreement                   | Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to approve the Agreement between the County of Inyo and CalRecycle to establish a Pledge of Revenue for Post Closure Maintenance and Corrective Action for Inyo County Landfills, and authorize the Senior Deputy County Administrator to sign. Motion unanimously passed and adopted.            |
| Grand Jury/County<br>Response                                    | Moved by Supervisor Griffiths and seconded by Supervisor Arcularius to approve the report to Judge Brian Lamb, Presiding Judge, Inyo County Superior Court, responding to the findings and recommendations in the 2013-2014 Grand Jury Final Report; and authorize the County Administrator to sign the transmittal letter. Motion carried unanimously.               |
| Emerg. Serv./D.V.<br>Roadeater Emerg.                            | Moved by Supervisor Kingsley and seconded by Supervisor Tillemans 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, as recommended by the County Administrator. Motion carried unanimously.                            |
| Emerg. Serv./Gully<br>Washer Emerg.                              | Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to continue the local emergency, The Gully Washer Emergency that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013, as recommended by the County Administrator. Motion carried unanimously.   |
| Emerg. Serv./<br>Canyon Crusher<br>Emergency                     | Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to continue the local emergency, The Canyon Crusher Emergency, that resulted in flooding in the portions of Inyo County during the month of August, 2013, was recommended by the County Administrator. Motion carried unanimously.   |
| Emerg. Serv./Land<br>of Even Less Water<br>Emergency             | Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to continue the local emergency, known as the "Land of EVEN Less Water Emergency" that was proclaimed as a result of extreme drought conditions that exist in the County as recommended by the County Administrator. Motion carried unanimously.   |
| BofS/Minute<br>Approval  | Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the minutes of the August 26, 2014 Board of Supervisors Meeting. Motion carried unanimously.  |
| Recess/<br>Reconvene   | The Chairperson recessed the regular meeting at 12:15 p.m., to reconvene in open session at 1:05 p.m., with all Board Members present.  |
| HHS/Managed Care<br>Workshop                                     | The Chairperson recessed open session at 1:05 p.m., to convene in a workshop with all Board Members present, with the Health and Human Services Director, Ms. Jean Turner, to review current services in the HHS Public Health Division, and receive updates about impacts from implementation of managed care. The Chairperson recessed the workshop at 1:40 p.m.    |
| Clerk-Elections/<br>Employee Election<br>Program                 | The Board reconvened in a workshop at 1:40 p.m., with all Board Members present, with the Clerk Recorder, Ms. Kammi Foote, regarding the Inyo County Employee Election Worker Program. The Chairperson recessed the workshop at 2:00 p.m.   |

Clerk-Elections/  
CAVO                    The Board reconvened in a workshop at 2:00 p.m., with the Clerk-Recorder, regarding the California Association of Voting Officials (CAVO). The Chairperson recessed the workshop at 2:35 p.m., to reconvene in open session, with all Board Members present.

County Department  
Reports                The Chairperson announced the County Department Report period. Mr. Clint Quilter, Public Works Director, updated the Board on the paving scheduled for the Bishop area, and on FAA funding for improvements at the Bishop Airport and Lone Pine Airport. Dr. Bob Harrington, Inyo County Water Director, informed the Board that the Governor has signed the water legislation that included recognition of the Long Term Water Agreement as a water management plan for the lands owned by the City of Los Angeles in the Owens Valley. He also explained that while attempting to reconcile the House and Senate versions of this legislation the authors had introduced a third bill, AB1319, which sets the process for how the State will intervene if the local jurisdictions do not comply with the legislation.

Public Comment        The Chairperson announced the public comment period and there was no one from the public wishing to address the Board.

Board Members and  
Staff Reports         The Board Members reported on their activities during the preceding weeks, including the Health Fair at Dehy Park, a meeting in Olancho regarding a solar project in the area, an Inyo Associates Meeting, a Great Basin Air Pollution Control District negotiation session, a report that ticket sales for the upcoming Millpond Music Festival are up by 5%, a Big Pine Civic Club Meeting, information on the upcoming "Ghost Walk" fundraiser for the Big Pine Cemetery District, discussions with the American Legion regarding the Veteran's Path in Big Pine, a consultation meeting with the Big Pine Tribe, and a reminder by the County Administrator regarding the employee BBQ that is being held Friday night in conjunction with the Millpond Music Festival. The County Administrator also reported on an upcoming meeting with California Fish and Wildlife concerning the disposition of the Mt. Whitney Fish Hatchery, on a meeting in Ridgecrest concerning the Indian Wells Water District, and a regional CAOC Meeting held in Mammoth, with only the Inyo and Mono County Administrators in attendance, which provided a great opportunity for the two administrator's to talk about mutual issues in the area. County Counsel reported on continuing efforts to regionalize the law library.

Adjournment            The Chairperson adjourned the regular meeting at 3:05 p.m., to 8:30 a.m., Tuesday, October 7, 2014 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*