

MINUTES



County of Inyo Board of Supervisors

November 1, 2016

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 November 1, 2016, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Jeff Griffiths, presiding, Dan Totheroh, Rick Pucci, Mark Tillemans, and Matt Kingsley.

- PUBLIC COMMENT** Chairperson Griffiths asked for public comment and there was none.
- CLOSED SESSION** Chairperson Griffiths recessed open session at 8:34 a.m. to convene in closed session with all Board members present to discuss the following items: No. 2 **CONFERENCE WITH LABOR NEGOTIATORS** [Pursuant to Government Code §54957.6] – Employee Organizations: Deputy Sheriff's Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); Law Enforcement Administrators' Association (LEAA). Unrepresented employees: all. Agency designated representatives: County Administrative Officer Kevin Carunchio, Assistant County Administrator Rick Benson, Deputy Personnel Director Sue Dishion, Senior Deputy County Administrator Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.
- OPEN SESSION** Chairperson Griffiths recessed closed session and reconvened the meeting in open session at 10:01 a.m. with all Board members present.
- PLEDGE** Chairperson Griffiths led the pledge of allegiance.
- REPORT ON CLOSED SESSION** County Counsel Marshall Rudolph reported that no action was taken during closed session that is required to be reported.
- PUBLIC COMMENT** Chairperson Griffiths asked for public comment and there was none.
- COUNTY DEPARTMENT REPORTS** Public Works Director Clint Quilter updated the Board on the Active Transportation Program Grant that he brought before the Board a few months ago for project selection. He noted that one of the projects that was pulled was a bike path in Big Pine, and Public Works has since done the striping and signage for a bicycle route in that community. He said the other projects Inyo County did apply for were Red Hill Road and south Lone Pine sidewalks for Caltrans, and neither was awarded funding. The City of Bishop's project for Academy, Fowler and Pine street sidewalks did not receive funding either, he said. On a positive note, Caltrans, through its Maintenance Program, has been able to get funding for a sidewalk in Lone Pine from Teya to East Inyo, on both sides of Main Street, and for another sidewalk at the north end of town. Quilter also noted that the Freeman Gulch Phase 1 project, from the U.S. Highway 395/14 split to the State Route 178 West turnoff, will start next spring. Supervisor Tillemans told Quilter that the feedback regarding the bike lane in Big Pine has been positive. He said he took the kids riding the other day and it made a big difference in keeping the vehicles away from the shoulder, and also provided for extra safety for trick-or-treaters on Halloween.
- CAO – RECRUITMENT SERVICES CONTRACT WITH PROTHMAN** Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve the agreement between the County of Inyo and Prothman for the provision of executive recruitment services, in an amount not to exceed \$30,000, and authorize the County Administrator to sign. Motion carried unanimously.

*HHS – CALIF. DEPT.
OF AGING
CONTRACT
AMENDMENT 1*

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve Amendment No. 1 to the Standard Agreement for Contract No. AP-1617-16 between the County of Inyo and the California Department of Aging, increasing the overall allocation by \$29,872, for a total contract amount of \$808,365 and authorize the HHS Director to sign the Standard Agreement Amendment. Motion carried unanimously.

*PUBLIC WORKS
PARKING CONTRACT
WITH ESTA*

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve the contract between the County of Inyo and Eastern Sierra Transit Authority, allowing ESTA to park up to three transit buses at a designated area of the Lone Pine Airport in exchange for \$135 per month for rent paid to the County, for the period of November 1, 2016 through October 31, 2021, based upon a finding that the conveyance is in the public interest and that the interest in land conveyed will not substantially conflict or interfere with the use of the property by the County, and authorize the Chairperson to sign. Motion carried unanimously.

*UPDATE ON
CHANGES AT SIERRA
LIFELIGHT*

Mike Patterson, Program Director for Sierra Lifelight, told the Board that Sierra Lifelight's owner has decided to sell the air ambulance service to REACH Air Medical, a large company in Northern California with operations in 32 states. He said the business would remain Sierra Lifelight and the purchase would not change who they are or what they do; rather, it would give the local business the tools needed to continue working in the changing healthcare landscape. Patterson said Sierra Lifelight operates 24 hours a day with two aircraft, but being part of the REACH Air Medical family will mean having access to additional fixed wing and rotor aircraft at locations such as Upland, Elko, Arcata, and Crescent City. He said the helicopters would only be used in the event of a major incident, but they can fly directly to the scene. He said the additional resources will be a tremendous benefit to the small operation. Patterson said REACH is also already talking about updating Sierra Lifelight's fleet in the next two years, and said all 29 employees' jobs are safe and secure, with matched or improved wages and a robust benefits package on the way. He also noted that REACH offers memberships to the public for \$65/year that will cover air ambulance services in any of the 32 states where it operates. Air ambulance costs can be extremely expensive and are not always covered by insurance. The Board was impressed with the membership deal as well as the upcoming improvements and thanked Patterson for his update.

*CAO – FILM
COMMISSIONER
REPORT*

The Board was scheduled to hear the Film Commissioner's Fiscal Year 2016-2017 Quarterly Film Commissioner Report. However, a miscommunication over scheduling between the Film Commissioner and Assistant Clerk of the Board resulted in this item being pushed to the November 8 meeting.

*AUDITOR-
CONTROLLER
OFFICE TECH II OR III*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for an Office Technician II or III position comes from the General Fund, as certified by the Auditor-Controller and concurred with by the County Administrator; B) where internal candidates meet the qualifications for the position, the vacancy could 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 Office Technician II, Range 59 (\$3,389 - \$4,118), or Office Technician III, Range 63 (\$3,716 - \$4,522). Motion carried unanimously.

*HHS – FISCAL FULL-
TIME OFFICE TECH I
OR II*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a full-time Office Tech I/II position exists in the various non-General Fund HHS budgets and General Fund, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could 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 Office Tech I, Range 55 (\$3,088 - \$3,754), or Office Tech II, Range 59 (\$3,389 - \$4,118). Motion carried unanimously.

*HHS – RATIFY CMS
PLAN AND BUDGETS*

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to ratify and approve the Fiscal Year 2016-2017 Children's Medical Services (CMS) Plan and Budgets and authorize the Chairperson to sign the Certification Statements. Motion carried unanimously.

*CAO – RESPONSE TO
2015-2016 GRAND
JURY REPORT*

CAO Carunchio presented the County's draft response to the Inyo County Grand Jury's 2015-2016 Final Report, which contained findings and recommendations related to Inyo County Jail, Inyo County Juvenile Detention Center, and the County's involvement in the issue of toxic substances being released into the environment by CG Roxane at the Olancho Crystal Geyser bottling plant. Carunchio said the report is a result of input from the affected County departments but, ultimately, it is the Board's report and thus the Supervisors could make any changes they desired. He also noted that while the Grand Jury is under the purview of the Superior Court, the County funds the Grand Jury's budgets. Carunchio said the Court used to have the report published in the newspaper every year, but in speaking with members of the Grand Jury it was learned jurors didn't like the practice if the agencies' and individuals' responses were not subsequently reported on as well. As a result, the County and Court decided this year to hold off on publishing the whole report until the responses were in, so that they could be published along with the report. The County will pay the publishing costs. Carunchio asked for questions. There were none related to the Jail or Juvenile Hall responses. Supervisor Kingsley did have a question about the CG Roxane response. He asked, in order to be absolutely certain: There is not and never has been a copy of the grading permit cited in the report? Public Works Director Quilter said that is correct: the grading permit does not exist. Supervisor Kingsley added that he was a bit frustrated, because while the County's response explains the County's position fairly well, he still feels a bit constrained in telling the County's side of the story – with all the subtleties – because of the strict parameters the statute sets forth for responding to Grand Jury findings and recommendations. He said he was glad that the report and responses would be published together. Chairperson Griffiths said he thought the responses were well written. Supervisor Tillemans thanked staff for putting the responses together. Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve the report to Judge Dean Stout, Presiding Judge, Inyo County Superior Court, responding to the findings and recommendations in the 2015-2016 Grand Jury Final Report and authorize the County Administrator to sign the transmittal letter. Motion carried unanimously.

*GULLY WASHER
EMERGENCY*

Public Works Director Quilter reported the paving and chip seal was finished on the Trona Road project. He also mentioned a \$1.4 million revegetation program that was set aside in a different phase. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to continue the local emergency known as the "Gully Washer Emergency" that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013. Motion carried unanimously.

*LAND OF EVEN LESS
WATER EMERGENCY*

CAO Carunchio reported that Water Director Dr. Bob Harrington was still waiting on the report on the West Bishop groundwater situation from the state Department of Water Resources. Supervisor Pucci said he heard from a constituent who called the DWR inquiring about the report and was supposedly told its release was being delayed because of litigation. Moved by Supervisor Totheroh and seconded by Supervisor Pucci 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. Motion carried unanimously.

*DV DOWN BUT NOT
OUT EMERGENCY*

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to continue the local emergency known as the "Death Valley Down But Not Out Emergency" that was proclaimed as a result of flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015. Motion carried unanimously.

PUBLIC COMMENT

Chairperson Griffiths asked for public comment and there was none.

*BOARD MEMBER
AND STAFF REPORTS*

Supervisor Kingsley reported there was a Standing Committee meeting in Los Angeles last week. He said the County exercised a lot of decorum at the meeting, and noted it was interesting talking to the City about leases. He said the Commissioners very quickly acknowledged that they made a mistake by trying to change business lease policies last week with no notice to the County or outreach to lessees, and that they felt staff missed some steps in the process so it was easy for them to reconsider approving the changes. Kingsley said he honestly thought they felt that way. Kingsley said he met with Death Valley National Park Superintendent Mike Reynolds the next day and talked about broadband and park issues, and ways to get the park connected. He said he also did a "Donuts to Darwin" event on Saturday morning. About 20 people came out, along with Public Works Director Quilter and his family, Planning Director Josh Hart, and Auditor-Controller Amy Shepherd. Kingsley said the residents really appreciated getting to talk to County staff.

*CORRESPONDENCE-
ACTION (F&G
FUNDING REQUEST)*

Supervisor Pucci said the Trout in the Classroom Project is a great project and the Friends of the Mt. Whitney Fish Hatchery do an excellent job with it. Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve a \$2,500 contribution from the Fiscal Year 2016-2017 Fish and Game Budget to the Friends of the Mt. Whitney Fish Hatchery for their Trout in the Classroom Project. Motion carried unanimously.

ADJOURNMENT

Chairperson Griffiths adjourned the meeting at 10:36 a.m., to Tuesday, November 8, 2016 at 8:30 a.m. at the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

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

by: _____
Darcy Ellis, Assistant