

**Sierra County
Board of Supervisors'
Agenda Transmittal &
Record of Proceedings**

MEETING DATE: November 6, 2018	TYPE OF AGENDA ITEM: <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Timed <input type="checkbox"/> Consent
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DEPARTMENT: Pulic Health APPROVING PARTY: Vickie Clark, Director PHONE NUMBER: (530) 993-6702
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AGENDA ITEM: Resolution of the Board of Supervisors of the County of Sierra pursuant to California Public Employees' Pension Reform Act of 2013 – Resolution for exception to the 180-day wait period in accordance to CALIFORNIA GOVERNMENT CODE SECTIONS 7522.56 & 21221(h)

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other
Employment posting, Job description, salary table

BACKGROUND INFORMATION: Please see attached Memo

FUNDING SOURCE: 0515610
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND: 5610
AMOUNT: \$32,377.34 Annually

ARE ADDITIONAL PERSONNEL REQUIRED? <input type="checkbox"/> Yes, -- -- <input checked="" type="checkbox"/> No	IS THIS ITEM ALLOCATED IN THE BUDGET? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IS A BUDGET TRANSFER REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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SPACE BELOW FOR CLERK'S USE

BOARD ACTION: <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2018- _____ Agreement 2018- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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COMMENTS:

CLERK TO THE BOARD

DATE

Memorandum

To: Sierra County Board of Supervisors

From: Vickie Clark

Reference: Agenda Item

Date of memo: October 30, 2018

Date of Board Meeting: November 6, 2018

Requested Action: Resolution of the Board of Supervisors of the County of Sierra pursuant to California Public Employees' Pension Reform Act of 2013 – Resolution for exception to the 180-day wait period in accordance to CALIFORNIA GOVERNMENT CODE SECTIONS 7522.56 & 21221(h)

Mandated by: State requirement to have an Environmental Health Director

Funding

Budgeted? Yes No

Revenue	\$32,377.34	Public Health
Expenses	\$32,377.34	Public Health
Difference	0	

Background Information:

The position of Environmental Health Director is an essential position for the Environment Health program under the Public Health Department and is required by State of California. This position will be vacated upon the retirement of Elizabeth Morgan on November 11th. This resolution will allow us to bring her back to fulfill the requirements of this position as an annuitant working part-time, up to 960 hours annually, while being retired. I will be recruiting for a new director while continuing to support our Environmental Health Specialist Trainee to acquire her Registered Environmental Health Specialist Certificate in March of 2019 and continue to gain the experience needed to be eligible for promotions in the future.

This resolution was developed with County Counsel, HR and PERS approval. This arrangement would go into effect on November 13, 2018 and come back before the board next year for continuation if justified and necessary.

Potential Issues to consider:

Alternatives or Impacts of disapproval

Operating the Environmental Health program without a director will put us out of compliance with state requirements and can result in our program being sanctioned and/or shut down. Impacts could span beyond Environmental Health and disrupt Planning and Public Works as well.

RESOLUTION NO.

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SIERRA
PURSUANT TO CALIFORNIA PUBLIC EMPLOYEES' PENSION REFORM ACT OF
2013 – RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD IN
ACCORDANCE TO CALIFORNIA GOVERNMENT CODE SECTIONS 7522.56 &
21221(h)**

WHEREAS, in compliance with Government Code section 7522.56 the Sierra County Board of Supervisors must provide CalPERS with this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

WHEREAS, Elizabeth Morgan, MPH, REHS (CalPERS ID 3761274841), will retire from Sierra County in the position of Senior Environmental Health Specialist; effective November 11, 2018; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is May 11, 2019 without this certification resolution; and

WHEREAS, section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement related incentive; and

WHEREAS, the Sierra County Board of Supervisors, Sierra County and Elizabeth Morgan, MPH, REHS certify that Elizabeth Morgan, MPH, REHS has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the Sierra County Board of Supervisors hereby appoints Elizabeth Morgan, MPH, REHS as an extra help retired annuitant to perform the duties as interim Senior Environmental Health Specialist for Sierra County under Government Code section 21221(h); and

WHEREAS, an appointment under Government Code section 21221(h) requires and active, publicly posted recruitment for a permanent replacement; and

WHEREAS, the entire personnel appointment paperwork between Sierra County Board of Supervisors and Elizabeth Morgan, MPH, REHS have been reviewed by this body and are attached herein as Exhibit A; and

WHEREAS, no matters, issues, terms of conditions related to this employment and appointment have been or will be placed on a consent calendar;

WHEREAS, the employment shall be limited to 960 hours per fiscal year; and

WHEREAS, the compensation paid to retiree cannot be less than the minimum or exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

WHEREAS, the maximum base salary for this position is \$5,845.91 and the hourly equivalent is \$33.7264, and the minimum base salary for this position is \$4,809.44 and the hourly equivalent is \$27.7468; and

WHEREAS, the hourly rate paid to Elizabeth Morgan, MPH, REHS will be (\$33.7264); and

WHEREAS, the current status of the recruitment is active. A copy of the job description and recruitment are attached hereto as Exhibit B; and

WHEREAS, this section 21221(h) appointment will end on November 10, 2021; and

WHEREAS, Elizabeth Morgan, MPH, REHS has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

THEREFORE, BE IT RESOLVED THAT the Sierra County Board of Supervisors hereby certifies that the nature of the appointment of Elizabeth Morgan, MPH, REHS as described herein and detailed in the attached employment contract and that this appointment is necessary to fill the critically needed position of Senior Environmental Health Specialist because the position is required by law to perform environmental health functions such as inspections, testing, approvals and reporting as a Registered Environmental Health Specialist acting as the Director of Environmental Health and all efforts to secure a qualified non-annuitant for the position has failed.

PASSED AND ADOPTED by the Board of Supervisors of the County of Sierra at a regular meeting of the Board held on the 6th day of November, 2018, by the following of said Board:

Ayes:

Noes:

Absent:

Abstain:

Scott A. Schlefstein, Chairperson
Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Heather Foster, Clerk of the Board

David Prentice, County Counsel

Sierra County Environmental Health Director -

Directs the work of the environmental health program of the Department of Public Health with responsibility for the administration of environmental health and sanitation services with its programs, including the enforcement of state, county and city statutes, rules, ordinances, regulations and laws pertaining thereto.

Provides administrative direction and planning of environmental health inspection, consumer and environmental protection, occupational health, and industrial hygiene standards. Supervises all levels of staff assigned to the environmental function of the Health Department including professional and support staff. This position is required by the State of California for each California County. The individual is responsible for meeting all State mandates.

Position is open until filled

Hiring Salary range: \$4809 - \$5,302 monthly

To apply please visit our website at:

<http://sierracounty.ca.gov>

Submit resume and completed application to:

Vickie Clark

Director Sierra County Public Health & Social Services

PO Box 7

Loyalton CA 96118

vclark@sierracounty.ca.gov

**Sierra County
Job Classification**

Class Title: Environmental Health Director

Class Code: 41 - Topography A

Status: Director/Administrative Series

DEFINITION

Directs the work of the environmental health program of the Department of Public Health with responsibility for the administration of environmental health and sanitation services with its programs, including the enforcement of state, county and city statutes, rules, ordinances, regulations and laws pertaining thereto.

DISTINGUISHING CHARACTERISTICS

Provides administrative direction and planning of environmental health inspection, consumer and environmental protection, occupational health, and industrial hygiene standards. Supervises all levels of staff assigned to the environmental function of the Health Department including professional and support staff. This position is required by the State of California for each California County. The individual is responsible for meeting all State mandates.

REPORTS TO

Director of Health and Human Services

CLASSIFICATIONS

SUPERVISED

May supervise Environmental Health Specialist I, II and III support staff as assigned.

EXAMPLES OF IMPORTANT AND ESSENTIAL DUTIES (The following is used as a partial description and is not restrictive as to duties required.)

- Makes investigations and recommendations to the Board of Supervisors and other governmental bodies on environmental problems, land use, and special permits.
- Advises the Director of Health and Human Services in matters pertaining to environmental health at meeting without County Departments, governmental agencies, trade, labor and consumer groups, and community organizations.
- Coordinates with regulatory authorities and city and state advisory committees regarding issues such as environmental issues, regulatory /safety issues, crisis management, and others.
- Directs and may preform inspections and investigations of food handling and processing facilities, organized camps, detention facilities, mobile home parks, swimming pools, spas, housing and dwelling units, water well construction, industrial plants, biomedical waste

facilities, public and private buildings, water supply systems, sewage disposal systems, solid waste disposal facilities, underground storage tank facilities, hazardous materials incidents, proposed land use applications, and other public and private facilities for compliance with environmental health laws and regulations.

- Directs and performs complex reviews, grants approvals and conducts construction inspections of facilities or projects such as retail food facilities, recreational facilities, housing and institutions, water systems and water wells, solid waste facilities, underground storage tank facilities, soil and ground water remediation projects, hazardous materials handling, storage, treatment and disposal facilities, biomedical waste handling, storage and disposal facilities.
- Reviews plans for proposed on-site sewage disposal systems and other wastewater disposal systems, ensures site and soil criteria are suitable for system installation, issues permits to construct and inspects system installation.
- Prepares comments for environmental reviews to comply with the California Environmental Quality Act involving projects that fall under the jurisdiction of local environmental health either as lead agency or participating agency.
- Works with local governing bodies and the health officer and other officials to implement an environmental health program and develops ordinances and standards to meet local needs.
- Directs or may preform investigations of complaints and other indications of nuisances such as insect problems, animal bites, unsanitary waste disposal, and related problems; obtains facts, evidence, and samples; recommends abatement and control measures, secures evidence of violations of environmental laws and appears as witness in court.
- Plans and performs surveys, investigations, and inspections to determine environmental health problems and needs in the assigned areas.
- Interprets environmental laws and regulations to the public and advises on methods of meeting and maintaining requirements.
- Attends and addresses community meetings.
- Attends Sate Association meetings.
- Supervises staff.
- Prepares documentation and reports.
- Writes and Maintains procedures.
- Other duties as

assigned.

TYPICAL PHYSICAL

REQUIREMENTS

Sit for extended periods; frequently stand and walk; normal manual dexterity and eye-hand coordination; lift and move objects weighing up to 60 lbs.; frequently works outside in inclement weather; frequently moves from outside to inside work and back; corrected hearing and vision to normal range; verbal communication; use of office equipment and be able to operate a vehicle.

TYPICAL WORKING CONDITIONS

Work is performed in an office environment, and requires frequent travel to various locations within Sierra County. Work includes continuous contact with staff and the public. Work may involve stressful situations.

DESIRABLE QUALIFICATIONS

A Bachelors Degree in a relevant field is required. Requires possession of a valid Registered Environmental Health Specialist Certificate issued by the State of California, Department of Health Services, Office of Local Environmental Programs and a minimum of five (5) years of Full-time, paid experience equivalent to that gained as an Environmental Health Specialist within the County of Sierra.

Bachelor’s degree in related field	14 points
Graduate degree in related field extra	4 points
Possession of a valid Registered Environmental Health Specialist Certificate issued by the State of California	10 points
Substantial relevant work experience with progressive advancement	20 points max
Continuing Education	10 points max
Supervisory responsibility over professional and non-professional staff.	10

Minimum points needed for consideration for employment: 47

This class specification lists the major duties and requirements for this position and is not an all-inclusive list. Employees in this position may be expected to perform additional job duties related to those set out above and to the types of activities and functions of the employing department and may be required to have additional job related knowledge and skills.

KNOWLEDGE OF:

- General public and business administration principles and practices.
- Governmental functions and organization.
- Principles and practices of the functional areas applicable.

ABILITY TO:

- Gather and analyze data.
- Identify problems and central issues.
- Reason logically and critically.
- Perform, analyze, and document research.
- Research legislative issues and read and understand legislation.
- Read and interpret operating procedures and regulations.
- Recommend and implement changes/improvements.
- Speak and write effectively using proper English.
- Establish and maintain effective working relationships.
- Work independently and accept increasing responsibility.

Training and Experience:

Any combination of training and experience which would likely provide the required knowledge and abilities is qualifying.

Special Requirements:

Possession of a valid driver's license at the time of application and maintained throughout employment is a requirement for hiring and retention.

Ability to work performing field inspections.

Other Duties as assigned

I. ESSENTIAL FUNCTIONS (ADA)

PHYSICAL REQUIREMENTS:

Directions: Please review the definitions and check the appropriate box which indicates how often you perform the activity.

Frequency: This factor includes the frequency to which the task appears while performing the overall job.

A=Rarely (Once or twice, or never performed)

B=Seldom (On a quarterly to yearly basis)

C=Occasionally (On a monthly/bi-monthly basis)

D=Frequently (On a weekly basis)

E=Daily (From 0-1 hours per day)

F=Daily (From 1-4 hours per day)

G=Daily (From 4-8+ hours per day)

ACTIVITY			FREQUENCY						
			A	B	C	D	E	F	G
1.	CLIMBING	Ascending or descending ladders, stairs, scaffolding, ramps, poles and the like using feet and legs and/or hands and arms.				X			
2.	STOOPING	Bending body downward and forward by bending spine at waist.							X
3.	KNEELING	Bending legs at knee to come to rest on a knee or knees.							X
4.	CROUCH	Bending the body downward and forward by bending leg and spine.					X		
5.	CRAWLING	Moving about on hands and knees or hands and feet.			X				
6.	REACHING	Extending hand(s) and arm(s) in any direction.							X
7.	STANDING	Standing for long periods of time.					X		
8.	WALKING	Moving about on foot.							X
9.	SITTING	Sits for extended periods of time.							X
10.	PUSHING	Using upper extremities to press against something with steady force in order to thrust forward, downward or outward.		X					
11.	PULLING	Using upper extremities to exert force in order to draw, drag, haul or tug objects in a sustained motion.		X					
12.	FINGER DEXTERITY	Picking, pinching, typing, or otherwise primarily working with fingers rather than the whole hand or arm.							X
13.	GRASPING	Applying pressure to an object with the fingers and palm.						X	
14.	FEELING	Perceiving attributes of objects, such as size, shape, temperature, texture, by touching with skin					X		
15.	TALKING	Expressing or exchanging ideas by means of the spoken word.							X
16.	HEARING	Receive detailed information through oral communication.							X
17.	BALANCING	Maintaining body equilibrium to prevent falling when walking, standing or crouching on narrow, slippery or erratically moving surfaces (exceeds that needed for ordinary locomotion and maintenance of body equilibrium).			X				

II. ESSENTIAL FUNCTIONS (ADA)

VISUAL REQUIREMENTS:

Directions: Please review the definitions and check the appropriate box which indicates how often you perform the activity.

Frequency: This factor includes the frequency to which the task appears while performing the overall job.

- | | |
|--|-----------------------------------|
| A=Rarely (Once or twice, or never performed) | E=Daily (From 0-1 hours per day) |
| B=Seldom (On a quarterly to yearly basis) | F=Daily (From 1-4 hours per day) |
| C=Occasionally (On a monthly/bi-monthly basis) | G=Daily (From 4-8+ hours per day) |
| D=Frequently (On a weekly basis) | |

ACTIVITY		FREQUENCY						
		A	B	C	D	E	F	G
1.	Work performed requires the ability to see distances under 12 inches.						X	
2.	Work performed requires the ability to see at an arm's length.							X
3.	Work performed requires the ability to see distances over 20 feet.					X		
4.	Work performed requires the use of both eyes (field of vision).							X
5.	Work performed requires the ability to distinguish basic colors.				X			
6.	Work performed requires the ability to distinguish shades of color.			X				
7.	Work performed requires depth perception.						X	

OTHER FUNCTIONAL REQUIREMENTS:

Directions: Please review the definitions and check the appropriate boxes which indicate how often you perform the activity.

ACTIVITY		FREQUENCY						
		A	B	C	D	E	F	G
1.	Operates truck, tractor motor vehicle, forklift or other moving equipment.					X		
2.	Repetitive use of foot control.				X			
	right only				X			
	left only				X			
	both				X			
3.	Repetitive use of hands.						X	
	right only						X	
	left only						X	
	both							X

III. ESSENTIAL FUNCTIONS (ADA)

WORKING CONDITIONS:

Directions: Please review the definitions and check the appropriate box which indicates how often you work under the conditions.

Frequency: This factor includes the frequency to which the task appears while performing the overall job.

A=Rarely (Once or twice, or never performed)

B=Seldom (On a quarterly to yearly basis)

C=Occasionally (On a monthly/bi-monthly basis)

D=Frequently (On a weekly basis)

E=Daily (From 0-1 hours per day)

F=Daily (From 1-4 hours per day)

G=Daily (From 4-8+ hours per day)

ACTIVITY		FREQUENCY						
		A	B	C	D	E	F	G
1.	Works outside in various types of weather.						X	
2.	Works inside.							X
3.	Works in extreme cold, below 32 degrees F, for more than 1 hour.					X		
4.	Works in extreme heat, above 100 degrees F, for more than 1 hour.				X			
5.	Worker is subject to vibration (oscillating movements of the extremities or whole body).		X					
6.	Works in excessive humidity.	X						
7.	Works in a dry atmosphere.			X				
8.	Works in environment with constant noise (to cause worker to shout to be heard).		X					
9.	Exposed to dust.				X			
10.	Exposed to silica.	X						
11.	Exposed to fumes, smoke, or gases (anesthetic gases, ethylene oxide, etc.)	X						
12.	Exposed to grease and oils (air and/or skin exposure).	X						
13.	Exposed to electrical energy.	X						
14.	Exposed to pesticides.	X						
15.	Exposed to solvents or other chemicals. (Specify types of chemicals--air and/or skin exposure)		X					
16.	Works on slippery or uneven surfaces.			X				
17.	Works around machinery with moving parts or stationary equipment.	X						
18.	Works around moving objects or vehicles.						X	
19.	Works on ladders or scaffolding.	X						
20.	Works below ground.	X						
21.	Works with hands in water.	X						
22.	Works in confined spaces.	X						
23.	Other - Specify							

IV. ESSENTIAL FUNCTIONS (ADA)


PHYSICAL EXERTION:

Directions: If exertion varies, check one or more boxes. Indicate weights, if applicable, and/or the hours per day the exertion is required.


		ACTIVITY					WEIGHT/HOURS PER DAY	
		Up to 10 lbs.	11-25 lbs.	26-50 lbs.	51-75 lbs.	76-100 lbs.	Over 100 lbs.	# hours per day
1.	LIFTING				X			< 1 HR.
2.	CARRYING			X				< 1 HR.
3.	PUSHING		X					< 1 HR.
4.	PULLING		X					< 1 HR.
5.	REACHING		X					< 1 HR.
6.	OTHER (Specify)							

Reviewed by:


 Personnel Director 2/7/2013
 Date


 Auditor/Treasurer-Tax 2/7/2013
 Collector Date

Received and filed by:


 County Clerk 2/7/2013
 Date

TOPOGRAPHY A		January 25, 2018					Sch. B			
INCREASE PER MOU		1.02000					After	After	After	After
CLASS		STEP A	STEP B	STEP C	STEP D	STEP E	5 Years	10 Years	15 Years	20 Years
							L 1	L 2	L 3	L 4
12	Month	2,629.76	2,761.25	2,899.31	3,044.27	3,196.49	3,356.31	3,524.12	3,700.33	3,885.35
	Hour	15.1717	15.9303	16.7268	17.5631	18.4413	19.3633	20.3315	21.3481	22.4155
16	Month	2,996.11	3,145.91	3,303.22	3,468.37	3,641.79	3,823.88	4,015.07	4,215.82	4,426.62
	Hour	17.2852	18.1495	19.0570	20.0098	21.0103	22.0608	23.1639	24.3221	25.5382
20	Month	3,226.08	3,387.37	3,556.76	3,734.59	3,921.32	4,117.39	4,323.26	4,539.42	4,766.39
	Hour	18.6120	19.5425	20.5198	21.5457	22.6230	23.7542	24.9419	26.1890	27.4984
24	Month	3,534.44	3,711.17	3,896.73	4,091.57	4,296.14	4,510.95	4,736.49	4,973.33	5,221.98
	Hour	20.3910	21.4106	22.4812	23.6052	24.7854	26.0247	27.3259	28.6923	30.1268
28	Month	3,822.84	4,013.99	4,214.69	4,425.42	4,646.68	4,879.02	5,122.97	5,379.13	5,648.07
	Hour	22.0548	23.1576	24.3155	25.5313	26.8078	28.1482	29.5556	31.0334	32.5850
30	Month	3,841.49	4,033.58	4,235.26	4,447.02	4,669.36	4,902.84	5,147.98	5,405.38	5,675.65
	Hour	22.1625	23.2706	24.4342	25.6559	26.9386	28.2856	29.6999	31.1849	32.7441
32	Month	4,039.55	4,241.51	4,453.60	4,676.28	4,910.08	5,155.59	5,413.37	5,684.05	5,968.24
	Hour	23.3051	24.4703	25.6938	26.9785	28.3274	29.7438	31.2310	32.7926	34.4321
35	Month	4,264.81	4,478.06	4,701.97	4,937.06	5,183.91	5,443.10	5,715.26	6,001.03	6,301.08
	Hour	24.6047	25.8350	27.1267	28.4830	29.9072	31.4025	32.9727	34.6213	36.3524
39	Month	4,612.80	4,843.45	5,085.62	5,339.90	5,606.89	5,887.23	6,181.59	6,490.68	6,815.20
	Hour	26.6123	27.9430	29.3401	30.8071	32.3474	33.9648	35.6630	37.4462	39.3185
41	Month	4,809.44	5,049.91	5,302.42	5,567.54	5,845.91	6,138.21	6,445.12	6,767.38	7,105.75
	Hour	27.7468	29.1341	30.5909	32.1204	33.7264	35.4128	37.1834	39.0426	40.9947
45	Month	5,201.89	5,461.98	5,735.09	6,021.85	6,322.93	6,639.08	6,971.04	7,319.59	7,685.57
	Hour	30.0109	31.5114	33.0871	34.7414	36.4784	38.3024	40.2175	42.2284	44.3398