

# MINUTES

# County of Inyo Board of Supervisors

## December 27, 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, December 27, 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 Supervisor Cash 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. The following Department Heads provided a year-end report to the Board noting their departments' many accomplishments: Sheriff Lutze noted the security upgrade at the jail, Homeland Security training, the code red system, search and rescue activities, and addressing impacts related to AB109; Ms. Denelle Carrington, HHS Fiscal Director, noted public health services, Inyo First Five accomplishments, behavioral health treatment and prevention services, the wellness centers and social services; Ms. Susanne Rizo, Child Support Services Regional Director, noted the conclusion of the regionalization process, the development of a regional philosophy, program enhancements for better customer services, enhanced community partnerships, and new court training services; Ms. Kammi Foote, Clerk-Recorder, noted changes in office including the completion of her first full year in office, live on-line services for expedited records services, precinct information in GIS, and the successful completion of the first full election cycle; Dr. Bob Harrington, Water Director, noted work on the Coso Hay Ranch project that continues, work on vegetation conditions in various well fields, the challenge of DWP's Annual Pumping Plan, finalization of a draft LORP Recreation Plan, and successful grant application for continuation of the salt cedar program; The Chief Probation Officer, Mr. Jeff Thomson, noted in the Juvenile Division, the success of the Wrap Program, Drug Court success, working with Court on families training, integration with HHS State Care Management System, and in the Adult Division noted work on minimizing impacts from and meeting requirements of AB 109, the domestic violence symposium, and the development of an electronic monitoring policy; Ms. Roberta Harlan, Curator of Collections and Exhibits for the Eastern California Museum, noted grant successes, the relationship with the Friends of the Museum, expansion of exhibits and notable shows, restoration and preservation planning for the Commanders House and the Edwards House, the completion of a full cycle of the Community Sponsorship Grant Program, and the enhancement of public access, resource sharing and partnership opportunities; Mr. Josh Hart, Planning Director, reported on the decommissioning efforts for the County's Yucca Mountain Office and noted the renewable energy General Plan Amendment, the work on the Hidden Hills solar project, the disbanding of the Hidden Springs Service District, and the update of the Zoning Ordinance; Ms. Nancy Masters, Library Director, noted the move of the Furnace Creek Library; work on the remodel of the Lone Pine Library, the conclusions of the Mural Project at the Bishop Library, work with private donors, improved efficiencies in cataloging, resource sharing, and the acquisition of a new large scanner and digitalization unit; Mr. Doug Wilson, Interim Public Works Director, noted the electrical upgrade project, completion of Prop 1B projects, progress on the Tecopa Sewage Lagoon Project, the completion of the Riverside Bridge Retrofit Project, and the completion of the installation of the mural at the Bishop Library; Mr. Brandon Shults, Information Services Director, noted the expansion of GIS services, the Countywide upgrade to Office 2010, and meeting the issues related to staffing challenges; Mr. Randy Keller, County Counsel, noted County contracts being available on line, full staffing levels being met and that there are currently no Planning Department law suits; and the County Administrator, Mr. Kevin Carunchio, thanked the Department Heads and Division Managers for their reports. He noted the several items that will have dramatic long term benefit to the people of the County, i.e., the sound budget that was adopted in spite of the State budget crisis, the progress on the Digital 395 Project, the acquisition of the easement at the Bishop Airport, the renewable energy ordinance, and the solar project on the Independence campus.

Child Support Serv./Sedan P.O.	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to award the bid for and approve the purchase of one 2012 Ford Focus SEL Sedan from Eastern Sierra Motors, Inc., as the low bidder, in an amount not to exceed \$19,719.67. Motion carried unanimously.
Clerk/Contract for Microfilm Conversion Project	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to award and approve the contract between the County of Inyo and PFA, Inc., for the provisions of the Microfilm Conversion Project, for the period of January 1, 2012 through June 30, 2012, in an amount not to exceed \$13,590.67; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Emerg. Serv./Oak Creek Mud Flows	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
CAO-Info. Serv./ JALAN Support Services Agreement	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to approve the renewal of a support services agreement for licensed programs referred to as the JALAN Criminal Justice System from Sungard Public Sector, Inc., for the period of December 1, 2011 through November 12, 2012, in an amount not to exceed \$22,037; and authorize the Chairperson to sign. Motion carried unanimously.
Motor Pool/Blanket P.O. for Tires and Maintenance	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to approve blanket purchase orders in the specified amounts to the following vendors for vehicle maintenance and tire purchases through the National Account for Government Agencies: A) \$20,000 to Bishop Automotive Center; B) \$5,000 to Lindsey Automotive; and C) \$5,000 to Miller's Automotive. Motion carried unanimously.
D.A./V.W. Grant	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to accept the Inyo County Victim Witness Assistance Unserved/Underserved Victim Advocacy and Outreach Program Grant from the California Emergency Management Agency (Cal-EMA) for the period of October 1, 2011 through September 30, 2012; and authorize the District Attorney to sign documentation to accept the grant and utilize the grant on behalf of the County. Motion carried unanimously.
D.A./Anti-Drug Abuse Suppression Task Force Grant	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to accept the Inyo County Anti-Drug Abuse Program Suppression Task Force Grant from the California Emergency Management Agency (Cal-EMA) for the period of July 1, 2011 through June 30, 2012; and authorize the District Attorney to sign documentation to accept the grant and utilize the grant on behalf of the County. Motion carried unanimously.
HHS-Hlth. Serv./ Medicare Enrollment Application	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to approve the Medicare Enrollment Application; and authorize Ms. Denelle Carrington, Fiscal Director, to sign the Application and mail to the Center for Medicare and Medicaid Services (CMS) for approval. Motion carried unanimously.
HHS-Hlth. Serv./ State Immunization Outreach Contract	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to ratify and approve the Contract between the County of Inyo and the California Department of Public Health for the provision of immunization outreach for the period of July 1, 2011 through June 30, 2013, in the amount of \$58,012, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign the Agreement, the Danfur Contracting Act Certification and the Contractor Certification Clause. Motion carried unanimously.
HHS-EMS/EMCC Appointments	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to appoint the following to the Emergency Medical Care Committee (EMCC) to complete a two year term ending December 31, 2013: Mr. Philip Ashworth, Independence Volunteer Fire Department; Mr. Steven Davis, Olancho Cartago Fire Department, Mr. Mike Patterson, Sierra Lifeflight, Ms. Lisa Erwin, Northern Inyo Hospital, Mr. Andrew Stevens, Northern Inyo Hospital, Mr. Judd Symons, Symons Ambulance, and Mr. Lloyd Wilson, Big Pine Fire Department. Motion carried unanimously.
P.W./CSA #2 Advisory Comm. Appointments	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to appoint Mr. Ken Cluff to the County Service Area #2 Advisory Committee to complete an unexpired four-year term ending April 13, 2013. Motion carried unanimously.

P.W./RMT Contract Amendment Moved by Supervisor Fortney and seconded by Supervisor Arcularius to approve Amendment No. 9 to the Contract between the County of Inyo and RMT for continued environmental consulting services for Phase 2 of the Dehy Park Improvement Project, extending the term of the Contract to December 31, 2013, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

Rd. Dept./Burkhart Road Closure Moved by Supervisor Fortney and seconded by Supervisor Arcularius to approve the Road Commissioner to close Burkhart Road for waterline installation from approximately January 12, 2013 through February 17, 2013, with specific times and dates to be set by the Road Commissioner. Motion carried unanimously.

Rd. Dept./Movie Road Closure Moved by Supervisor Cervantes and seconded by Supervisor Pucci to approve the Road Commissioner to close Movie Road for filming from approximately January 25 through January 28, 2012 and February 5 through 7, 2012, with specific times and dates to be set by the Road Commissioner. Motion carried unanimously.

Recess/Reconvene The Chairperson recessed the regular meeting at 10:10 a.m., to reconvene in open session at 10:20 a.m., with all Board Members Present.

Resol. #2011-48/Hartford 457(b) Plan Restatement In response to a question from Supervisor Cervantes regarding the restatement of the County's Hartford and Valic's 457(b) Plans, County Counsel, Mr. Randy Keller, the County Administrator, Mr. Kevin Carunchio, and the Labor Relations Administrator, Ms. Sue Dishion, explained that the 457(b) Plans are the governmental version of the private sector's 457 deferred accounts, which enables County employees to contribute pre-tax salary into a retirement account. On a motion by Supervisor Cervantes and a second by Supervisor Pucci, Resolution 2011-48 titled "A Resolution of the Board of Supervisors, County of Inyo Authorizing Adoption of the Hartford 457(b) Plan Restatement;" was approved, including authorization for the Chairperson to sign all Plan documents: motion unanimously passed and adopted.

Resol. #2011-49/Valic (457(b) Plan Restatement In response to a question from Supervisor Cervantes regarding the restatement of the County's Hartford and Valic's 457(b) Plans, the County Administrator, Kevin Carunchio, and the Labor Relations Administrator, Ms. Sue Dishion, explained that the 457(b) Plans are the governmental version of the private sector's 457 deferred accounts, which enables County employees to contribute pre-tax salary into a retirement account. On a motion by Supervisor Cervantes and a second by Supervisor Fortney, Resolution No. 2011-49 titled "A Resolution of the Board of Supervisors, County of Inyo Authorizing Adoption of VALIC 457(b) Plan Restatement as approved, including authorization for the Chairperson to sign all Plan Documents: motion unanimously passed and adopted.

Resol. #2011-50/Valic Retirement Services Gov. Volume Submitter On a motion by Supervisor Cervantes and a second by Supervisor Fortney, Resolution 2011-50 titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Authorizing Amendment and Restatement of Retirement Plan Via Adoption of Valic Retirement Services Company Government Volume Submitter Plan;" was approved, including authorization for the Chairperson to sign: motion unanimously passed and adopted.

CAO-Personnel/CAO Personal Services Contract Supervisor Cervantes asked for the total annual cost of the contract, including benefits, saying he had concern that the public would be unable to figure out how much this contract amendment would cost. The Chairperson, Supervisor Cash, clarified that the agenda item provides the data for that information to be calculated. The Labor Relations Administrator, Ms. Sue Dishion, explained that this is the standard contract language that has been used in the past and the County Administrator added that, in the future, staff will provide further information if that is the desire of the Board. Ms. Dishion explained that the resolution being considered reflects both the previous and new salary for the Department Head. Ms. Dishion also explained how it was difficult to provide actual amounts for the benefits paid employees because of the individual nature of some of the benefits provided, i.e., health insurance levels, longevity, etc. Supervisor Arcularius noted that this is Amendment No. 1 to a contract that was approved in 2007. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve Amendment No. 1 to the Agreement between the County of Inyo and Kevin D. Carunchio for personnel services as a County Officer for a salary of \$13,201 per month with a 2% matching contribution of base salary toward a 457 or 401(a) plan, effective January 1, 2012; and authorize the Chairperson to sign. Motion carried unanimously.

Resol. #2011-51/ Changing Salary and/or Terms of Employment for Appointed Officials	On a motion by Supervisor Fortney and a second by Supervisor Arcularius, Resolution 2011-51 titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Amending Resolution 2006-06 Changing Salary and/or Terms and Conditions of Employment for Appointed Officials Employed in the Several Offices or Institutions of the County of Inyo" was approved: motion unanimously passed and adopted.
Ag. Comm./Position Request	The Assistant Clerk of the Board noted that this request was on today's agenda in error. Explaining that the Department had requested the item be on next week's agenda. The County Administrator, Mr. Kevin Carunchio, recommended that, for expediency sake, the Board consider this request today and went on to explain that with the movement of the current Mosquito Abatement Project Manager to a different County Department, there is a need to fill the vacancy as quickly as possible to ensure program continuity for the upcoming mosquito season. Moved by Supervisor Pucci 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 Owens Valley Mosquito Abatement Program Budget as certified by the Agricultural Commissioner and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Program Manager, the position could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring, of one full-time Program Manager at Range 70 (\$4,138 - \$5,032). Motion carried unanimously.
HHS-Soc. Serv/ Position Request	Moved by Supervisor Fortney and seconded by Supervisor Pucci 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 of Social Worker, the position could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure a sufficient number of qualified applicants apply; and C) approve the hiring of one Social Worker II at Range 64 (\$3,590 – \$4,363) or III at Range 67 (\$3,852 - \$4,676) depending upon qualifications. Motion carried unanimously.
Probation/Position Request	Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested positions exists as certified by the Chief Probation Officer and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the positions of Group Counselor, the positions could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure a sufficient number of qualified applicants apply; and C) approve the hiring of three full-time Group Counselors I at Range 62 (\$3,426 - \$4,166). Motion carried unanimously.
Road Dept./Position Request	The Interim Public Works Director, Mr. Doug Wilson, expounded on the staff report regarding the proposed reorganization of the Road Crews. Moved by Supervisor Fortney and seconded by Supervisor Pucci to A) create the position of Lead Equipment Operator at Range 63 (\$3,502 – \$4,261) and approve the job description; B) amend the authorized strength by deleting one full-time Road Maintenance Supervisor at Range 66 (\$3,757 - \$4,574) and adding one full-time Lead Equipment Operator at Range 63; and C) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the requested positions comes from the Road Department Budget as certified by the Public Works Director, and concurred with by the County Administrator and the Auditor-Controller; (b) where internal candidates meet the qualifications for the position of Lead Equipment Operator, the position could possibly be filled through an internal recruitment; and where internal candidates meet the qualifications for the position of Road Maintenance Supervisor, the position could be filled through an internal recruitment, however there is a current eligibility list for the position already created through an internal recruitment; and C) approve the hiring of one Road Maintenance Supervisor at Range 66 (\$3,757 - \$4,574) from the existing list and a Lead Equipment Operator at Range 63 (\$3,502 – \$4,261) through an internal recruitment. Motion carried unanimously.
Sheriff/CalMet Task Force Budget Amendment	Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to amend the FY 2011-12 CalMet Task Force Budget 671410 2010-11 grant by increasing estimated revenue in State Grants ( <i>Revenue Code #4498</i> ) by \$6,019 and increasing appropriations in Travel ( <i>Object Code #5331</i> ) by \$6,019. Motion carried unanimously.

CAO-Personnel/  
Position Request

The County Administrator, Mr. Kevin Carunchio, provided copies of the existing job descriptions for the two currently authorized Deputy County Administrator positions. He informed the Board that in addition to the 4-year vacancy of the Deputy CAO-Economic Development position, the Deputy CAO position will become vacant in April with the retirement of the current Deputy after almost 25 years of employment. He explained that he was combining and updating the Deputy CAO job descriptions to bring them more in line with current department expectations and functions. He also explained that he was creating the job descriptions for advanced levels of the Senior Deputy County Administrator and Assistant County Administrator, in order to have the job responsibilities and experience clearly defined should opportunities present themselves in the future to recruit at the higher levels. He emphasized that no change in authorized strength was being requested and that authorization was only being sought to fill one of the two vacant Deputy CAO positions currently authorized. The Board and Mr. Carunchio went on to discuss several areas of the job description in detail and at length, including focusing on the minimum requirements for education and experience. As a result of the discussion the Board directed the job description be amended per the discussion. A motion to approve the request was made and withdrawn in order to facilitate further discussions among the Board Members. Moved by Supervisor Arcularius and seconded by Supervisor Pucci to A) create the positions of Assistant County Administrator, Range 96 (\$7,747 - \$9,421) and Senior Deputy County Administrator, Range 92 (\$7,026 - \$8,540) and approve the job description for Assistant County Administrator and Senior Deputy County Administrator incorporating and revising the Deputy County Administrator job description to incorporate the discussion including, "under the 'Experience and Training' section, moving the statement 'a typical way to obtain the required knowledge and skills' down under the 'Experience:' section, to have that flow into what is below that, eliminate the 'at least' and just have the '4' '5' and '7' years of experience, and eliminating the reference to 'master's degree" under the Training: section; and, B) find, consistent with the adopted Authorized Position Review Policy, (a) the funding for the position comes from the General Fund and, possibly, certain Non-General Fund departments depending on job responsibilities and associated budget allocations, as certified by the County Administrator and concurred with by the Auditor-Controller; (b) the vacancy could possibly be filled by internal candidates meeting the qualifications for the position, however, an open recruitment is appropriate to ensure the position is filled with the best qualified candidate; and, (c) approve the hiring of one Deputy County Administrator, Range 88 (\$6,370 - \$7,740). Motion carried unanimously.

BofS/Minute  
Approval

Moved by Supervisor Cervantes and seconded by Supervisor Pucci to approve the minutes of the December 13, 2011, Board of Supervisors Meeting. Motion carried unanimously.

Moved by Supervisor Fortney and seconded by Supervisor Pucci to approve the minutes of the December 19, 2011, Board of Supervisors Meeting. Motion carried unanimously, with Supervisor Cervantes abstaining.

Board Members and  
Staff Reports

The Board Members reported on their activities during the preceding week, including a meeting on the Adventure Tails system.

Public Comment

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

Closed Session

The Chairperson recessed the open session at 11:35 a.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 28. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c) – Decision Whether to Initiate Litigation (one case); No. 29. PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957] - Public Employee Performance Appointment - Title: Director Public Works; No. 30. 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; No. 31. 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. 31A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code § 54956.9(b)]. – Significant Exposure to Litigation (one case).**

Report on Closed Session The Chairperson recessed closed session at 1:35 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported that with regard to Agenda Item No. 28. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c) – Decision Whether to Initiate Litigation (one case), the Board, in a unanimous vote, with Supervisors Arcularius, Cash, Pucci, Fortney and Cervantes voting yes, decided to support the Petition for Rehearing by the County of Imperial and Imperial County Air Pollution Control District to the Court of appeal of the State of California, Third Appellate District, Case No. C064293, Sacramento Superior Court Case No. JCCP4353.

Adjournment The Chairperson adjourned the regular meeting at 1:35 p.m., to 9:00 a.m., Tuesday, January 3, 2012, 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*