



County of Inyo Board of Supervisors

March 15, 2011

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, March 15, 2011, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Susan Cash presiding, Linda Arcularius, Rick Pucci, Marty Fortney and Richard Cervantes. Supervisor Cervantes provided the Invocation, and 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.

County Department Reports The Chairperson announced the County Department Report period. Ms. Jean Turner provided a State Merits System update. Ms. Kammi Foote, Clerk-Recorder, provided information regarding a new Inyo County Student Poll Worker Program, she is implementing. Ms. Susanne Rizo, Director of Child Support Services, informed the Board that a dedicated Spanish speaking phone line has been installed in her Department. She also updated the Board on the status of the MOU with Mono County regarding Child Support Services in the region. Mr. Doug Wilson, Interim Public Works Director, reported that the Annex Re-Roofing Project has just about completed. He also told the Board that the FEMA approved flood maps have been released, with the County Administrator explaining that the County is working on disseminating this information to the public. The County Administrator reported that the public outreach meetings regarding proposed solid waste fee increases and service reductions have been proceeding and that based on the public participation, which has not been to great, it appears the public agrees with the Department's recommendations about how to fund this program. Mr. Carunchio noted that several people he has spoken with are interested in possibly privatizing these services.

Introduction The Chairperson noted the departments making the scheduled introductions were not present and asked that the introductions of A) Mr. Joseph Frankel, a Librarian; and B) Ms. Maureen Barnes, Account Clerk in the Auditor's Office, be rescheduled.

CAO-Budget Update The County Administrator noted that the Board has received an updated version of the County's State Budget Impacts statements. He noted that with the proposed constitutional amendment, there is a need for the County to take a look at the restructuring of Safety Budgets, in that the COPS funds which currently fund 4 Correctional Officer positions in our Jail is not going to be available for that purpose and this alone could cause a \$250,000 hit to the General Fund. Mr. Doug Wilson told the Board that there are rumblings about eliminating Caltrans and transferring all of those responsibilities to the counties. Ms. Jean Turner, Director of Health and Human Services, provided the Board with her Department's updated Budget Impact Statement.

Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.

Ag. Comm./Chemicals Purchase Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to award the bid to Helena Chemical Company as the low bidder for the purchase of chemicals for FY 2010-11; and authorize the purchase of chemicals as recommended by staff from Helena Chemical Company in an amount not to exceed \$12,493,11. Motion carried unanimously.

HHS-Behavioral Hlth. Serv./Cook Contract Amendment Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve Amendment No. 2 to the Contract between the County of Inyo and Grace Cook, Ph.D., MFT, for the provision of Behavioral Health services increasing the Contract by \$22,000 to a total amount not to exceed \$57,000 for the period of July 1, 2010 through June 30, 2011; and authorize the Chairperson to sign. Motion carried unanimously.

HHS-Hlth. Serv./ School Based Medi- Cal Activities	Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve the Agreement between the County of Inyo and the California Department of Health Care Services for School Based Medi-Cal Administrative Activities for the period of July 1, 2011 through June 30, 2014, in the amount of \$73,900; and authorize Denelle Carrington, Local Government Administration (LGA) Coordinator/Fiscal Director to sign. Motion carried unanimously.
HHS-Hlth. Serv./ CMS Plan	Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to ratify the 2010-2011 Children's Medical Services (CMS) Plan and budgets and authorize the Chairperson to sign the Certification Statement. Motion carried unanimously.
P.W./Emergency Purchase ESRA Jet Fueling	Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to approve the emergency purchase of equipment and supplies for repairs/upgrades for fueling at the Eastern Sierra Regional Airport to meet the requirements to sell jet fuel to the Department of Defense. Motion carried unanimously.
Emergency Serv./ Dell Power Edge Servers P.O.	Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to authorize the purchase of two Dell Power Edge R310 Servers and two Microsoft SQL server licenses in an amount not to exceed \$8,796, to be proposed as the core computing platform for Inyo County Geographic Information Systems. Motion carried unanimously.
P.W./Electrical Upgrade Project	In response to a question from Supervisor Cervantes, Mr. Doug Wilson, Interim Public Works Director, explained that the Electrical Upgrade Project would upgrade electrical capabilities throughout the Inyo County Courthouse. He explained that this is a project that has been in process for a long time and is long overdue, in that many of the Departments located in the historic Courthouse must cycle activities around the current power that is available in order to not blow fuses. Mr. Wilson also qualified that the County Administrative Officer has received verbal verification from the Courts that they will pay their portion of the upgrade contract. The County Administrator, Mr. Kevin Carunchio, qualified his skepticism on whether this would actually come to pass. Moved by Supervisor Fortney and seconded by Supervisor Arcularius to award and approve the Contract for the Inyo County Electrical Upgrade Project to Spiess Construction Company in the amount of \$755,185; authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and authorize the Interim 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.
BofS/Direction to CSAC Rep re: Constitutional Amendment	The Board learned that a revised version of the proposed Constitutional Amendment has been presented. The Board briefly discussed some of the items contained in the previous version of the Amendment, including the overriding concern that counties are being expected to assume responsibility for current State programs, without guarantee of sufficient funding. The Board noted the inequities in that the State is unable to provide services as is evidenced by the State budget crisis and its proposal to shift service delivery to counties, all the while believing the counties should be able to provide these same services without funding level guarantees, relief from expensive and prohibitive program requirements, or acknowledgement of how future program requirements will be funded. The Chairperson asked Staff to get copies of the latest version of the Constitutional Amendment to the Board for its consideration later this afternoon. With that direction the Chairperson postponed further discussion on the request to provide input to CSAC Representative concerning upcoming CSAC Board of Directors Meeting on March 24, 2011, regarding the Governor's proposed Constitutional Amendment and any trailer bills that may be forthcoming, to later in the meeting.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:25 a.m., to reconvene in closed session at 10:35 a.m., with all Board Members present.
Closed Session	The Board met in closed session to discuss and take action as appropriate on Agenda Items No. 19. PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957] - Public Employee Appointment - Title: Director Public Works; and No. 20. PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957] - Public Employee Performance Evaluation - Title: Director Public Works. The Chairperson recessed closed session at 12:15 p.m., to reconvene, with all Board Members present at 1:00 p.m.
Recess/ Reconvene	The Chairperson recessed closed session at 1:55 p.m., to reconvene in open session at 2:05 p.m., with all Board Members present.

Ag Comm./Mosquito Helper Seasonal Position	Moved by Supervisor Fortney 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 comes from the Mosquito Abatement budget, as certified by the Agricultural Commissioner and concurred with by the County Administrator and Auditor-Controller; B) where internal candidate meets the qualifications for the position of Mosquito Helper, the position could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one seasonal Mosquito Helper at Range 050PT (\$13.90 – \$16.87 per hour). Motion carried unanimously. At the conclusion of this motion the Chairperson congratulated Mr. Jerry Oser on his initiative in taking and passing the Special District Administrator Certification examination and becoming a certified Special District Administrator. The other Board Members also congratulated Mr. Oser on his accomplishment.
HHS-Social Serv./HHS Specialist Position	Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested position exists in the Social Services budget, as certified by the Director of Health and Human Services and concurred with by the County Administrator and Auditor-Controller; B) where internal candidate meets the qualifications for the position of Health and Human Services Specialist, the position can be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure a sufficient number of qualified candidates apply for the position if the requested position cannot be filled through an existing list; and C) approve the hiring of one full time HHS Specialist at Range 53 (\$2,779 – \$3,380). Motion carried unanimously.
P.W./Rural Utilities Service Weather Radio Transmitter Grant	Moved by Supervisor Arcularius and seconded by Supervisor Pucci to A) ratify the Rural Utilities Service Weather Radio Transmitter Grant Program Certification of Authority and the signatures of the Chairperson of the Board of Supervisors and the County Administrator for a USDA Grant Agreement in the amount of \$42,780 for a NOAA Weather Radio system; and B) amend the FY 2010-11 Emergency Services Budget Unit 023700 as follows: increase estimated revenue in Federal Grant (<i>Revenue Code #4555</i>) by \$42,780; and increase appropriations in Equipment (<i>Object Code #5650</i>) by \$42,780. Motion carried unanimously.
Water Dpt./IRWMP Management Group Meeting	The Water Director, Dr. Bob Harrington, reviewed the three decisions items to be addressed at the March 23, 2011 Regional Water Management Group meeting for the Inyo-Mono Integrated Regional Water Management Plan (IRWMP). The Board and Dr. Harrington discussed the first decision, which was the approval of the organizational charge for the IRWMP, which the Board concurred with as presented. The Board and Dr. Harrington went on to discuss the second item which was Mark Drew's letter responding to the Big Pine Tribes letter. Dr. Harrington explained that he had provided Mr. Drew with his editorial changes, many of which were not incorporated into the final letter. Dr. Harrington identified several of his concerns, which were shared by the Board. The Board, while not sharing Mr. Drew's characterization of the events, did not want to challenge sending of the letter, stating they believe it is time to move forward. The Board also concurred with Dr. Harrington's position on the summary of the last meeting, with Supervisor Cash commenting on how thorough the notes of that meeting were.
BofS/Minute Approval	Supervisor Cash asked that page 3, paragraph 6 be changed to reflect "District" instead of "District's." Moved by Supervisor Cervantes and seconded by Supervisor Fortney to approve the minutes of the Board of Supervisors Meetings of February 15, 2011, as amended, and February 22, 2011, as presented. Motion carried unanimously.
Board Members and Staff Reports	Because of a lengthy closed session, the Chairperson requested that Board reports be kept short or postponed if possible. Supervisor Fortney noted that the Agricultural Advisory Committee was hoping to garner the Board's support for authorized burns. The Board requested that the Agricultural Commissioner bring the item back for Board consideration at a future meeting. Supervisors Arcularius and Cash and the County Administrator, Mr. Kevin Carunchio, reported on the Forest Service meeting on the proposed Land Management Planning Rule, which they had attended while in Washington, D.C., last week. The Board and Mr. Carunchio had a lively discussion about what had transpired at that meeting.
Recess/Reconvene	The Chairperson recessed the regular meeting at 3:00 p.m., to reconvene in open session at 3:10 p.m., with all Board Members present.

BofS/Direction to CSAC Rep re: Constitutional Amendment Continued

The Board resumed its discussion of the proposed Constitutional Amendment and direction to the Board's representative to CSAC, Supervisor Cash, on how to vote. Supervisor Cash explained that in order for CSAC to take a position, it would require 30 votes, which she did not believe could be accomplished. She reviewed the positions the County could take which were "for", "against," "neutral," or "abstain." Supervisor Cash explained that she was comfortable with not taking a position until the Amendment is certified for the ballot at which time the language of the Amendment will be finalized and the County will be in a better position to determine its impacts. The Board and the County Administrator discussed some of the items in the latest version of the Amendment, with the majority of the Board agreeing with Supervisor Cash to wait until the Amendment is certified and qualified for the ballot. Supervisor Cervantes expressed his opposition for any constitutional amendment that proposes to raise taxes. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to remain neutral on the language of the proposed Constitutional Amendment until the ballot measure is qualified. Motion carried on a four-to-one vote, with Supervisors Arcularius, Cash, Fortney, and Pucci voting yes, and with Supervisor Cervantes voting no.

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 3:40 p.m., to reconvene in closed session with all Board Members present, to discuss and take action on Agenda Items No. 22. **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, Director Child Support Services Susanne Rizo, and Chief Probation Officer Jeff Thomson; No. 23. **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 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: Labor Relations Administrator Sue Dishion; No. 25. **REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8)** – Property – APN008-240-01, Bishop, California – Negotiating Parties – County Administrator and Mitchell Asset Group – Negotiations – Terms and Conditions; and No. 26. **REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8)** – Property – APN010-490-08, Bishop, California – Negotiating Parties – County Administrator and Joseph Enterprises – Negotiations – Terms and Conditions.

Report on Closed Session

The Chairperson recessed closed session at 6:15 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 6:15 p.m., to 9:00 a.m., on Tuesday, April 5, 2011, 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*