

MINUTES

County of Inyo Board of Supervisors

October 13, 2015

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:38 a.m., on Tuesday, October 13, 2015, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Matt Kingsley, presiding, Dan Totheroh, Rick Pucci, Jeff Griffiths, and Mark Tillemans.

- Public Comment The Chairperson announced the public comment period and there was no one from the public wishing to address the Board
- Closed Session The Chairperson recessed open session at 8:40 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 (one case); No. 3. **CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]** - decision whether to initiate litigation (three cases); No. 4. **PERSONNEL [Pursuant to Government Code §54957].** Public Employee Appointment – Title – County Counsel; No. 5. **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, Assistant County Administrator, Rick Benson, 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: ICEA - Negotiators - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; and No. 7. **CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6)** – Instructions to Negotiators re: wages, salaries and benefits – Title – Environmental Health Director – Negotiator – as designated by the Board of Supervisors.
- Recess/
Reconvene The Chairperson recessed closed session at 10:00 a.m., to reconvene in open session at 10:14 a.m., with all Board Members present.
- Pledge Supervisor Tillemans 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.
- Introduction Keith Rainville, Hydrologist in the Water Department was introduced to the Board.
- Org-Wild Iris/
Domestic Violence
Awareness Month Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve a proclamation proclaiming October 2015 as Domestic Violence Awareness Month in Inyo County. Motion carried unanimously.
- CAO-Adv. Co.
Resc./Prior Year
Payment Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve a \$2,000 payment to the Inyo Register from the FY 2015-16 budget for prior year online advertising. Motion carried unanimously.
- CAO-Personnel/
Proclamation Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve a Proclamation of the Board of Supervisors and proclaim the week of October 18-24, 2015 as Freedom from Workplace Bullying Week. Motion carried unanimously.

P.W./Christenson Trust Office Space Lease
 Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the Lease between the County of Inyo and Cody Christenson Revocable Trust for office space at 380 N. Mt. Whitney in Lone Pine, for the period of October 15, 2015 through October 16, 2020, at the rate of \$2,529.85 per month, with a potential maximum discretionary increase of 5% for subsequent yearly terms if extended, contingent upon Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon appropriate signatures being obtained. Motion carried unanimously.

Rd. Dept./Road Closures
 Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to authorize the Public Works Director to close portions of Tinemaha Road/Old 395 about 6 miles south of Aberdeen and Hogback Road, just off of Whitney Portal Road at various times and dates during October 2015 for the Sierra Nevada Bighorn Sheep Demographic studies. Motion carried unanimously.

Rd. Dept./Plant Mix Asphalt P.O.
 Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to declare Grant Construction Company as a sole source provider of plant mix asphalt materials and authorize a blanket purchase order to Grant Construction for 1,600 tons of plant mix asphalt materials for the period of October 15, 2015 through November 30, 2015 for various projects in Inyo County at a rate of \$90 per ton, for a total amount of \$175,000. Motion carried unanimously.

HHS/Behavioral Hlth. Serv./Contract Substance Use Disorder
 Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve Amendment No. A02 to the Contract between the County of Inyo and the State of California Department of Health Care Services for substance use disorder services increasing the Contract by \$17,847, to a total amount of \$1,275,122 for the period of July 1, 2014 through June 30, 2017, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign the Amendment and the Certification (CCC-307). Motion carried unanimously.

HHS-Soc.Serv./HHS Specialist Position Request
 Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to find that consistent with the Authorized Position Review Policy: A) the availability of funding for a Health and Human Services Specialist III position exists, as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications of the position, the vacancy 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 HHS Specialist III at Range 57 (\$3,232 - \$3,927). Motion carried unanimously.

Planning/Wildan Contract Amendment
 Supervisor Griffiths questioned amending the Contract, asking about the amount of work that is produced. The Planning Director, Josh Hart, said that he was happy with the work being performed by Wildan, explaining that there is a great deal of document review and telephone conference work. Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve Amendment No. 3 to the Contract between the County of Inyo and Wildan Engineering to extend the ending date of the Contract to December 31, 2016 and increase the amount of the Contract by \$10,000 to a total amount not to exceed \$80,500, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried on a four-to-one vote, with Supervisors Totheroh, Pucci, Tillemans and Kingsley voting yes and with Supervisor Griffiths voting no.

P.W./Bishop Airport Project
 Moved by Supervisor Griffiths and seconded by Supervisor Pucci to A) award the Contract for the construction of the Bishop Airport-Airfield Pavement Crack Repairs, Pavement Sealing and Paint Marking and Terminal Area Security Fencing Project to Pave-Tech, Inc., in the amount of \$1,219,577.09; and authorize the Chairperson to sign; and B) authorize the Public Works Director to execute all other Contract documents, including change orders to the extent permitted pursuant to Section 20142 of the Public Contract Code and other applicable law. Motion carried unanimously.

Resol. #2015-49 and Resol. #2015-50/ Bishop Airport Project and Independence Airport Project Matching Funds
 On a motion by Supervisor Pucci and a second by Supervisor Tillemans Resolutions No. 2015-49 and No. 2015-50, authorizing the submittal of applications for construction, acceptance of allocation of funds, and authorizing the Public Works Director to execute Airport Improvement Program (AIP) Matching Grant Agreements and any other documents required to apply for and accept the grant funds (and transmit signed copies to the Clerk of the Board for the Board's files), with the California Department of Transportation (CDA) for FAA-funded projects as follows: A) the Bishop Airport-Airfield Pavement Crack Repairs, Pavement Sealing and Paint Marking, and Terminal Area Security Fencing Project (FAA AIP No. 3-06-0024-017-2015); and B) the Independence Airport-Runway 14-32 Pavement Crack Repair, Sealing and Marking Project (FAA-3-06-0108-007-2015): motion unanimously passed and adopted.

P.W./South Lake Rd. Project Matching Funds Agreement	The Board and Public Works Director discussed the proposed agreement for the matching funds for the South Lake Road Project, including the level of risk associated with leveraging the road funds for the project. The Public Works Director, Clint Quilter, explained that even if the County does not receive the grant, the design work done on the project can be used at a later date. The Board heard from the Auditor-Controller, Amy Shepherd, who said that she felt the project was worth leveraging the road funds for. Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to, with regard to matching funds for the South Lake Road Federal lands Access Program Project Agreement: A) approve the recommended funding prioritization schedule; B) authorize the expenditure of Road Department funds for Preliminary Engineering match if necessary; and C) authorize the Public works Director to execute necessary project related documents such as the Project Agreement, and transmit a signed copy to the Clerk of the Board for the Board's files. Motion carried unanimously.
P.W./Wellness Center Rehab Project	Supervisor Griffiths recused himself from the meeting, explaining that because of the Bishop Wellness Center's proximity to his residence, he had a conflict and left the Meeting. The Public Works Director provided additional information and further justification for contracting for the rehabilitation of the Bishop Wellness Center. Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to A) award to and approve the Contract between the County of Inyo and Garic Construction for the Bishop Wellness Center Rehabilitation Project in the amount of \$86,866, and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and B) authorize the Public Works Director to sign all other Contract documents, including change orders, to the extent permitted pursuant to Section 20142 of the Public Contract Code and other applicable law. Motion carried unanimously, with Supervisor Griffiths absent. At the conclusion of this item, Supervisor Griffiths rejoined the meeting.
Rd. Dept./Heavy Equipment Mechanic/Operator Position Request	Moved by Supervisor Pucci and seconded by Supervisor Totheroh to find that consistent with the Authorized Position Review Policy: A) the availability of funding for a Heavy Equipment Mechanic/Operator position exists in the Road Budget, as certified by the Public Works Director, and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications of the position, the vacancy could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure the most qualified applicants apply; and C) approve the hiring of one full-time Heavy Equipment Mechanic/Operator I at Range 58 (\$3,310-\$4,027 plus 2.5% tool allowance) or II at Range 60 (\$3,471-\$4,216 plus 2.5% tool allowance) depending upon qualifications. Motion carried unanimously.
Rd. Dept./Heavy Equipment Operator Position Request	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to find that consistent with the Authorized Position Review Policy: A) the availability of funding for a Heavy Equipment Operator position exists in the Road Budget, as certified by the Public Works Director, and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications of the position, the vacancy could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure the most qualified applicants apply; and C) approve the hiring of one full-time Heavy Equipment Operator I at Range 58 (\$3,310-\$4,027) or II at Range 60 (\$3,471-\$4-216) depending upon qualifications. Motion carried unanimously.
Recess/Reconvene	The Chairperson recessed the regular meeting at 11:05 a.m., to reconvene in open session at 11:10 a.m., with all Board Members present.
County Department Reports	The Chairperson announced the County Department Report period. Jean Turner, Director of Health and Human Services, updated the Board on the ICEMA Ambulance Services RFP and on the Foster Care Program. The County Administrator reported on Prop 1A, saying that County Counsel is looking at the reduction of removing funds and mandating projects. Mr. Carunchio also suggested that the HHS Department should do a cost analysis of how much money is being saved on closing group homes and if the money is going to County's. Ms. Turner said that she would meet with County Counsel to work on this.
Water/Water Dept. Annual 2014-15 Report	Dr. Harrington, Water Director, presented the Board with a copy of his presentation, reviewing the information summarizing the Water Department's 2014-2015 Annual Report. Dr. Harrington explained that DWP releases its report in April with the Annual Operations Plan.

Recess/
Reconvene The Chairperson recessed the Board of Supervisors Meeting at 11:48 a.m., to convene as the Capital Asset Leasing Corporation to conduct the Corporations Annual Meeting (see separate minutes.) The Chairperson reconvened the Board of Supervisors Meeting in open session at 12:00 p.m., with all Board Members present.

County Department
Report Period The Board continued to accept County Department Reports. The Planning Director, Josh Hart, advised the Board on the Charleston View Planning Meeting. The Assessor, David Stottlemire, updated the Board on the BOE Audit, explaining that the audit is focusing on possessory interest mining claims and they expect to be here until November 2, 2015. He went on to inform the Board that the GIS Mapping staff member in his office is retiring after Thanksgiving and recommended that a replacement be hired before the staff member leaves so that training can take place. The Auditor Controller, Amy Shepherd, informed the Board that the IRS Audit has been closed.

Board Members and
Staff Reports The Board Members reported on their activities during the preceding week, including a request that the County staff conduct outreach to the Tribes about the Tribal Consultation discussion at next week's Board of Supervisors Meeting. The County Administrator updated the Board on the Coroner recruitment saying that the County has received two letters of interest and the interviews have been scheduled for the Board Meeting of October 27, 2015.

Report on Closed
Session County Counsel reported the following with regard to closed session: Item No. 2 instructions were given to Counsel as appropriate; No. 3 instructions were given to staff; Nos. 4 and 7 were withdrawn; and Nos. 5 and 6 there was no reportable action.

Adjournment The Chairperson adjourned the meeting at 12:16 p.m. to 8:30 a.m., Tuesday, October 20, 2015 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