



County of Inyo Board of Supervisors

October 4, 2011

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, October 4, 2011, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Susan Cash presiding, Linda Arcularius, Rick Pucci, Marty Fortney and Richard Cervantes. Supervisor Cervantes provided the Invocation, and Mr. Randy Keller, County Counsel, 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 Report Period The Chairperson announced the County Department Report period. Sheriff Bill Lutze invited the Board to attend the Law Enforcement appreciation event taking place this Saturday between 10:00 a.m., and 2:00 p.m., in the Bishop Park. Mr. Jon Klusmire, Museum Service Administrator, updated the Board on museum grant funding and activities. Ms. Jean Turner, Director of Health and Human Services, reported on addictions recovery event in the Bishop Park this past weekend, applauding those in recovery. Mr. Josh Hart, Planning Director, handed out copies of a zoning code matrix that will be a part of the next Zoning Code Update workshop. Mr. Doug Wilson, Interim Public Works Director, updated the Board on the Electrical Upgrade schedule. Ms. Kammi Foote, Clerk-Recorder, reported that Darwin CSD is the only District actually conducting an election this November. She also informed the Board that this will be an all mail ballot.

Org./Wild Iris Dom. Violence Awareness Month Moved by Supervisor Arcularius and seconded by Supervisor Fortney to declare the month of October, 2011, as Domestic Violence Awareness Month in Inyo County. Motion carried unanimously.

BofS/High Sierra Energy Presentation Mr. Rick Phelps, Executive Director of High Sierra Energy Foundation updated the Board on and discussed the High Sierra Energy Foundation, including its mission, the financial situation, accomplishments and long-term prospects for the organization. Supervisor Arcularius provided a contact number to Mr. Phelps for RCRC "Retrofit Program" through their CHL Loan Program.

Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Arcularius and seconded by Supervisor Fortney to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.

Motor Pool/Vehicle P.O. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to award the bid for and approve the purchase of one 2012 Ford F-250 Cab & Chassis in an amount not to exceed \$24,040.77 and one 2012 Ford Taurus in an amount not to exceed \$22,779.02, from Eastern Sierra Motors as the only bidder. Motion carried unanimously.

HHS-Hlth. Serv./ P.H. Emergency Preparedness Agreement Moved by Supervisor Arcularius and seconded by Supervisor Fortney to A) ratify and approve the Agreement between the County of Inyo and the California Department of Public Health for the provision of local Public Health Emergency Preparedness, in an amount not to exceed \$310,505, for the period of July 1, 2011 through August 9, 2012; and authorize the Health and Human Services Director to sign; and B) approve the Non-Supplantation Certification form and authorize the Health and Human Services Director to sign. Motion carried unanimously.

- HHS-WIC/Funding Application Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve the Funding Application for the Department to implement the next three year Contract (FFY 2012-2014) for the Inyo WIC Program; and authorize the Health and Human Services Director to sign. Motion carried unanimously.
- HHS-Soc. Serv./ Amendment to UC Davis Extension Training Services Contract Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve Amendment No. 1 to 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, adding four training units to the Contract for a total of 18.5 training units, increasing the contract amount by \$16,720 for a total amount not to exceed \$77,330, for the period of July 1, 2011 through June 30, 2012; and authorize the Chairperson to sign. Motion carried unanimously.
- P.W./ESTA Parking Lot Security Lighting & Fencing Contract The Interim Public Works Director, Mr. Doug Wilson, provided additional information and further explanation on the funding for the Contract for the ESTA Parking Lot Security Lighting & Fencing Project. He informed the Board that the bids for the project came in over the estimate which was based on available funding. He said staff evaluated the project and determined that it qualified for TEA Exchange and took the project to the LTC which approved loaning the additional funding for the project. Mr. Wilson went on to explain that his concern is that should other grant funding not be forthcoming to pay the loan back that the loan will not revert to a grant from the TEA Exchange and the LTC may come back to the County for repayment of the loan. Mr. Wilson clarified that the County had requested that the LTC motion include language that the loan revert to a grant should other grant funding not be available, but the LTC had opted not to include this in their motion. The Board, Mr. Wilson and County Counsel continued to discuss the County's exposure to being required to repay the loan, with the Board directing that the request by the Public Works Department for the Board to award and approve the Contract for the ESTA Parking Lot Security Lighting and Fencing Project to Kendall Engineering, Inc., in an amount of \$58,643, be reevaluated by County Counsel with regard to funding and, as appropriate returned for the Board's consideration at a later date.
- BofS/Mussels Infestation Governor Letter The County Administrator explained that the Board, after it had discussed a request by Lake County Supervisor, Anthony Farrington, on quagga and zebra mussels infestations in State waters had directed Staff to draft correspondence to the Governor identifying the County's concern and the letter is presented for the Board's consideration. Moved by Supervisor Fortney and seconded by Supervisor Arcularius to approve the correspondence to Governor Brown concerning the need to take action to stop further infestation of the Quagga and Zebra Mussels in State waters; and authorize the Chairperson to sign. Motion carried unanimously.
- Sheriff/Livescan Upgrade Supervisor Cervantes left the meeting. Moved by Supervisor Fortney and seconded by Supervisor Pucci to approve upgrade package for existing Livescan System; and authorize pre-payment between the County of Inyo and Identix, Inc., in the amount of \$5,598.93. Motion carried unanimously. Supervisor Cervantes returned to the meeting.
- Integ. Waste/Roll-Off Truck P.O. The Deputy County Administrator, Mr. Chuck Hamilton, discussed some of the other uses this roll-off truck could and will be used for. The Board requested that staff track the savings that will be realized as a result of the County performing work currently performed under outside contract that will help offset the payment for the equipment. Moved by Supervisor Arcularius and seconded by Supervisor Pucci to A) award the bid and approve the purchase of a 2012 Freightliner Roll-Off Truck from Bakersfield Truck Center in an amount not to exceed \$118,383.03 and B) authorize the County Administrator to sign all loan and purchase documents pursuant to the following terms: Inyo County will make an initial down payment of \$25,000 then four annual lump-sum payments in the amount of \$25,000 and a final Contract close-out payment of \$2,100 per payment amortization schedule. Motion carried unanimously.
- HHS-Misc./ Progress House Job Descriptions Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve a new title, Residential Caregiver, for employees at the Progress House adult residential facility and request approval of the Residential Caregiver job description. Motion carried unanimously.

HHS-Hlth. Serv./
Temp. Position
Extended

Moved by Supervisor Fortney and seconded by Supervisor Pucci to authorize extending the temporary employment of one HPP Prevention Specialist at Range 060PT (\$17.53/hr.) for a period not to exceed six months.

HHS-Soc.Serv./
Office Manager
Position

Moved by Supervisor Fortney and seconded by Supervisor Arcularius to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested position exists, as certified by the Health and Human Services Director, and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, however it would be more appropriate to hire off an existing eligibility list; and C) approve the hiring of one Office Manager at Range 54 (\$2,840 – \$3,454). Motion carried unanimously.

HHS-IMAAA/
Administrative
Services Contract

Ms. Jean Turner, Director of Health and Human Services, introduced Mr. Roger Rasche, Chairman, of the IMAAA Advisory Council, to the Board and acknowledged her Fiscal Director, Ms. Denelle Carrington, and Social Services Director, Marilyn Mann, recognizing the tremendous amount of time and effort they have put into this program. Ms. Turner provided copies of the following for the Board's information: (a) the 9-19-11 letter from Mono County Supervisor Hazard to the IMAAA Governing Board advising the Governing Board that the Mono County Board of Supervisors declined to help fund the Administrative Services Contract; (b) the 9-27-11 letter from IMAAA Governing Board to Inyo County advising Inyo County that the Governing Board is not reducing Administrative Services contract costs or increasing funding for Inyo County; (c) the 8-4-11 letter from Inyo County to the IMAAA Governing Board notifying the Governing Board, as required by the Contract, that Inyo County was not accepting the FY 2011-12 IMAAA Budget as proposed by the Governing Board; and (d) a chart showing Inyo County IMAAA clients receiving unduplicated services. Ms. Turner updated the Board on a meeting she had with her counter-part in Mono County, saying that there may be some misunderstanding by Mono County on how the administrative services contract coincides with the IMAAA Program funding allocation for the two counties.

The Board and staff discussed the situation where the County of Inyo continues to provide precious General Fund dollars to support the IMAAA Administrative Services Contract for the Regional Program, noting that this year Inyo County has contributed \$686,514 of General Fund, \$331,456 of which is subsidizing the Administrative Services Contract. The Board discussed the State's role in this program, including that it is the State's responsibility to provide senior services; and that it is the State's position to not allow increases in administrative services reimbursement above the initial \$61,000 that was effective twenty years ago, that has significantly contributed to the current situation the County finds itself in. The Board went on to discuss how important it is that Inyo County maintain the services being provided to its seniors and at what point it would be more beneficial to use the General Fund contribution to this program to augment services being provided by the State as opposed to continuing to operate the Program through the JPA where almost half of the contribution goes to administrative services for the region.

The Board talked about the dichotomy of fundamental philosophies between Inyo and Mono counties as it relates to IMAAA Program services. They discussed Inyo County's approach which is that of the Region, believing you identify the neediest in the region to provide services to; while Mono County sees the program as a funding resource to provide a certain kind of service to all seniors of a certain age or older. It was noted that there is a difference between the ages of the seniors who live in each County, as well as how many of the aging population of Mono County choose to move into Inyo County where there is better weather, different geography, and two separate care facilities that offer varying degrees of assisted living for the elderly, thus the creation of the Regional Program approach. The Board talked about how difficult it would be to develop the required Four-Year Plan for a program where the two member counties have such a wide disparity on to whom, how, and what types of services are to be provided.

The Board went on to discuss how the draft letter could be amended to be more definitive in what the Board is conveying with regard to the County no longer providing administrative services effective June 30, 2012. The County Administrator and County Counsel made a couple of suggestions to (a) change and bold the first sentence of the fourth paragraph to read **“This letter also serves to notify the IMAAA Governing Board that Inyo County is terminating the Agreement to provide IMAAA administrative services effective Jun 30, 2012.”**; and (b) to change the reference line to read “Notice of Acceptance of FY 2011-12 Budget for Administration Services Contract and Notice to Terminate that Agreement Effective June 30, 2012.”

The Board talked about the timing of the notifications to the IMAAA Governing Board of its decision to no longer contract with IMAAA as the Administrative Services Contractor; to Mono County of the County’s decision, as may be appropriate upon further discussion of options sometime before January, to withdraw from the JPA; and to the State of both decisions. The Board asked that the letter notifying IMAAA of the County’s decision to terminate its administrative services contract be copied to Assemblywoman Conway and Senator Fuller, as well as RCRC and CSAC. Mr. Rasche addressed the Board to support the continuation of the senior meals program at the level currently being provided, explaining how important the senior meals program is to the senior population in the County. The Board took the opportunity to thank Mr. Rasche for his remarks and to reiterate that there will be no changes to the current senior services being provided in Inyo County for fiscal year 11-12 as a result of the actions being considered by the Board.

Moved by Supervisor Arcularius and seconded by Supervisor Fortney to A) accept the administrative contract with the IMAAA Governing Board for Fiscal Year 2011-2012, including the County General Fund contribution of \$686,514 of which \$331,456 is for regional administration of IMAAA; B) approve the letter, as amended, to the IMAAA Governing Board providing notification of the County of Inyo’s intentions to terminate the administrative contract with IMAAA Governing Board effective June 30, 2012; and C) direct staff to not begin the required planning process and needs assessment for the Four-Year Plan due for the period beginning July 1, 2012. Motion carried unanimously.

Planning/
Wilderness
Resolution Update

The Planning Director, Mr. Josh Hart, reviewed the updated Wilderness Resolution, with the Board requesting that the updated Resolution be provided to the Natural Resource Advisory Committee for its review and input.

Planning/Crown
Jewels Wilderness
Letter to Salazar

The Board and the Planning Director, Mr. Josh Hart, reviewed the correspondence to Secretary Salazar regarding the Crown Jewels Wilderness Designation. The Board asked that a reference on the need to release the WSAs be included. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve the correspondence to Secretary Salazar regarding the Crown Jewels Wilderness Designation, as amended, authorize the Chairperson to sign and direct that copies be provided to Senators Boxer and Feinstein and Congressman McKeon. Motion carried unanimously.

Recess/
Reconvene

The Chairperson recessed the regular meeting at 11:25 a.m., to reconvene in open session at 11:30 a.m., with all Board Members present.

BofS/Bishop Park
Dog Park

Ms. Cheryl McDermott of Bishop and Ms. Calder Reid of Independence updated the Board on efforts to establish a dog park at the Bishop Park, including goals, time lines and fund raising activities.

BofS/Minute
Approval

Moved by Supervisor Cervantes and seconded by Supervisor Fortney to approve the minutes of the September 20, 2011 Board of Supervisors Meeting. Motion carried unanimously.

Board Members
and Staff Reports

The Board Members reported on their activities during the preceding week, including a report on the upcoming Lone Pine Film Festival, a reception for the photo contest winners, and upcoming Navy Birthday Ball in Ridgecrest, the Friends of Death Valley dinner, the Car Show, Strategic Visioning webinars, a Digital 395 Meeting, ceremonies honoring Herb London, and a Quad State conference call.

- 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 12:15 p.m., to reconvene in closed session at 1:15 p.m., with all Board Members present.
- Closed Session The Board convened in closed session to discuss and take action as appropriate on Agenda Items No. 23. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]** - Public Employee Appointment - Title: Director Public Works; No. 24. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriffs Association (DSA) - Negotiators: CAO Kevin Carunchio and 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: Elected Officials Assistants Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion; No. 26. **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. 27. **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 of Child Support Services Susanne Rizo, Chief Probation Officer Jeff Thomson; No. 28. **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. 29. **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 3:00 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 3:00 p.m., to 9:00 a.m., Tuesday, October 11, 2011, 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