

# MINUTES

# County of Inyo Board of Supervisors

**May 28, 2013**

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 May 28, 2013, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Linda Arcularius presiding, Jeff Griffiths, Rick Pucci, Mark Tillemans and Matt Kingsley. Supervisor Griffiths 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. Ms. Denelle Carrington, Health and Human Services Fiscal Director, presented the Board with a fact sheet regarding State proposals that will impact County HHS services, for use by those Supervisors attending the CSAC Legislative Conference.
- Museum/L.P. Grant Payment      Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve the final payment to the Lone Pine Chamber of Commerce for the 2012-13 Community Project Sponsorship Grant Projects as follows: \$3,250 for the Early Opener Trout Derby and \$3,500 for the Wild Wild West Marathon and Ultra Run. Motion carried unanimously.
- Integ. Waste/  
Diesel Particulate  
Filter P. O.      Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to award the bid and approve the purchase of a diesel particulate filter for John Deere 755C to Diesel Emissions Service in an amount not to exceed \$19,089.68. Motion carried unanimously.
- Clerk/HAVA  
Training Program  
Contract      Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve the Agreement with the Secretary of State of California for the implementation of the HAVA (Help America Vote Act) Polling Place Accessibility Surveyor Training Program, including reimbursement for travel, staff salaries, purchased goods, supplies and equipment to improve accessibility for Polling Places for FY 2013-14 and 2014-15, in an amount not to exceed \$30,000, contingent upon the Board's adoption of future budgets; and authorize the Clerk-Recorder and/or Assistant Clerk-Recorder to sign. Motion carried unanimously.
- HHS-Mental Hlth.  
Serv./I.D.E.A.  
Consulting Contract      Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to declare I.D.E.A. Consulting a sole-source provider of certain mental health consultation services for FY 2013-14; approve the Contract and HIPAA Business Associate Agreement between the County of Inyo and I.D.E.A. Consulting for mental health consultation services for the period of July 1, 2013 through June 30, 2014, in an amount not to exceed \$20,000, contingent upon the Board's adoption of a FY 2013-14 Budget; and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Mental Hlth.  
Serv./Ernst  
Contract      Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to declare Gary Ernst a sole source provider of certain mental health fiscal consultation services for FY 2013-14; approve the Contract and HIPAA Business Associate Agreement between the County and Gary C. Ernst for fiscal consulting services for the period of July 1, 2013 through June 30, 2014, in an amount not to exceed \$15,000 contingent upon the Board's adoption of a FY 2013-14 Budget; and authorize the Chairperson to sign. Motion carried unanimously.
- P.W./City of Bishop  
Office Space Lease      Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve the Lease Agreement between the County of Inyo and the City of Bishop for office space at 301 West Line Street in Bishop, for the period of July 1, 2013 through June 30, 2014, including two one year options to extend the lease, at the rate of \$3,800.16 per month, contingent upon the Board's adoption of future budgets; authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and authorize the Public Works Director to sign one year extensions contingent upon no change in lease terms and upon the appropriate signatures being obtained. Motion carried unanimously.

Rd. Dept./Nielsen's Contract Amendment	Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve Amendment No. 2 to the Contract between the County of Inyo and Nielsen's Equipment Maintenance for replacement of routine and emergency communications equipment, amending the scope of work to add a task to assist the County to update its FCC radio licensing, extending the term of the Contract to an ending date of December 31, 2013 and increasing the amount of the Contract by \$4,000 to a total amount not to exceed \$95,000, contingent upon the Board's adoption of a FY 2013-14 Budget; authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Sheriff/Request for Salary Adjustment	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the request to amend the Elected Officials Ordinance for the Sheriff relative to adjustments in compensation as presented in the Summary Discussion portion of the Agenda Request Item and direction to Personnel staff to make the changes to the Ordinance and bring it back for Board consideration at a future meeting. Motion carried unanimously.
CAO-Purchasing/ Surplus Property Sale	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to A) declare certain property as surplus; B) authorize the transfer of the surplus to other public entities and non-profit organizations <i>and</i> C) approve the public auction of surplus equipment not claimed by those entities/organizations on June 6, 2013 at the Building and Maintenance yard at 136 Jackson Street in Independence. Motion carried unanimously.
CAO-Personnel/ Quilter Contract	The County Administrator provided additional information about Mr. Clint Quilter's contract for personal services as the Public Works Director, explaining that the Contract comports with the direction of the Board of Supervisors with regard to Mr. Quilter's employment. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to A) approve the Contract between the County of Inyo and Clint Quilter for the provision of personal services as the Public Works Director at a monthly base salary of \$9,849 effective August 5, 2013; and authorize the Chairperson to sign contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Resol. #2013-24/ Appointed Officials Salaries	On a motion by Supervisor Griffiths and a second by Supervisor Tillemans Resolution No. 2013-24 titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Amendment Resolution 2006-09, 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.
Emerg. Serv./D.V. Roadeater Emergency Continued	The County Administrator recommended that the D.V. Roadeater Emergency be continued until discussions with the National Parks Services regarding the condition of the roads are concluded and the County's Road Department provides an update on the repairs to the Board. Moved by Supervisor Kingsley and seconded by Supervisor Pucci 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. Motion carried unanimously.
CAO-Bishop Office Building Phase I Agreement Amendment	The County Administrator provided additional information and further justification for the request to amend the Exclusive Negotiation Agreement with Joseph Enterprises for the non-binding Bishop Consolidated Office Building Project. He explained that the floor plan for the proposed building is being developed and the amendment will extend the term of the lease to allow for this work to be completed. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve Amendment No. 6 to the Exclusive Negotiation Agreement between the County of Inyo and Joseph Enterprises, extending the Phase 1 Expiration Date to July 31, 2013; and authorize the County Administrator to sign. Motion carried unanimously.
BofS/Minute Approval	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the minutes of the May 14, 2013 Board of Supervisors Meeting. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 9:23 a.m., to reconvene in open session at 9:30 a.m., with all Board Members present.
Resol. #2013-25/ Oppose State Shift of Realignment for CMSP Counties	County Counsel explained that the resolution as worded is actually saying the County does not intend to pay the State should the State follow through on its proposal to shift 1991 Realignment funds from CMSP participating counties to the State.

On a motion by Supervisor Kingsley and a second by Supervisor Griffiths, Resolution No. 2013-25 titled "A Resolution of the Board of Supervisors, State of California, Opposing Action to shift 1991 Health Realignment Funds From Counties Participating in County Medical Service Program (CMSP)" was approved, with direction to staff to immediately forward resolution to the Governor and the County's State Legislative Representatives: motion unanimously passed and adopted.

- P.W./Dehy Park Workshop The Chairperson recessed open session at 9:40 a.m., to convene in a workshop with all Board Members present to conduct a workshop with Public Works staff to discuss and receive an update on the Eastern Sierra Scenic Byways Project at Dehy Park in Independence. The Chairperson recessed the workshop at 11:05 a.m., to reconvene in open session, with all Board Members present.
- Board Members and Staff Reports The Board Members reported on their activities during the preceding week, including various constituent meetings, Mule Days events, the Arts and Crafts Show in the Park, the Bishop City Council Meeting, and a legislation update. The County Administrator reported on Memorial Day activities and a meeting with the Tecopa concessionaire, CLM. Mr. Carunchio also congratulated Supervisor Arcularius on the honor bestowed by the California Assembly as "Woman of the Year."
- Recess/Reconvene The Chairperson recessed the regular meeting at 11:30 a.m., to reconvene in open session at 11:35 a.m., with all Board Members present.
- CAO-Personnel/Auditor Controller Appointment The County Administrator reviewed the processes the Board may consider with regard to appointing an Auditor-Controller. He explained that per the Board's instructions requests for letters of interest for the position has been published and as a result of the notice, one letter of interest had been received from the current Acting Auditor-Controller, Ms. Amy Shepherd. He presented the Board with a list of questions the Board might want to consider asking the applicant should the Board choose to interview Ms. Shepherd. Mr. Carunchio also noted that the Board had received a letter of support for Ms. Shepherd's appointment from former Inyo County Auditor-Controller, Ms. Leslie Chapman. The Board took the opportunity to interview Ms. Shepherd. At the conclusion of the interview the Board thanked Ms. Shepherd for her interest in the position and complimented her on her responses to the questions and her understanding what is required of the position. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to acknowledge the experience and expertise of Ms. Amy Shepherd and appoint Ms. Shepherd as the Inyo County Auditor-Controller, to fill the unexpired term of Auditor-Controller ending in January 5, 2015. Motion carried unanimously.
- Public Comment The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.
- Closed Session The Chairperson recessed open session at 12:40 p.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 20. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)] - City of Los Angeles, Department of Water and Power of the City of Los Angeles v. Inyo County Board of Supervisors, et al.** Inyo County Superior Court Case No. 12908; Blackrock 94 Dispute Resolution; No. 21. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)] - Owens Valley Committee v. County of Inyo; Inyo County Board of Supervisors, et al.; CG Roxanne, LLC, and Does 21 through 100,** Inyo County Superior Court Case No. SICVPT 1354991; No. 22. **PERSONNEL [Pursuant to Government Code §54957].** Public Employee Appointment – Title - County Counsel; No. 23. **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: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion; No. 24. **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: Information Services Director Brandon Shults 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: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, and Information Services Director Brandon Shults; No. 26. **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: Information Services Director Brandon Shults, Chief Probation Officer Jeff Thomson, and Labor Relations Administrator Sue Dishion; and No. 27. **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: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion.

- Report on Closed Session      The Chairperson recessed closed session at 1:50 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 1:50 p.m., to 9:00 a.m., Tuesday, June 4, 2013 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*