

MINUTES

County of Inyo Board of Supervisors

July 8, 2008

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:30 a.m., on Tuesday, July 8, 2008, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Linda Arcularius presiding, Susan Cash, Beverly Brown, Jim Bilyeu and Richard Cervantes. Supervisor Cervantes provided the Invocation, and Supervisor Bilyeu 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 Dept.
Reports The Chairperson announced the County Department Report period. The County Administrator notified the Board that in conjunction with State efforts to mitigate for impacts of the heat wave, the Tri-County Fairgrounds has opened a cooling center at the Patio Building.
- HHS-Mental Hlth./
State Contract Moved by Supervisor Cash and seconded by Supervisor Cervantes to ratify the Contract between the County of Inyo and State of California for the provision of County mental health services for the three-year period beginning July 1, 2007 and ending June 30, 2010, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.
- Resol. #2008-22/
Mendenhall Rest-
room Completion On a motion by Supervisor Cash and a second by Supervisor Cervantes, Resolution No. 2008-22 was adopted, accepting the improvements and authorizing the recording of a Notice of Completion for the Mendenhall Park Restroom Improvement Project: motion unanimously passed and adopted.
- Rd. Dept./Cost
Accounting
Program
Agreement Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the Agreement between the County of Inyo and Cascade Software System, Inc., for the provision of Software Maintenance and Support Services for the Road Department's Cost Accounting Program in an amount not to exceed \$10,936.39 for the period of July 1, 2008 through June 30, 2009, contingent upon the Board's adoption of a FY 2008-09 budget; and authorize the Chairperson to sign. Motion carried unanimously.
- P.W./Dept. Update The Acting Public Works Director, Mr. Doug Wilson, updated the Board on the Independence Airport Apron Project, which will be discussed later today and the Mustang Mesa Project.
- P.W./Staff
Acknowledgement The Acting Public Works Director briefly described his Staff's contributions to the recent Bishop offices move. The Board took great pleasure in acknowledging the outstanding and professional efforts of Mr. Jon Jones and the entire Maintenance of Buildings and Grounds staff in the relocation of the office leases in the Bishop area and recognizing the efforts and cooperation of the affected departments in assisting with the relocation of their offices.
- Public Works/
Independence
Airport Apron
Project The Chairperson noted that due to some confusion regarding the schedule for today's item on the request for the Board to declare the bid submitted by Pacific Asphalt Services for the Independence Airport Apron Improvement Project as non-responsive and reject the bid, the item was being rescheduled for next week's Board of Supervisors Meeting.
- BofS/Disposition of
Old Jail Property Supervisor Bilyeu explained that he would like the County to find a use for the property where the old jail was located at the corner of Market Street and U.S. Highway 395 in Independence. He suggested that it be paved and used as a parking lot for the Courthouse and annex employees. The Board and Staff discussed this recommendation, with the Board asking Staff to include a discussion of this recommendation during budget hearings, including a cost analysis as well as alternatives to use of the property.

Sheriff/Disposal of Surplus Firearms and Accessories Moved by Supervisor Bilyeu and seconded by Supervisor Brown to A) authorize the County Purchasing Agent and Sheriff's Department to work together to solicit and choose a licensed firearm dealer to accept surplus Sheriff's Department firearms for the purpose of trade-ins towards new Glock handguns, Colt AR15 rifles, and other equipment commonly used by the Sheriff's Department; B) declare as surplus Sheriff's Department Smith and Wesson model 4006 handguns and accessories, Colt Delta Elite handguns and accessories, Ruger revolvers and accessories, Ruger Mini-14 rifles and accessories, and miscellaneous forfeited pistols, rifles, and their accessories; and C) declare that any remaining unsold firearms be destroyed as authorized by law. Motion carried unanimously. At the end of this item, the Sheriff took the opportunity to update the Board on the multi-jurisdictional search and rescue operations to locate a lost hiker, which is taking place in the County.

Closed Session The Chairperson recessed open session at 9:00 a.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 12. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Appointment - Title – Chief Probation Officer; and No. 13. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title – Planning Director. The Chairperson recessed closed session at 11:25 a.m.

CAO/GIS FY 2008-09 Preliminary Funding The Chairperson reconvened in open session at 11:30 a.m., with all Board Members present. The Board reviewed FY 2008-09 Grants-in-Support applications and Staff's recommendations regarding the applications and preliminary funding. Representatives of the recipient organizations addressed the Board to provide further justification for their requests. The County Administrator reviewed and briefly discussed the alternatives and the impact of varying funding scenarios. The Board Members provided their individual opinions on the funding options they were favoring, with Supervisor Brown saying that she was unwilling to fund the contracts until additional information about the IMAAA Budget issues are resolved. The remaining Board Members supported funding the contracts at the 50% of last year's level, which is covered in the Preliminary Budget. Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve the contracts with the agencies applying for FY 2008-09 Grants-in-Support Program grant funds, in an amount not to exceed 50% of last year's funding level as the preliminary amount until further discussions during budget hearings, contingent upon the Board's adoption of a FY 2008-09 budget; and authorize the County Administrator to sign, contingent upon the appropriate signatures being obtained. Motion carried on a four-to-one vote, with Supervisors Arcularius, Cash, Bilyeu and Cervantes voting yes, and with Supervisor Brown voting no.

Auditor/Premium Pay for CPA License The Auditor-Controller, Ms. Leslie Chapman, provided additional information and further justification for the request to include the Auditor-Controller's CPA license in those positions recognized to receive premium pay. Supervisor Cash explained that her vote on this request was not reflective of her opinion of the job performance of the Auditor-Controller or the worthiness of the request, it was reflective of her concerns about using the premium pay process as the means. She added that she was not convinced that the CPA certification met the requirements of the "premium pay," benefit, in that premium pay was established to help in recruitment and retention efforts. Supervisor Brown acknowledged the excellent job performance of the Auditor-Controller, which she felt was enhanced by the CPA license and supported the premium pay process being utilized in this instance. She noted that this was recently the means through which other County Officers had been compensated for additional and beneficial certifications. Supervisor Bilyeu expressed his concern with an elected official requesting an increase during their term of office and indicated for that reason he could not support the request. Supervisor Arcularius concurred with Supervisor Brown's remarks and supported the request. Moved by Supervisor Brown, with no second to approve a resolution entitled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Amending Resolution No. 2007-22 Providing Premium Pay to County Officers and Employees for Certain Required Licenses and Certifications" to provide premium pay for the CPA license held by the Auditor-Controller, effective July 1, 2008. The motion failed on a two-to-three roll call vote, with Supervisors Brown and Arcularius voting yes and with Supervisors Cash, Bilyeu and Cervantes voting no. Ms. Chapman noted her disappointment and confusion with the denial of this request. She explained that her timing of the request was because the Board had recently awarded similar premium pay to other elected and appointed officials who held special licenses and certifications; that in addition to being a job requirement, her additional CPA license is highly beneficial to the County which is taking advantage of its value without paying for it; and that disparity of the pay scales for similar auditing and accounting activities between the public and private sector are much greater for her position than for other elected and appointed officials' salaries throughout the County.

Recess/
Reconvene The Chairperson recessed the regular meeting at 12:30 p.m. to reconvene in open session at 1:30 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 IMAAA budget meeting, 4th of July celebrations, and a legislative update.

Public Comment The Chairperson announced the second public comment period and placed a letter received from Mr. Bruce Cotton, a Lone Pine Resident, on the wilderness legislation, into the record.

Closed Session The Chairperson recessed open session at 1:50 p.m., to reconvene in closed session, with all Board Members present, to consider and take action as appropriate on Agenda Items No. 16. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** Instructions to Negotiators re: wages, salaries and benefits - Employee Organization – ICEA; Negotiators - CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 17. **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 - CAO Kevin Carunchio, Sheriff Bill Lutze and Labor Relations Administrator Sue Dishion; No. 18. **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. 19. **REAL PROPERTY NEGOTIATIONS [Conference With Real Property Negotiators Pursuant To Government Code §54956.8]** – Property –Eastern Sierra Regional Airport (Bishop); Negotiating Parties – City of Los Angeles Department of Water and Power and County of Inyo - Negotiations – Price and Terms; No. 20. **REAL PROPERTY NEGOTIATIONS [Conference With Real Property Negotiators Pursuant To Government Code §54956.8]** – Property – S.E. 1.07 acres of APN 02-133-02-00, Independence, California; Negotiating Parties – County administrator and Director of Public Works and Administrative Offices of the Courts (AOC) - Negotiations – Terms and Conditions of Potential Lease; No. 21. **REAL PROPERTY NEGOTIATIONS [Conference With Real Property Negotiators Pursuant To Government Code §54956.8]** – Property – 301 West Line Street, Bishop, California; Negotiating Parties – City of Bishop, County Administrator and Director of Public Works - Negotiations – Terms and Conditions of Potential Lease; No. 22. **CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION (Pursuant to Government Code §54956.9(a) – Sierra Club v. City of Los Angeles, Los Angeles Department of Water and Power – Inyo County Superior Court Case No. CVPT-05-347969 (III); No. 23. PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Appointment - Title – Director of Public Works; No. 24. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title – County Counsel; No. 25. **CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6)** – Instructions to Negotiators re: wages, salaries and benefits – Title: County Counsel – Negotiator – as designated by the Board of Supervisors.

Report on Closed
Session The Chairperson recessed closed session at 4:50 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 4:50 p.m., to 9:00 a.m., July 15, 2008, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

Chairperson, Inyo County Board of Supervisors

Attest: *KEVIN D. CARUNCHIO*
Clerk of the Board

by: _____
Patricia Gunsolley, Assistant