

# MINUTES

# County of Inyo Board of Supervisors

**January 6, 2015**

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:35 a.m., on January 6, 2015, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Rick Pucci presiding, Dan Thotheroh, Jeff Griffiths, Mark Tillemans and Matt Kingsley.

- Public Comment      The Chairperson announced the public comment period and there was no one wishing to address the Board.
- Closed Session      The Chairperson recessed open session at 8:35 a.m., to convene in closed session, with all Board Members present to discuss and take action as appropriate on Agenda Items No. 2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(d)(2)** – significant exposure to potential litigation (two cases); No. 3. **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 - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 4. **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: County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator Pam Foster, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 5. **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 - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 6. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Peace Officers Association (ICPPOA) – Negotiators - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 7. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 8. **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: - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Foster, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 9. **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 Foster, and Public Works Director, Clint Quilter, and Joseph Enterprises - Negotiating Parties, Steve Joseph, Scott Piercey, Wayne Lamb and Jeff Shepard – Negotiations – Terms and Conditions; No. 10. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title – Child Support Services Director. The Chairperson recessed closed session at 10:00 a.m., to reconvene in open session at 10:10 a.m., with all Board Members present.
- Pledge of Allegiance      Supervisor Pucci 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. The Chairperson, Supervisor Pucci, and Fifth District Supervisor Matt Kingsley recognized previous Fourth and Fifth District Supervisors, Mr. Bob Gracey and Mr. Paul Payne who were in the audience.
BofS/Election of Officers	The Chairperson turned the meeting over to the Assistant Clerk of the Board for the election of officers. The Clerk called for nominations for Vice-Chairperson. Supervisor Tillemans nominated Supervisor Griffiths and the nomination was seconded by Supervisor Pucci. The Clerk closed the nominations and called for a vote. Supervisor Griffiths was unanimously elected Vice-Chairperson of the Board of Supervisors. The Clerk called for nominations for Chairperson. Supervisor Griffiths nominated Supervisor Kingsley and the nomination was seconded by Supervisor Tillemans. The Clerk closed the nominations and called for a vote. Supervisor Kingsley was unanimously elected Chairperson of the Board of Supervisors. The Clerk turned the meeting over to the Chairperson, who thanked Supervisor Pucci for his outstanding leadership as the Chairperson of the Board last year and welcomed Supervisor Totheroh, the newly elected First District Supervisor, to the Board.
BofS/Warm Water Fishing Guide	The Board received a presentation on the Eastern Sierra Family Guide to Warm Water Fishing from Mr. Dick Noles, Advocates for Access to Public Lands and Ms. Pam Foster, Senior Deputy County Administrator, Inyo County Parks and Recreation. Mr. Noles presented the Board Members with a copy of the new guide and highlighted some of the areas that are designated on the map.
County Counsel/ Conflict Codes	Supervisor Totheroh, explained that he would be abstaining from this item, because he had signed one of the Conflict Codes on behalf of a district. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to A) receive the 2014 Conflict of Interest Code Biennial Reports from the Local Agencies identified as A.1 through A.20 in the staff report; and B) approve the amended Conflict of Interest Codes for the Local Agencies identified as B.1 through B.4 in the staff report. Motion carried unanimously on a four-to-zero vote, with Supervisors Griffiths, Pucci, Tillemans and Kingsley voting yes, and with Supervisor Totheroh abstaining.
Resol. #2015-01/ Treasury Oversight Committee Appointment	<p>The Treasurer-Tax Collector, Ms. Alisha McMurtrie, provided additional information and further justification for filling a vacancy on the Treasury Oversight Committee that occurred as a result of a resignation, with her recommendation, the Auditor-Controller, Ms. Amy Shepherd. In responding to a question from the Board regarding the appointment of Ms. Shepherd, Ms. McMurtrie confirmed that the Auditor-Controller is one of the categories for membership on the Committee designated in the law. The Board and Ms. McMurtrie went on to discuss the manner in which per diem may be paid to the Committee Members. County Counsel explained that since the Code Section that set the per diem policy says "shall" she believes the County either needs to pay the Committee per the Code or change the Code. The Board briefly discussed the issue of per diem and it was a consensus of the Board that the Code be changed to read "may" instead of "shall."</p> <p>Moved by Supervisor Griffiths and seconded by Supervisor Pucci to accept the resignation tendered and rescind the appointment of the Committee member identified in the staff report, and after review and discussion accept the Treasurer's recommendation for the appointment of Inyo County Auditor-Controller, Ms. Amy Shepherd, to the Committee. Motion carried unanimously.</p> <p>On a motion by Supervisor Griffiths and a second by Supervisor Pucci, Resolution 2015-01 was approved appointing Inyo County Auditor-Controller, Amy Shepherd to the Inyo County Treasury Oversight Committee; motion unanimously passed and adopted.</p> <p>Moved by Supervisor Griffiths and seconded by Supervisor Pucci to direct staff to begin the process to have the Board change the Inyo County Code Section concerning per diem and mileage compensation for the Treasury Oversight Committee members so that it reads "may" instead of "shall." Motion carried unanimously.</p>
Sheriff/Lt. Position Request	Undersheriff Jeff Hollowell, provided additional information and further justification for filling a vacant Lt. position. Moved by Supervisor Griffiths 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 comes from the General Fund, as certified by the Sheriff, and concurred 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 (1) Lieutenant position from the existing list at Range 81SC (\$6,238-\$7,589) or 81SD (\$6,550-\$7,968) or 81SE (\$6,878-\$8,366), depending upon qualifications. Motion carried unanimously.

HHS-Health Serv./ Substance Use Disorder Services Contract	Moved by Supervisor Pucci and seconded by Supervisor Griffiths to ratify and approve the Contract between the County of Inyo and the Department of Health Care Services for Substance Use Disorder Services for a three year period at the annual amount of \$413,837, for the period of July 1, 2014 through June 30, 2015, for a total amount of \$1,241.511, contingent upon the Board's adoption of future budgets and authorize the Chairperson to sign. Motion carried unanimously.
Resol. #2015-02/ CAO Designated County's Applicant Agent	<p>The County Administrator explained that this is a resolution that is required by the State Office of Emergency Services which needs to be updated every three years. On a motion by Supervisor Griffiths and a second by Supervisor Pucci, Resolution No. 2015-02 was approved, designating the County Administrative Officer and the Director of Emergency Services as the County of Inyo's Applicant Agent, for all open and future Disasters/Grants up to three years following the date of approval, as required by the California Office of Emergency Services; motion unanimously passed and adopted;</p> <p>Moved by Supervisor Griffiths and seconded by Supervisor Pucci to authorize the County's Applicant Agent to execute for and on behalf of Inyo County for all purposes related to obtaining federal financial assistance for the creation of the Inyo County Multi-Jurisdictional Hazard Mitigation Plan (ICMHMP). Motion carried unanimously.</p> <p>Moved by Supervisor Griffiths and seconded by Supervisor Pucci to amend the FY 2014-15 County Budget by (a) creating a new Budget for the ICMHMP; (b) increase revenue in Federal Grants (<i>Revenue Code #4555</i>) by \$112,507 and (c) increase appropriations in Professional Services (<i>Object Code #5265</i>) by \$112,507. Motion carried unanimously.</p>
CAO-Info Serv./ Position Request	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to A) amend the authorized strength by deleting one Network and Operations Analyst Position I through IV at Ranges 68 through 79 (\$4,106 - \$6,471) and adding one Programmer Analyst Position I through IV at Ranges 68 through 79; and B) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for a Programmer Analyst is budgeted in the Information Services budget, as certified by the Information Services Manager, 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 existing list or an internal recruitment, however, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of one Programmer Analyst I through IV at Ranges 68 through 79 (\$4,106 - \$6,471) and authorizing hiring at the E Step depending on qualifications. Motion carried unanimously.
CAO/Position Request	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to 1) find that 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 vacancies 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 a Deputy County Administrator position, Range 88 (\$6,627 - \$8,053) up to a Step E; a Senior Deputy County Administrator position, Range 92 (\$7,310 - \$8,885) up to Step E; OR, an Assistant County Administrator, Range 96 (\$8,060 - \$9,801) depending on the qualifications of the selected candidate as determined by the County Administrator; and D) if necessary, as a result of the level at which the position is filled, authorize adjusting the department's authorized staffing by changing the Senior Deputy County Administrator to a Deputy County Administrator or Assistant County Administrator; and 2) designate and authorize the County Administrator to sign a personal services contract (draft attached) with the successful candidate for the Deputy County Administrator, Senior Deputy County Administrator, or Assistant County Administrator position at the salary range corresponding to the level of the position(s) approved by your Board. Motion carried unanimously.
Integ. Waste/ Compactor and Loader P.O.	Mr. Scott Eagan: Recycling and Waste Management Supervisor, provided additional information and further justification for purchasing a Loader and Compactor for the Recycling and Waste Management Program. Moved by Supervisor Pucci and seconded by Supervisor Tillemans to A) Award a bid for the purchase of a Caterpillar 826K Landfill Compactor in the amount of \$710,862.29, and a Caterpillar 938K Front-End Wheel Loader in the amount of \$225,623.27 to Quinn Company of Lancaster California, with Inyo County Recycling Waste Management making seven (7) lump sum annual payments in the amount of \$146,825.01, and B) authorize the County Administrator to execute all loan and purchase documents. Motion carried unanimously.

Emerg. Serv./D.V. Roadeater Emergency	Moved by Supervisor Griffiths 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, as recommended by the County Administrator. Motion carried unanimously.
Emerg. Serv./Gully Washer Emergency	Moved by Supervisor Pucci and seconded by Supervisor Griffiths 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 Pucci and seconded by Supervisor Tillemans 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.
Water/State & Local Drought Briefing	Dr. Bob Harrington, Inyo County Water Director, updated the Board on the statewide and local drought conditions.
Emerg. Serv./Land of Even Less Water Emergency	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans 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.
BofS/Minute Approval	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the minutes of the Board of Supervisors Regular Meetings of A) December 9, 2014; and B) December 16, 2014. Motion carried unanimously on a four-to-zero vote, with Supervisors Griffiths, Pucci, Tillemans and Kingsley voting yes and with Supervisor Totheroh abstaining.
Parks/Delete Redundant Code Section re: Rates for Parks and Campground Facilities	The Chairperson opened the <b>PUBLIC HEARING</b> at 11:50 a.m., on an ordinance titled "An Ordinance of the County of Inyo, State of California, Deleting section 12.16.192 of the Inyo County Code" which deletes a redundant Code Section that conflicts with Section 12.16.190 which allows rates for use of the County parks, campgrounds, boat launching facilities, group camps, storage and facilities to be set by resolution of the Board of Supervisors. Ms. Pam Foster, Sr. Deputy County Administrator, reviewed the staff report and recommendations concerning deletion of the Code Section. There was no one from the public wishing to address this issue. The Chairperson closed the public hearing at 12:00 p.m. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to waive the first reading of the ordinance and schedule the enactment for 11:45 a.m., January 13, 2015, in the Board of Supervisors Room, at the County Administrative Center, in Independence. Motion carried unanimously.
Resol. #2015-03/ Fees for Parks and Campground Services	Ms. Pam Foster, Sr. Deputy County Administrator, reviewed the proposed fees for parks and campground services. Ms. Foster explained that the fees have not been increased for many years and this resolution while it does raise the fees still keeps Inyo County's fees lower than any others in the County, as well as in the surrounding counties. Mr. Charles James of Big Pine, told the Board that he thought the proposed increase was too much for the seniors and asked the Board to reduce the amount of the fees. On a motion by Supervisor Griffiths and a second by Supervisor Totheroh, Resolution No. 2015-03 titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Establishing Camping, Boat Launching, Group Camping, Storage and Senior Citizen Camping Permit Fees in the Owens Valley and Tecopa Hot Springs Park of Inyo County," was approved: motion unanimously passed and adopted.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:20 p.m., to reconvene in open session at 1:15 p.m., with all Board Members present.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including an ESTA meeting, an ESCOG Meeting, various constituent meetings, and a Meeting regarding the Alabama Hills designation. The Assistant Clerk of the Board reported the Inyo Complex Fire has been finalized with the State. The County Administrator gave the Board the monthly personnel update which has a cataloging of all vacancies in the County workforce and the status of those in the recruitment process. He also provided an update on the status of the 21 <sup>st</sup> Century Obsidian Project RFP.

Public Comment The Chairperson announced the final public comment period. Mr. Charles James of Big Pine, commented on the passing of Bennett Kessler, a local news caster and owner of Sierra Wave Radio who passed away recently, and suggested the Board take action to honor Bennett for her contribution to local news reporting.

County Department Reports The Chairperson opened the County Department Report period. The Public Works Director, Mr. Clint Quilter, announced that Shannon Williams, the Management Analyst in his Department, was the successful candidate for the Deputy Public Works Director position. Mr. Josh Hart, Planning Director, updated the Board on the DERCP. He said that during recent webinars staff heard something different regarding the proposed areas of critical environmental concern and the National Landscape Conservation System designations that are proposed through that plan in Inyo County. He said he had previously reported that possibly they would be applied as development occurred, but based on what was heard in the webinar, those will now be applied at the time that the plan is adopted. Mr. David Stottlemyre, the newly elected Assessor, introduced himself to the Board and said he was excited about the new job and went on to report that the assessment roll is up 1.5% and the Phillips formula for DWP lands is up 5.8%. Supervisor Griffiths requested that today's meeting be adjourned in memory of Bennett Kessler of Sierra Wave, who passed away recently.

Ordinance 1192/  
Planning Code  
Enforcement On a motion by Supervisor Griffiths and a second by Supervisor Tillemans, to enact Ordinance 1192, titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Adding Title 22 to the Inyo County Code and Section 7.24.050, 7.52.150, 14.14.080, 14.20.110, 14.28.175, 14.29.280, 20.08.130, AND AMENDING SECTIONS 1.20.010, 7.60.050, 7.60.060, 7.70.070(H), 10.64.040, 11.04.120, 14.08.200, 14.08.210, 14.28.150, 18.81.370, 21.24.080 and Deleting Section 18.81.380 of the Inyo County Code;" motion unanimously passed and adopted.

Closed Session The Chairperson recessed open session at 1:35 p.m., to reconvene in closed session, with all Board Members present, to discuss and take action as appropriate on previously noted closed session items.

Report on Closed Session The Chairperson recessed closed session at 2:35 p.m., to reconvene in open session, with all Board Members present. County Counsel reported that with regard to Agenda Item No. 2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(d)(2)** – significant exposure to potential litigation (two cases), in each instance the Board met with Counsel and gave Counsel direction on how to proceed forward; with regard to items 3 through 8 which are conference with labor negotiators, the labor negotiators were given instructions on present and future negotiations; with regard to Item 9 which is real property negotiations, instructions were given to the negotiators for moving forward; and with regard to Agenda Item No. 10. which is a personnel performance evaluation Child Support Services Director, there is no reportable action.

Adjournment The Chairperson adjourned the meeting in memory of Ms. Bennett Kessler, a long time Independence Resident, and news reporter, who passed away recently. The Chairperson adjourned the meeting at 2:36 p.m., to 8:30 a.m., Tuesday, January 13, 2015, 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*