

# MINUTES

# County of Inyo Board of Supervisors

## August 11, 2009

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 11, 2009, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Beverly Brown presiding, Susan Cash, Marty Fortney and Richard Cervantes. Supervisor Arcularius was absent. Supervisor Cervantes provided the Invocation, and Supervisor Fortney 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.
- County Department Reports        The Chairperson announced the County Department Report period and there were no reports forthcoming.
- Emergency Serv./  
Oak Creek Mud  
Flows Emergency        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, with Supervisor Arcularius absent.
- CAO-Info Serv./  
Postage P.O.        Moved by Supervisor Cash and seconded by Supervisor Cervantes to authorize a blanket purchase order in the total amount of \$89,000 to Pitney Bowes Purchase Power for postage, contingent upon the Board's adoption of a FY 2009-2010 Budget. Motion carried unanimously, with Supervisor Arcularius absent.
- Resol. #2009-31/  
Waste Oil Grant  
15<sup>th</sup> Cycle        On a motion by Supervisor Cash and a second by Supervisor Cervantes, Resolution No. 2009-31 was adopted to allow Inyo County to participate in the 2009/2012 Waste Oil Recycling Grant Fifteenth Cycle: motion unanimously passed and adopted, with Supervisor Arcularius absent.
- HHS-Hlth. Serv./  
CAIR Agreement        Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve and ratify the Contract between the County of Inyo and the State of California Department of Public Health for the provision of participating in the California Immunization Registry (CAIR) for the period of July 1, 2009 through June 30, 2010, in an amount not to exceed \$20,000, contingent upon the Board's adoption of a FY 2009-2010 Budget; and authorize the Chairperson to sign. Motion carried unanimously, with Supervisor Arcularius absent.
- HHS-Tobacco  
Pgrm./Program  
Administration  
Contract        Moved by Supervisor Cash and seconded by Supervisor Cervantes to ratify and approve the Agreement between the County of Inyo and the State of California Department of Public Health for the administration of the Inyo County Tobacco Control Program for the period of July 1, 2009 through June 30, 2010, in the amount of \$150,000, contingent upon the Board's adoption of a FY 2009-2010 Budget; and authorize the Tobacco Control Project Director to sign. Motion carried unanimously, with Supervisor Arcularius absent.
- HHS-Behavioral  
Hlth. Serv./Drug  
Court Implemen-  
tation Grant        Move by Supervisor Cash and seconded by Supervisor Cervantes to acknowledge award of a State Comprehensive Drug Court Implementation Grant in the amount of \$24,259 for the period of January 1, 2010 through December 30, 2010, contingent upon the Board's adoption of future budgets; and authorize the Alcohol and Drug Administrator to sign the Notice of Grant Award. Motion carried unanimously, with Supervisor Arcularius absent.
- Sheriff's Dept./  
Correctional Officer  
Position        The Undersheriff, Jim Jones, provided additional information and further justification for the hiring of a Correctional Officer. Moved by Supervisor Cash and seconded by Supervisor Fortney to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested position comes from the General Fund, as certified by the Sheriff, and concurred with by the County Administrator and the Auditor-Controller; and B) approve the hiring of one Correctional Officer position at Range 64 (\$3,590 - \$4,363) contingent on your Board's adoption of a FY 2009-2010 Budget. Motion carried unanimously, with Supervisor Arcularius absent.

Water Dept./ Henderson Contract The Water Director, Dr. Bob Harrington, provided additional information and further justification for hiring a sole-source contractor to perform data analysis. He provided the Board with a copy of an email, which had been received from former Water Department Employee, Sally Manning, requesting that the contract not be awarded and that an RFP for the work be issued. The Board and Dr. Harrington discussed the reasons why this was not put out for a Request for Qualifications (RFQ), with Dr. Harrington explaining that because of requirements of the Long Term Water Agreement to provide data analysis within a certain time frame and the amount of time it would take to develop an RFQ, advertise for responses and make a selection for recommendation, the County would be even further behind in providing their response. Several Board Members noted their concern with the sole-source declaration, with Supervisor Fortney explaining that because of the state of the economy, he felt there might be many qualified people looking for work who might be interested in this contract. After the motion was made and prior to the vote being taken, Supervisor Cervantes explained his seconding of the motion saying that he agreed with Supervisor Fortney, but that with the caveat that future contracts would follow the RFQ process he could support the Contract. Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve a sole-source Agreement between the County of Inyo and Ms. Amy Henderson for professional biologist services for the period of August 15, 2009 through February 15, 2010, in an amount not to exceed \$30,080, contingent upon the Board's adoption of a FY 2009-2010 Budget; authorize the Chairperson to sign; and direct Staff that any future contracts like this contract need to follow the RFQ process. Motion carried on a three-to-one vote with Supervisors Cash, Brown, and Cervantes voting yes, with Supervisor Fortney voting no and with Supervisor Arcularius absent.

BofS/Minute Approval The Clerk requested that the second paragraph on the second page be corrected to reflect the Board reconvened at 9:55 a.m., not p.m. Moved by Supervisor Fortney and seconded by Supervisor Cervantes to approve the minutes of the July 28, 2009 Board of Supervisors Meeting as corrected. Motion carried unanimously, with Supervisor Arcularius absent.

Board Members and Staff Reports The Board Members reported on their activities during the preceding week, including a Digital 395 Project meeting, a Bishop City Council Meeting, a constituent celebration, an IMAAA Advisory Board Meeting, the Budget Workshop, and a FAC Meeting. The County Administrator also reported on the Budget Workshop.

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

Closed Session The Chairperson recessed open session at 9:45 a.m., to convene in closed session with all Board Members present, except Supervisor Arcularius, to discuss and take action as appropriate on Agenda Items No. 13. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA -Negotiators: - CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 14. **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: CAO Kevin Carunchio, Sheriff Bill Lutze, and Labor Relations Administrator Sue Dishion; No. 15. **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: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 16. **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. 17. **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 10:40 a.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 10:40 a.m., to 9:00 a.m., Tuesday, August 18, 2009, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

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*Chairperson, Inyo County Board of Supervisors*

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

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