

MINUTES

County of Inyo Board of Supervisors

October 7, 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 October 7, 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. Supervisor Tillemans led the Pledge of Allegiance.

- Public Comment The Chairperson announced the public comment period. Big Pine Volunteer Fire Department Chief Damon Carrington, updated the Board on the transfer of the County owned Big Pine Library property to the Fire Department. He said the transfer has been completed and the Fire Department is proceeding with plans to have an ambulance bay put on that land.
- BofS/Firefighter of the Year Proclamation Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to approve a proclamation honoring Richard "Rich" Coffman of the Big Pine Volunteer Fire Department as the Inyo County Firefighter of the Year. Motion carried unanimously. Supervisor Kingsley thanked Mr. Coffman for his volunteer effort and presented the Proclamation to Mr. Coffman. Mr. Coffman thanked the Board and the Fire Chief's for honoring him as Firefighter of the Year.
- BofS/Proclamation Fire Prevention Week Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve a proclamation declaring the Week of October 5 through 11, 2014 as Fire Prevention Week in Inyo County. Motion carried unanimously.
- Org-Wild Iris/Domestic Violence Month Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to proclaim the month of October, 2014 as Domestic Violence Awareness Month in Inyo County. Motion carried unanimously.
- CAO-Adv. Co. Res./Lone Pine Film Museum Moved by Supervisor Griffiths and seconded by Supervisor Arcularius to approve the final payment of \$4,250 to the Southern Inyo Community Foundation for the Lone Pine Film History Museum Billboard Advertising Program which is a FY 2013-14 Community Project Sponsorship Grant Project. Motion carried unanimously.
- Motor Pool/Mower P.O. Moved by Supervisor Arcularius and seconded by Supervisor Tillemans to award the bid for and approve the purchase of a Bobcat commercial riding mower to Bliss Power Lawn Equipment of Sacramento in an amount not to exceed \$8,407.68. Motion carried unanimously.
- CAO-Personnel/Leave without Pay The request to deny the request for a leave of absence without pay from October 8, 2014 through October 31, 2014, in accordance with Article X, Leaves, 10.4(a) of the Inyo County Personnel Rules and Regulations, was pulled from consideration at the request of the Department.
- HHS-Hlth. Serv./Southern Inyo Hospital Contract Amendment Moved by Supervisor Arcularius and seconded by Supervisor Tillemans to approve Amendment No. 1 to the Contract between the County of Inyo and Southern Inyo Healthcare District for the provision of medical, on-call, and nurse practitioner services for the period of July 1, 2013 through June 30, 2018, with no increase to the original Contract amount which is \$454,500, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Soc. Serv./LGA Coordinator Moved by Supervisor Arcularius and seconded by Supervisor Tillemans to appoint Melissa Best-Baker, Inyo County Health and Human Services Acting Management Analyst, as the Local Governmental Agency (LGA) Coordinator for Inyo County for the purposes of coordinating Medical Administrative Activities (MAA)/Targeted Case management (TCM) activities with the California Department of Health care Services, effective October 7, 2014. Motion carried unanimously.

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| Rd. Dept./B.P. Road Closure Homecoming Parade | Moved by Supervisor Arcularius and seconded by Supervisor Tillemans to approve closing School Street, between Baker Creek Road and Blake Street, on November 1, 2014, from 8:45 a.m. to 10:00 a.m., for the purpose of the Big Pine High School Homecoming Parade. Motion carried unanimously. |
| Rd. Dept./B.P. Rd. Closure Fandango Parade | Moved by Supervisor Arcularius and seconded by Supervisor Tillemans to approval closing Bartell Road between Hill Street and Richards Street, on October 11, 2014 from 9:00 a.m. to 12:00 p.m., for the Annual Fall Fandango parade by the Big Pine Paiute Tribe. Motion carried unanimously. |
| Rd. Dept./Indep. Tree Removal | Moved by Supervisor Arcularius and seconded by Supervisor Tillemans to approve the removal of two trees in the road right of way at 132 N. Jackson Street, in Independence, by County Road Department personnel. Motion carried unanimously. |
| BofS/Appointment 3 rd District Planning Commissioner | Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to appoint Ms. Annette Switzer as the Third District Planning Commissioner to complete an unexpired four-year term ending December 31, 2014 and a four year term ending December 31, 2018. Motion carried unanimously. |
| Auditor/Position Request | Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the Office Technician position comes from General Fund, as certified by the Auditor-Controller, and concurred with by the County Administrator; B) where internal candidates meet the qualifications for the position, the vacancy would be filled through an internal recruitment, however, if an internal recruitment fails, authorize an external recruitment; and C) approve the hiring of one Office Technician I, II, or III, depending upon qualifications, at Salary Ranges 55, 59, or 63, (\$3,027 - \$4,433). Motion carried unanimously. |
| D.A./Position Request | Moved by Supervisor Griffiths and seconded by Supervisor Arcularius to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the Legal Secretary position comes from General Fund, as certified by the District Attorney, and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could be filled through an internal recruitment; and C) approve the hiring of one Legal Secretary I at Range 56 (\$3,101 – \$3,764) or II at Range 60 (\$3,403 – \$4,133) depending upon qualifications. Motion carried unanimously. |
| HHS-Behavioral Hlth. Serv./Anthem Blue Cross MOU | Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to ratify the Memorandum of Understanding including seven enclosures with Anthem Blue Cross, effective January 1, 2014, describing responsibilities for mental health services as part of California’s Medi-Cal Managed Care expansion; and authorize the HHS Director to sign. Motion carried unanimously. |
| HHS-Behavioral Hlth. Serv./CA Health & Wellness MOU | Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to ratify the Memorandum of Understanding with California Health and Wellness, effective January 1, 2014, describing responsibilities for mental health services as part of California’s Medic-Cal Managed care expansion; and authorize the HHS Director to sign. Motion carried unanimously. |
| HHS-Sr. Serv./CA Indian Legal Services Contract Amendment | Supervisor Griffiths questioned whether the Amendment to the contract with California Indian Legal Services had been before the ESAAA Advisory Council. Ms. Turner, Director of Health and Human Services, said that she was unable to confirm the Council had seen the item. She said that if it hadn’t she would see that the item was included on the Agenda for their next meeting. Supervisor Griffiths suggested that the item be returned for approval after the ESAAA Advisory Council had made a recommendation. The County Administrator suggested that since this was already a ratification of the Amendment that the Board approve the item contingent upon the ESAAA Advisory Council concurring with the approval and if the Council’s recommendation is in conflict with the Board’s approval bring the item back for the Board to reconsider the item. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to ratify Amendment No. One to the Contract between the County of Inyo and California Indian Legal Services for the provision of legal services to order adults eligible for services through the Eastern Sierra Area Agency on Aging (ESAAA), modifying the Scope of Work to authorize legal educational presentations on designated topics, contingent upon the Board’s adoption of future budgets; and authorize the Chairperson to sign. Motion carried on a four-to-one vote, with Supervisors Arcularius, Pucci, Tillemans and Kingsley voting yes, and with Supervisor Griffiths voting no. |

Probation/Extended Day Care Program Contract Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to ratify and approve the Contract between the County of Inyo and Inyo County Superintendent of Schools for an Extended Day Program for the period of July 1, 2014 through June 30, 2015 in an amount not to exceed \$21,227, contingent upon VLF receipts from the California State Controller's Office; and authorize the Chairperson to sign. Motion carried unanimously.

Probation/Delinquent Prevention Program Contract Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to ratify and approve the Contract between the County of Inyo and Healthy Communities of Southern Inyo County for a Delinquency Prevention Program for the period of July 2, 2014 through June 30, 2015 in an amount not to exceed \$31,840, contingent upon VLF receipts from California State Controller's Office; and authorize the Chairperson to sign. Motion carried unanimously.

P.W.-Airport/Fuel Purchase Payment to Owenyo The P.W. Director, Mr. Clint Quilter, explained that when the FBO at the Lone Pine Airport had returned Airport operations to the County, there was fuel in the tanks which the FBO had paid for and which the County has sold. Supervisor Griffiths briefly left the meeting before the explanation. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to ratify and approve payment of two invoices totaling \$14,149.19 to Owenyo Services for reimbursement of Jet A and 100 LL fuel that was left in the fuel tanks located at the Lone Pine Death Valley Airport when Inyo County took over the Airport operations on July 1, 2014. Motion carried unanimously, with Supervisor Griffiths absent. Supervisor Griffiths returned to the meeting before the next item was considered.

Sheriff/Position Request Moved by Supervisor Arcularius and seconded by Supervisor Tillemans to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for deputy sheriff and correctional officer positions comes from General Fund, as certified by the Sheriff and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates may meet the qualifications for the position, the positions could possibly be filled by an internal recruitment, but an open recruitment is more appropriate to ensure the positions are filled with the most qualified applicants; C) approve the hiring of two Deputy Sheriff positions at Range 67SA-SC (\$4,107 - \$5,510) and authorize hiring up to the D step for a qualified lateral applicants; D) if no qualified lateral applicants apply, authorize the closed recruitment and hiring of two Deputy Sheriff positions at Range 67SA-SC; and E) approve the hiring of one Correctional Officer at Range 64 (\$3,735 - \$4,539) effective November 6, 2014 per MOU . Motion carried unanimously.

Sheriff/FY 2013-14 COPS Funding The Chairperson opened the public hearing at 10:53 a.m., to gather input regarding the intended use for the "Citizen's Option for Public Safety" (COPS) monies received during FY 2013-2014. Sheriff Bill Lutz confirmed that the funds would be spent to support the needs of frontline law enforcement. There was no one from the public wishing to address this issue. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to close the public hearing at 10:55 a.m. Motion carried unanimously.

Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to accept and approve the use of COPS monies for equipment and programs that are necessary to support the needs of frontline law enforcement as recommended. Motion carried unanimously.

Sheriff/FY 2014-15 COPS Funding The Chairperson opened the public hearing at 10:58 a.m., to gather input regarding the intended use for the "Citizen's Option for Public Safety" (COPS) monies received during FY 2014-15. Sheriff Bill Lutze confirmed that the funds would be spent to support the needs of frontline law enforcement. There was no one from the public wishing to address this issue. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to close the public hearing at 10:59 a.m. Motion carried unanimously.

Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to accept and approve the use of COPS monies for equipment and programs that are necessary to support the needs of frontline law enforcement. Motion carried unanimously.

Sheriff/FY 2012-13 COPS Funding Expenditure Authorization Sheriff Bill Lutze provided additional information and further justification for recommendations on the FY 2012-13 COPS funding expenditures. Moved by Supervisor Kingsley and seconded by Supervisor Arcularius to authorize the purchase of various items from the FY 2014-2015 Sheriff General budget 022700, object codes as identified by staff, in the total amount of \$75,000 from the remaining amount of \$76,179.53 of the 2012-13 COPS allocation to be spent by the end of June, 2015. Motion carried unanimously.

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| Planning/Yellow-billed Cuckoo Critical Habitat Comment Letter | The Planning Director, Mr. Josh Hart reviewed the proposed rule to designate the critical habitat for the Western Distinct Population Segment of the Yellow-billed Cuckoo. The Board and Mr. Hart reviewed the proposed correspondence concerning this designation. Moved by Supervisor Arcularius and seconded by Supervisor Tillemans to approve the correspondence in regards to the rule to designate critical habitat for the Western Distinct Population Segment of the Yellow-billed Cuckoo, and authorize the Chairperson to sign. Motion carried unanimously. |
| Planning/Caltrans Transportation Grant | The Planning Director, Mr. Josh Hart, provided additional information and further explanation regarding the Department's request to apply for the Caltrans Sustainable Transportation Planning Fiscal Year 2015-2016 Strategic Partnerships and Sustainable Communities Grants. Mr. Hart explained that the information obtained as a result of this Grant project would assist in future North Sierra Highway 395 Corridor Planning which the Board is supporting. The Board and Mr. Hart discussed the grant. Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to authorize staff to submit a grant application for the Caltrans Sustainable Transportation Planning Fiscal Year 2015-2016 Strategic Partnerships and Sustainable Communities Grant. Motion carried unanimously. |
| CAO-Info Serv./ CBC Representative | The County Administrator provided additional information and further explanation regarding the County's representation on the Board of Directors for the California Broadband Cooperative (CBC). He explained that four members of the Board are Class A representatives, who are representing Inyo, Mono and Alpine counties, with the fourth Class A representative being a member-at-large. He also clarified that at the most recent CBC meeting the stipend was discussed and it may be eliminated. He said as such he was asking for authority to have the stipend, if one should be paid, be paid to the County. Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to appoint the County Administrator or his/her designee to serve as the County's representative on the Board of Directors for the California Broadband Cooperative (CBC) and authorize the County Administrator to notify the California Broadband Cooperative that the stipend if one is paid, and actual and reasonable expenses paid to the County's representative on the Board of Directors be paid directly to the County of Inyo. Motion carried unanimously. |
| HHS-Mental Hlth. Serv./Mental Health Services Fees | The Chairperson opened the public hearing at 11:35 a.m., on an ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Repealing Ordinance No. 1185, and Revising Inyo County Community Mental Health Services Fees." Ms. Jean Turner, Director of Health and Human Services, provided further information concerning the recommended changes in the Mental Health Services Fee that are charged by the County. She said that the proposed fees are adjusted based on the actual fees charged the prior year. There was no one from the public wishing to address these fees. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to close the public hearing at 11:38 a.m. Motion carried unanimously. |
| | Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to waive the first reading of the ordinance and schedule the adoption for 11:30 a.m., Tuesday, October 14, 2014, in the Board of Supervisors Room, at the County Administrative Center, in Independence. Motion carried unanimously. |
| CAO-Info Serv./ Sunguard Software Maintenance Renewal | Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to ratify and approve the renewal of a Software Maintenance Agreement between SunGuard Public Sector and the County of Inyo for the County's enterprise accounting system IFAS for the period of July 1, 2014 through June 30, 2015 in an amount not to exceed \$35,926. Motion carried unanimously. |
| Emerg. Serv./D. V. Roadeater Emerg. Continued | 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 |
| Emerg. Serv./Gully Washer Emerg. Continued | Moved by Supervisor Tillemans and seconded by Supervisor Arcularius 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./ Canyon Crusher Emergency | Moved by Supervisor Tillemans and seconded by Supervisor Kingsley 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. |

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| Emeg. Serv./Land of Even Less Water Emergency | Moved by Supervisor Arcularius and seconded by Supervisor Kingsley 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. |
| Integ. Waste/ Environmentally Preferable Purchasing Policy | The County Administrator explained that the County’s adoption of a Countywide Environmentally Preferable Purchasing Policy is one of the final actions being required of the County by CalRecycle, in order to avoid a “compliance order.” He said that he expects to incorporate this policy into the County purchasing manual, when that manual is updated. Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to adopt the Countywide Environmentally Preferable Purchasing Policy. Motion carried unanimously. |
| BofS/Minute Approval | Supervisor Griffiths asked that the Budget Hearing Minutes be amended in the introductory paragraph to reflect Supervisor Pucci as the Chairperson. Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve the minutes of the Board of Supervisors Meetings as follows: A) Regular Meeting of September 2, 2014; B) Special Meeting – Budget Hearings of September 3, 2014, as amended to reflect Supervisor Pucci as the Chairperson; C) the Special Meeting of September 5, 2014; D) the Regular Meeting of September 9, 2014; and E) the Regular Meeting of September 16, 2014. Motion carried unanimously. |
| Ag Comm./ Workshop | The request for the Board to conduct a workshop on the Weights & Measures Department’s Device Registration Fee was pulled and be rescheduled. |
| L.P.Fire Dept./ Consolidated Election | Moved by Supervisor Kingsley and seconded by Supervisor Arcularius to consolidate the District’s Special Election with the Uniform District Election Law Election to be held on November 4, 2014. Motion carried unanimously. |
| Recess/ Reconvene | The Chairperson recessed the regular meeting at 12:00 p.m., to reconvene in closed session at 12:50 p.m., with all Board Members present. |
| Closed Session | The Board met in closed session to discuss and take action as appropriate on Agenda Item 39. <i>REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8) – Property – APN010-490-08, Bishop, California – Negotiating Parties – County Administrator, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, and Public Works Director, Clint Quilter, and Joseph Enterprises - Negotiating Parties, Steve Joseph, Scott Piercey, Wayne Lamb and Jeff Shepard – Negotiations – Terms and Conditions.</i> The Chairperson recessed closed session at 1:25 p.m., to reconvene in open session at 1:30 p.m., with all Board Members present. |
| Report on Closed Session | The Chairperson requested a report on closed session. County Counsel said there was no reportable action as a result of closed session. |
| BofS/D.V.National Park Special Event Permit Process | The Superintendent of the Death Valley National Park, Ms. Kathy Billings, updated the Board on upcoming Park events that will be taking place in and around the Death Valley National Park to commemorate the 50 th Anniversary of the Wilderness Act and the 20 th Anniversary of the Desert Protection Act. She went on to update the Board on the Park’s safety review of the Special Event Permitting Process. The Board and Ms. Billings had a lengthy and detailed discussion concerning the process, including the new restrictions, full moon events, and temperature restrictions. The Superintendent said that the new Permitting Process has been reviewed by the Regional Office and by their Counsel. She also said it is a done deal and there is no opportunity to change it. She said that because it was a safety review it was able to be concluded in a much more expeditious manner. The County Administrator along with Supervisors Arcularius, Pucci and Kingsley, expressed their disappointment in the statement that the Process has been finalized, saying that it flies in the face of what the County’s delegation to the NACo Legislative Conference in Washington D.C., in March, had been told by the Deputy Director of the National Park Service who had said the County of Inyo would have input into the process. Mr. David Woodruff, of Independence, addressed the Board to support Special Events in the Park and to question the restrictions that impact the special events which he said are important to the area. Ms. Suzi Dennett, the Executive Director of the Death Valley Chamber of Commerce, provided comment on the Chamber not having a voice in the process. She said it is important to support respectful stewardship and to ensure that you have public input and local involvement in the processes. |

Mr. Charles James of Big Pine talked about the need for public input and also asked what kind of data supported the determination of the temperature limit. Ms. Jacque Hickman of Lone Pine, also questioned the designation of an acceptable temperature limit for events. The Board thanked the Superintendent for the information.

Public Comment The Chairperson announced the public comment period. Ms. Jacque Hickman of Lone Pine invited the Board to attend the upcoming Lone Pine Film Festival and presented the Board with Festival memorabilia. Mr. Charles James addressed the Board to talk about the importance of domestic violence awareness.

County Department Reports The Chairperson announced the County Department Report period. Ms. Pam Hennarty, Sr. Deputy County Administrator, updated the Board on the County's reacquisition of Tecopa Hot Springs and Campground upon the departure of the concessionaire. She said that the RFP for the operations and maintenance of the facilities resulted in two respondents, one a group of local and a single individual from the area. She said that staff has met with the community and is seeking input from the residents on their choices for the continued operations. The County Administrator provided additional information on the reduction of services that are currently being offered.

Board Members and Staff Reports The Board Members reported on their activities during the preceding week, including the NACo Fly-in, the RCRC Annual Conference, a legislative update, the upcoming Sierra Business Council Conference, the County employees BBQ, and the upcoming Big Pine Cemetery District Ghost Walk fundraiser. The County Administrator provided the Board with a revised position vacancies list. Mr. Carunchio went on to inform the Board that the County did not receive the USDA Grant which we had applied for, and he reported on a meeting he had with the Director of the Dept. of Fish and Wildlife on the Mt. Whitney Fish Hatchery.

Adjournment The Chairperson adjourned the regular meeting at 3:35 p.m., to 8:30 a.m., Tuesday, October 14, 2014, 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