

MINUTES

County of Inyo Board of Supervisors

November 2, 2010

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, November 2, 2010, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Richard Cervantes presiding, Linda Arcularius, Susan Cash, and Beverly Brown. Supervisor Fortney was absent. Supervisor Cervantes provided the Invocation, and Supervisor Brown 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. Mr. Ted Pedersen, Public Works Director, provided the Board with a memo regarding Prop 84 funds. He and the Water Director, Dr. Bob Harrington, explained that this is the beginning of the process to identify projects that qualify for funding, which will be considered through the IRWMP process for possible submission to the state. With regard to the discussion concerning needs for potable drinking water in the Tecopa/Shoshone area, Dr. Harrington reiterated that this is the process to identify the need not to take responsibility for a project. Supervisor Arcularius discussed the need to have the CSA 2 Board vacancy filled in order to facilitate potential projects to be considered. Ms. Nancy Masters, Library Director, reported that she had sent a letter to the Branson Foundation responding to the Foundation's request for an accounting of the grant funds, which detailed the expenditures of the Lone Pine Library. In response to a question from Supervisor Arcularius regarding why the situation regarding this funding arose, Ms. Master's said that the Branson's are library volunteers who she talks with quite frequently, and that she felt it was the a result of not sending a formal letter of explanation. Ms. Masters, representing the Independence Civic Club, went on to tell the Board that the theme of this year's Fruitcake Festival is "America has Fruitcakes." Ms. Jean Turner, Director of Health and Human Services, reported on preparations for an upcoming workshop on local ambulance services. She also reported on a Poverty Symposium she attended in Sacramento last week, as well as a CMSP meeting she and her management staff attended while in Sacramento. Mr. Josh Hart, Planning Director, announced that there will be a meeting in Lone Pine on Thursday regarding the Renewable Energy General Plan Amendment. Dr. Bob Harrington, Water Director, informed the Board that copies of the LORP Annual Accounting Report for FY 09-10, which is a requirement of the LORP Post Implementation Funding Agreement, have been provided to the Board. Dr. Harrington explained that the Annual Report is not an audit, it is a tracking method for future planning efforts.
- Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Cash and seconded by Supervisor Arcularius to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously, with Supervisor Fortney absent.
- HHS-Hlth. Serv./Sierra Health Resources MOU Moved by Supervisor Cash and seconded by Supervisor Arcularius to ratify and approve the Memorandum of Understanding between the County of Inyo and Sierra Health Resources, Inc., for the purpose of assisting Inyo County HIV clients in accessing Housing Opportunities for People with AIDS (HOPWA) assistance, for short term emergency financial assistance with rent, mortgage or essential utilities, for the period of July 1, 2010 through June 30, 2011; and authorize the Chairperson to sign. Motion carried unanimously, with Supervisor Fortney absent.
- HHS-Hlth Serv./Emergency Preparedness State Contract Moved by Supervisor Cash and seconded by Supervisor Arcularius to A) ratify and approve the Agreement between the County of Inyo and the California Department of Public Health for the provision of local public health emergency preparedness; and authorize the Director of Health and Human Services to sign; and B) approve the Non-Supplantation Certification Form and the Certification Regarding Lobbying and authorize the Director of Health and Human Services to sign. Motion carried unanimously, with Supervisor Fortney absent.

- HHS-Behavioral Hlth. Serv./Promise Hospital Payment Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the payment of \$3,976 to Promise Hospital, San Diego, for mental health inpatient services for an Inyo County MediCal beneficiary who was placed under Welfare and Institutions Code 5150 in FY 09-10. Motion carried unanimously, with Supervisor Fortney absent.
- Water Dept./Garlon and JLB Oil P.O. Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the purchase of 125 gallons of Garlon 4 herbicide from Red River Specialties, Inc., in an amount not to exceed \$10,331.25; and 525 gallons of improved JLB Oil Plus, with dye from Silverado Ranch Supply, in an amount not to exceed \$7,393.64. Motion carried unanimously, with Supervisor Fortney absent.
- Auditor/Account Clerk Position Moved by Supervisor Cash and seconded by Supervisor Arcularius to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested position exists, as certified by Auditor-Controller and concurred with by the County Administrator; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, although there may not be sufficient internal applicants to fill the requested position, thus necessitating an open recruitment; and C) approve the hiring of one Account Clerk I at Range 43 (\$2,206 - \$2,683) or Account Clerk II at Range 47 (\$2,421 - \$2,944). Motion carried unanimously, with Supervisor Fortney absent.
- HHS-Misc./Account Clerk Position Moved by Supervisor Arcularius and seconded by Supervisor Cash 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 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, but an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one Account Clerk I at Range 43 (\$2,206 to \$2,683) or Account Clerk II at Range 47 (\$2,421 - \$2,944). Motion carried unanimously, with Supervisor Fortney absent.
- HHS-Info Serv./ Network & Operations Analyst Position Moved by Supervisor Arcularius and seconded by Supervisor Brown 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 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, but an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one Network and Operations Analyst I at Range 65 (\$3,671 - \$4,464) through IV at Range 76 (\$4,768 - \$5,796) and authorize to hire at the E step depending on qualifications. Motion carried unanimously, with Supervisor Fortney absent.
- HHS-Soc. Serv./ Social Worker III Position The Board and Ms. Jean Turner Director of Health and Human Services, talked about the request for authority to backfill for a vacancy created because of an internal hire, with Supervisor Cash expressing her hesitancy in considering this request because of the Board's decision to not authorize career ladder advancements from the II to the III levels for current employees. Ms. Turner explained that this is not a reclassification, it is a State Merit System position that the internal candidate applied for and is being hired as a new employee into a current position in the authorized strength. Moved by Supervisor Brown and seconded by Supervisor Arcularius 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 Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply for this higher level position; and C) approve the hiring of one Social Worker III from an existing list of internal candidates, and then recruit and hire to backfill the resulting vacancy either at a II Range 64 (\$3,590 - \$4,363), a III at Range 67 (\$3,852 - \$4,676) or a IV at Range 69 (\$4,041 - \$4,904). Motion carried unanimously, with Supervisor Fortney absent.
- Resol. #2010-51/ Responsible Party for NRC Certification Mr. Josh Hart, Planning Director, addressed the Board to explain that with the departure of the Yucca Mountain Analyst there is a need to designate a different individual as the official responsible for the County's document collection for the NRC's LSN. On a Motion by Supervisor Cash and a second by Supervisor Arcularius, Resolution No. 2010-51 was approved rescinding Resolution No. 2008-56, designating the Inyo County Administrator (or his designee) as the official responsible for supplementing the County of Inyo's documents collection with the United States Nuclear Regulatory Commission (NRC) Licensing Support Network (LSN) and as the official responsible for certifying to the NRC that Inyo County has supplemented its document collection on the LSN, designating the

Planning Director (or his designee) as the primary point of contact for the purposes of document requests and promotion consultants, and appoint Greg James, Attorney at Law, as the County of Inyo's representative in the Yucca Mtn. Nuclear Repository Licensing Proceedings before the NRC: motion unanimously passed and adopted, with Supervisor Fortney absent.

- CAO-Info Serv./GIS Technician Position Mr. Brandon Shults, Information Services Director, addressed the Board to provide further explanation for the request to fill a vacant GIS Technician Position. He said that the request was for authority to fill the vacancy at the highest Range, and at the E step, contingent upon qualifications. He explained that there were no qualified internal candidates that qualify for the position. Mr. Shults also explained that after two recruitments a candidate has been selected who has eleven years of job specific experience, who is interested in relocating, but is asking for a salary more equitable with his current salary. Moved by Supervisor Cash and seconded by Supervisor Brown 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 Information Services Manager and concurred with by the County Administrator and 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, but an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one GIS Technician I at Range 65 (\$3,671 - \$4,464) through IV at Range 76 (\$4,768 - \$5,796) and authorize to hire at the E step, depending on qualifications. Motion carried unanimously, with Supervisor Fortney absent.
- BofS/Minute Approval Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the minutes of the October 19, 2010 Board of Supervisors Meeting. Motion carried unanimously, with Supervisor Fortney absent.
- Recess/Reconvene The Chairperson recessed the regular meeting at 9:45 a.m., to reconvene in open session at 9:55 a.m., with all Board Members present, except Supervisor Fortney.
- Board Members and Staff Reports The Board Members reported on their activities during the preceding weeks, including a California Invasive Species Committee conference call, the Central Nevada Water Authority Meeting, the USDA Workshop, a Bishop Tribal Counsel Meeting, a meeting with Symons Ambulance and Bishop Fire Department, an Inyo First Five Commission Meeting, an ESTA Meeting, a meeting with Jerry Hillier of Quad State, Oktoberfest in Lone Pine, and a tour of the Owens Lake. The County Administrator reported on the Annual County Administrative Officers Association of California (CAOAC) in Santa Cruz, and a visit to Ivanpah, California for the ground breaking of the Brite Source mega watt solar thermal plant project.
- Closed Session The Chairperson recessed open session at 10:35 a.m., to convene in closed session, with all Board Members present, except Supervisor Fortney to discuss and take action as appropriate on Agenda Items No. 16. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(a)-** County of Inyo v. Department of the Interior, et al., United States District court for the Eastern District Case No. 1:06-CV-1502-AWI-DLB; No. 17. **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, Undersheriff Jim Jones, Deputy County Counsel Susanne Rizo, Chief Probation Officer Jeff Thomson; No. 18. **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 - Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion; No. 19. **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 - Labor Relations Administrator Sue Dishion, and Deputy County Counsel Susanne Rizo; No. 20. **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 - Labor Relations Administrator Sue Dishion; and No. 21. **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.

Report on Closed Session The Chairperson recessed closed session at 12:35 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 12:35 p.m., to 9:00 a.m., Tuesday, November 9, 2010, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

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

Chairperson, Inyo County Board of Supervisors

by: _____
Patricia Gunsolley, Assistant