

DEPARTMENT: Administration/Personnel

BY: Rick Benson

PHONE: 966-3222

**RECOMMENDED ACTION AND JUSTIFICATION:**

Approve a reorganization in the Health Department by establishing and allocating one Nursing Manager position with a salary of \$7,000/month at top step; establish and allocate one Environmental Health Manager position with a salary of \$6,025/month at top step with both of these positions being assigned to the Mariposa County Managerial and Confidential Organization (MCMCO); increase the stipend for a Registered Environmental Health Specialist to \$150/month; credit the transitioning State employees with 40 hours of sick leave and set the accrual of vacation at the maximum rate; transition the current State employees affected by this action to County employee positions. All of the actions will be effective July 1, 2010.

Please see the attached staff reports by the County Administrative Officer and the County Health Officer for additional information.

If this action is approved, staff will prepare job descriptions for Board approval and proper notification to MCMCO. Appropriate fiscal changes will be included in the Recommended Budget for Fiscal Year 2010-11.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:**

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Do not approve the recommended reorganization of the Health Department. Mariposa County will continue to contract with the State for these services and continue to pay the required administrative fee.

Financial Impact? ( ) Yes ( ) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		Staff Report by County Administrative Officer
Source:		Staff Report by County Health Officer
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
( ) General ( ) Other		_____

**CLERK'S USE ONLY:**

Res. No.: 10-303 Ord. No. \_\_\_\_\_  
Vote - Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_  
( ) Approved  
 Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.


Date: \_\_\_\_\_  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended  
 No Opinion  
Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CAO: 



# COUNTY OF MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

KEVIN CANN, CHAIR  
JIM ALLEN, VICE-CHAIR  
BRAD ABORN  
LYLE TURPIN  
JANET BIBBY

DISTRICT IV  
DISTRICT V  
DISTRICT I  
DISTRICT II  
DISTRICT III



## MARIPOSA COUNTY BOARD OF SUPERVISORS

### MINUTE ORDER

TO: RICHARD J. BENSON, CAO

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Approve a Reorganization in the Health Department by Establishing and Allocating one Nursing Manager Position with a Salary of \$7,000/Month at Top Step; Establish and Allocate one Environmental Health Manager Position with a Salary of \$6,025/Month at Top Step with both of these Positions being Assigned to the Mariposa County Managerial and Confidential Organization (MCMCO); Increase the Stipend for a Registered Environmental Health Specialist (REHS) to \$150/Month; Credit the Transitioning State Employees with 40 Hours of Sick Leave and set the Accrual of Vacation at the Maximum Rate; Transition the Current State Employees Affected by this Action to County Employee Positions. All of the Actions will be Effective July 1, 2010

RES 10-303

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on June 15, 2010

#### ACTION AND VOTE:

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#### **Administration**

Approve a Reorganization in the Health Department by Establishing and Allocating one Nursing Manager Position with a Salary of \$7,000/Month at Top Step; Establish and Allocate one Environmental Health Manager Position with a Salary of \$6,025/Month at Top Step with both of these Positions being Assigned to the Mariposa County Managerial and Confidential Organization (MCMCO); Increase the Stipend for a Registered Environmental Health Specialist (REHS) to \$150/Month; Credit the Transitioning State Employees with 40 Hours of Sick Leave and set the Accrual of Vacation at the Maximum Rate; Transition the Current State Employees Affected by this Action to County Employee Positions. All of the Actions will be Effective July 1, 2010

**BOARD ACTION:** Rick Benson initiated discussion relative to the reorganization in the Health Department and his recommendations. He advised of his discussions with the Health Officer and disagreements with the job titles, assignment of bargaining units, and salaries for the positions.

Dr. Mosher, Health Officer, presented his recommendations for the reorganization, and reviewed a compromised position, and he advised that over \$100,000 would be saved each year by not renewing the contract with the State.

Discussion was held. Supervisor Bibby asked that information be brought back on the salary figures, including the stipend.

**12:14 p.m.** Recess

**12:31 p.m.** The Board reconvened and continued with discussion on the Health Department reorganization and the salary information presented by Rick Benson. Board members expressed their thoughts on the nursing and environmental health manager positions; and it was clarified that this is a unique situation and is not precedent setting. Steve Dahlem, County Counsel, provided input on the polling of the Board members and advised that a motion still needs to be made.

(M)Allen, (S)Aborn, Res. 10-303 (note: this resolution number is being used for all of the actions taken this date concerning the Health Department reorganization) was adopted assigning the position for the senior supervising REHS position to MCMCO, and finding that this position will supervise the REHS positions. Chris Ebie, Auditor, provided input on the difference in benefits between the MCMCO and SEIU bargaining units. Ayes: Aborn, Cann, Allen; Noes: Turpin, Bibby.

The Board concurred with the nursing and environmental health manager positions being assigned to MCMCO.

The Board concurred that the regular REHS positions will not receive the additional \$150 monthly stipend.

The motion by Aborn that the top salary step for the nursing manager position be \$7,291 died for lack of a second. Further discussion was held, and Dr. Mosher clarified that this is a new position and recruitment needs to occur as the current State employee is retiring. (M)Aborn, (S)Allen, the top step salary for the nursing manager position was set at \$7,291/Ayes: Aborn, Turpin, Cann, Allen; Noes: Bibby.

Discussion was held relative to the supervising REHS position. Sandi Laird/Administrative Analyst-Personnel advised that because this position is assigned to MCMCO, there has to be a ten percent salary spread according to the MOU. Accordingly, Rick Benson recommended a ten percent spread between the REHS positions and the supervising position; and between the supervising position and the manager position.

This matter was continued to 2:30 p.m. – after the LAFCo meeting.

**2:53 p.m.** The Board reconvened and continued with discussion on the Health Department reorganization. County Counsel corrected the record relative to the statement that was made earlier concerning the requirement for a ten percent salary spread between employees and a supervisor; and he advised that this is an objective of the MOU and is not a requirement. Rick Benson presented salary calculations and options for a five, seven and one-half, and ten percent spread. Dr. Mosher provided input relative to comparisons with his salary survey of other counties; and he again advised that his recommendation takes into consideration future planning for the department.

(M)Allen, (S)Turpin, the Board set the top step salary for the senior supervising REHS position at \$5859.48 (which is ten percent above the REHS positions) and the top step salary for the environmental health manager position at \$6445.43 (which is ten percent above the senior supervising REHS position). Chair Cann clarified that the ten percent is being used to calculate these salaries, but is not the rule. Ayes: Aborn, Turpin, Cann, Allen; Noes: Bibby.

Rick Benson advised that the job titles for the positions and the job descriptions will come back to the Board for approval; and they will try to schedule this for the next meeting. Discussion was held relative to the transition timeframes and the contract termination. Dr. Mosher advised of the urgent need to recruit for the nursing manager position.

Cc: Dr. Mosher, Health Officer  
Sandi Laird, Personnel  
Chris Ebie, Auditor  
File


# MARIPOSA COUNTY

Richard J. Benson  
County Administrative Officer



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Mariposa, CA 95338  
209-966-3222  
1-800-736-1252  
FAX 209-966-5147  
rbenson@mariposacounty.org

June 15, 2010

TO: Board of Supervisors   
FROM: Rick Benson, County Administrative Officer  
SUBJECT: Proposed Health Department Reorganization

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## Background

The Mariposa County Health Department is responsible for a number of programs which protect the public. Many of these programs are mandated by State law and regulations. Funding for the department comes from a variety of sources including the County General Fund.

In addition to County staff, the department has for several years contracted with the State of California to provide qualified individuals to the County. While these individuals are State employees, they work hand-in-hand with County employees. Usually those who work with these employees are not aware that they are not Mariposa County employees as they are extremely well integrated within the County system.

It has been apparent for some time that the terms of these contracts with the State have not been favorable to Mariposa County. The State of California imposes a very high administrative fee on top of the wages and benefits paid to the State workers for their services.

In reviewing the Department's operations, Dr. Mosher has indicated that his span of control is far too broad. He is personally responsible for the myriad of functions of the department and has too many individuals reporting directly to him. This is a negative impact on his ability to operate the Department efficiently. The County Administrative Officer agrees that this situation should be addressed.

## Proposal

Dr. Mosher has submitted a proposal to reorganize the Department in a manner which will assign some direct supervision to other employees while, at the same time, eliminate the need for the State contract by incorporating the State employees into the County system.

Dr. Mosher's proposal would call for establishing one new position to take overall responsibility for environmental health functions. This position would fulfill the State

mandate for the Director of Environmental Health. The proposal also calls for a new position to be the lead Public Health Nurse and fulfills another State requirement for a Director of Nursing. Currently, Mariposa County is exempt from the State mandate for these two positions due to the State contracts.

The proposal also calls for a new position which would add an additional level of management within the environmental health section. This position would be a Senior Environmental Health Specialist and report to the Environmental Health Manager. Dr. Mosher's outline of his proposal is attached for your reference.

#### Items of Concern/Disagreement

While this office generally agrees with the concept outlined by Dr. Mosher, there are serious concerns regarding some aspects. Portions of this proposal run counter to good business practices and are driven more by attempts to retain the current State employees rather than departmental operations.

Specifically, there is no justification for a Senior Environmental Health Specialist position other than to provide a mechanism to allow for enhanced compensation to be provided to the incumbent State employee. As valuable as this employee is to the Department, adding an additional level of management when not justified is a textbook example of what counties have done which result in bloated budgets and unnecessary costs. This office cannot find a justification nor recommend this position.

There are also concerns regarding the salary levels recommended in the proposal. Rarely do the salaries of Mariposa County employees match those of other counties. However, Mariposa County has an extremely generous benefit package.

Current compensation for Mariposa County Registered Environmental Health Specialists with experience is \$5,326 per month which includes a monthly stipend of \$600. The State salary for an equivalent position is \$5,711 per month. However, the State requires their employees to pay \$220.35 per month towards their retirement whereas Mariposa County does not require any employee contribution. In addition, Mariposa County requires less of a contribution than the State for medical benefits. When the discrepancy in out of pocket costs are taken into account, actual take-home pay for a County employee is between \$85 and \$142 per month less than a State employee. This office is willing to recommend an increase of \$150 in the monthly stipend to mitigate this difference which would allow a transitioning State employee to have no change in their take-home pay.

As is customary in Mariposa, the Manager of Environmental Health salary would be 10% higher than those he or she would supervise. This would translate to a salary of \$6,025 at the top step. Dr. Mosher's proposal pegs the top step at \$6,949 per month, 16% higher than the County Administrative Officer's recommendation. If your Board were to accept Dr. Mosher's proposal this would cause a significant internal equity problem. This salary would be higher than the Agricultural Commissioner, Building Department Director, Child Support Services Director, Community Services Director, County Librarian, Fire Chief, Technical Services Director, Assessor/Recorder, Treasurer/Tax Collector, and the Undersheriff. Many of these positions require highly specialized certifications, as well.

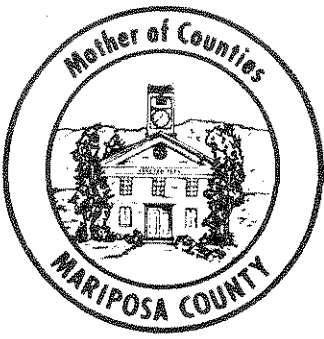
The Nursing Manager is a specialized position. In recognition of the State-wide nursing shortage and the very competitive market for nurses the County Administrative Officer

recommends a salary of \$7,000 per month at top step. This salary is competitive with our comparable counties but is again, below that recommended by the Department Head.

I cannot stress enough the impact of the internal equity disparity this proposal will trigger. Department Heads with specialized qualifications and/or advanced degrees and many other County employees with significant responsibilities will be in a position to demand higher salaries. The County will be hard-pressed to offer any justification to those employees. This proposal, with its goal to retain two undoubtedly valuable employees, will quite possibly have negative repercussions on dozens of others who are part of the County family. Your Board should be aware of the possible salary spiral this action could trigger.

County Administrative Officer Recommendation:

1. Establish a Nursing Manager position which will fulfill the State's Director of Nursing requirement and allocate this position to the Health Department with a salary of \$7,000 per month at the top step and be included in the Mariposa County Managerial and Confidential Organization (MCMCO) bargaining unit, effective July 1, 2010.
2. Establish an Environmental Health Manager position which will fulfill the State's Director of Environmental Health requirement and allocate this position to the Health Department with a salary of \$6,025 per month at the top step and be included in the MCMCO bargaining unit, effective July 1, 2010.
3. Increase the stipend paid to County Registered Environmental Health Specialists by \$150 per month effective July 1, 2010.
4. Credit the transitioning State employees with 40 hours of sick leave and the maximum accrual rate for vacation, effective July 1, 2010. Longevity will not be addressed as Mariposa no longer offers longevity benefits.
5. Transition the current State employees affected by this action to County employee positions effective July 1, 2010.



# Mariposa County Public Health Department

Charles B. Mosher, MD, MPH, County Health Officer

Personal Health Section  
4988 11th St. Post Office Box 5  
Mariposa, CA 95338  
209-966-3689 or 1-800-459-4466  
FAX 209-966-4929

Environmental Health Section  
5100 Bullion St. Post Office Box 5  
Mariposa, CA 95338  
209-966-2220 or 1-888-777-0377  
Fax 209-966-8248  
health@mariposacounty.org

June 4, 2010

TO: Members, Board of Supervisors  
FROM: Charles B. Mosher, MD, MPH, Health Officer  
RE: Health Department Re-Organization

A handwritten signature in black ink, appearing to read "C. Mosher", written over the "FROM:" line of the letterhead.

## I. Overview

This proposal may well be the most important that I have made to the Board in my tenure as your Health Officer.

The goals of this proposal are five:

1. To construct a stable organization for your Health Department and Air Pollution Control District that will continue into the future, beyond the retirement of senior Health Department staff.
2. To retain experienced and dedicated key staff members who are currently employed by the State.
3. To reduce the span of supervision for the Department Head/Health Officer/Air Pollution Control Officer to a number of consistent with good management and Public Safety Incident Command standards.
4. To remove the County from the contract with the State Department of Public Health.
5. To save the County approximately \$100,000 annually for years to come.

## II. Analysis

### A. With State Contract

The purpose of the contract between small counties (population less than 40,000) per State code, was to provide quality professional Public Health staff in Counties where

salaries were traditionally too low to attract and retain staff with needed skills. It was believed to be in the best interest of both residents and visitors to rural Counties that the quality of Public Health services not be inferior in those Counties.

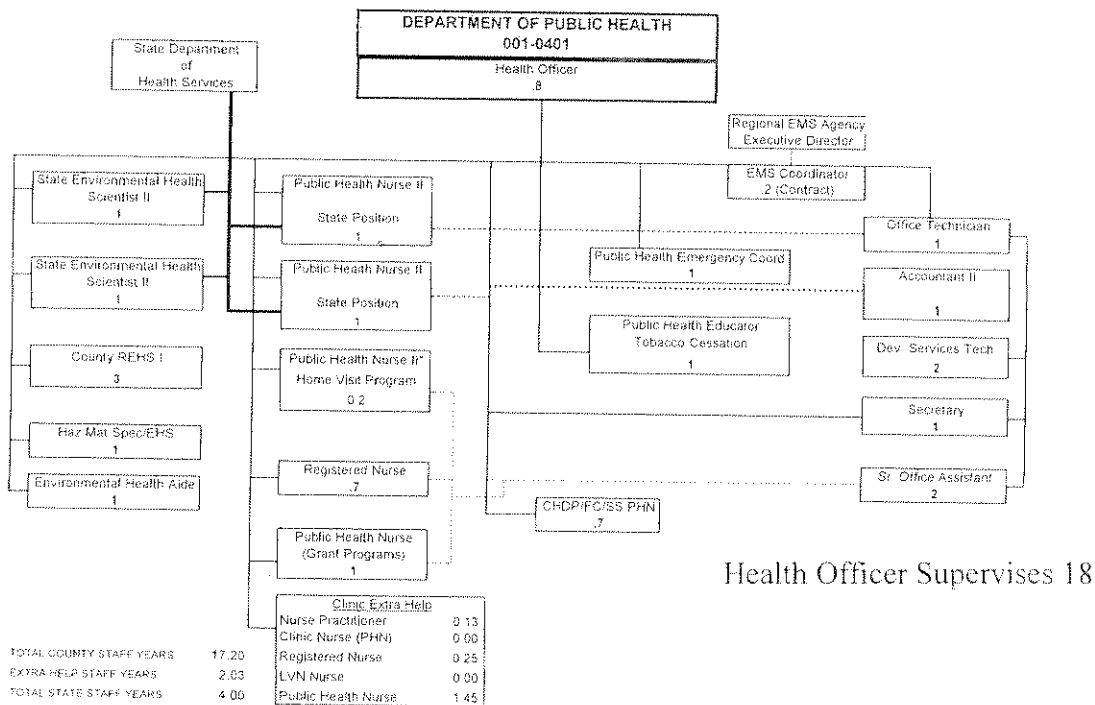
Just a few years ago, there were eleven Counties in the "Contract" program. This fiscal year only Mariposa County remains. The State now requires payment in full for salaries, benefits, vehicle costs, laboratory costs, travel costs and indirect costs. Additionally, the State now charges an "overhead" of 35% of salaries and benefits, amounting to \$100,000 annually for the employees under contract in Mariposa (one senior Public Health Nurse, a senior Registered Environmental Health Scientist, and a senior "lead" Registered Environmental Health Scientist).

**"Pros" of Contract:**

1. The State recruits and oversees the Public Health professionals with its superior position in this highly competitive market for Public Health nurses and Registered Environmental Health Scientists.
2. The State is responsible for supervision of these staff.
3. Retention of staff is high due to the salary and benefit package the State offers.

**"Cons" of Contract:**

1. The cost of the "overhead" in the contract is very high and carries no tangible benefit.
2. The State will not allow its staff to supervise County staff, so your Health Officer must supervise all professional staff individually, resulting in the following organization chart:



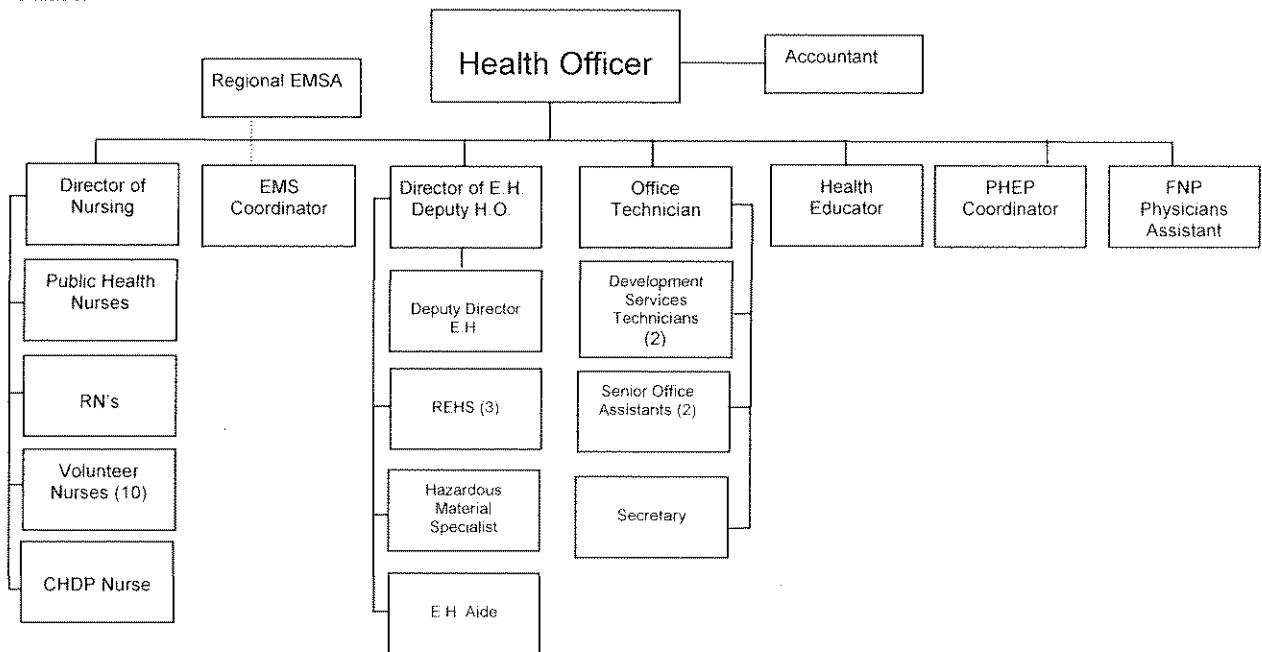


## B. With Proposed Re-Organization

Luckily for the County, two of the State employees (the two Registered Environmental Health Scientists) are willing to change from State employment and become County employees. This shows tremendous dedication to the County and the Department, since they both have many promotional opportunities within the State system (they have already been offered other jobs). All they ask is that their salaries and benefit package not be inferior.

### “Pros” of Re-Organization:

1. At salaries and benefits requested by the Health Officer, the County will realize a savings of approximately \$100,000 a year by terminating the contract with the State.
2. The County will be in compliance with State law requiring a Director of Nursing (Title 17, Sec. 1253) and Director of Environmental Health (Title 17, Sec. 1254) under the new organization.
3. The Department Head/Health Officer/Air Pollution Control Officer will have a span of supervision consistent with good management practice and Incident Command recommendations. See proposed Organizational Chart:



Health Officer Supervises 7

4. The organization and the requested salaries for the three senior professional positions are within the average range of other rural Counties. This should allow the County to recruit and retain staff in these critical positions into the future. The available pool of these professionals is small and selective.

**“Cons” of Re-Organization:**

1. None obvious at this time.

**III. Requested job specifications, salary grades, and benefits for three new County management positions:**

Both professional groups, Public Health Nurses and Registered Environmental Health Specialists are in short supply and high demand. Both professions require a Bachelor’s Degree plus additional training and certification. Supervisorial positions require, of course, considerable experience beyond education.

Fortunately for the County, two of the individuals currently working under the State contract are willing to convert to County employment if we can structure a fair compensation arrangement.

Retaining current staff offers the County the following:

- Demonstrated commitment to the County
- Approaching the task from an “educational” rather than “enforcement” perspective
- Many years experience
- In-depth knowledge of this County and the people we work with
- Proven performance at the highest levels of their profession

The Health Officer strongly believes it to be in the County’s best interest to retain these staff. To do so, we must offer the following:

- Job grades consistent with similar positions in Counties of similar demographics, and no lower than current salary.
- All three job classes part of MCMCO.
- Credit for time served in Mariposa County for purpose of longevity, vacation and sick leave accrual rates.
- Credit for 40 hours of sick leave.

**1. Director of Nursing**

Requested salary range \$6,358 - \$7,291

**2. Director of Environmental Health / Deputy Health Officer**

Requested salary range \$5,738 - \$6,949

**3. Senior Registered Environmental Health Specialist/Deputy Director of Environmental Health**

Requested salary range (grade 434)                      \$4,777 - \$5,806

Draft Job Specifications attached

**IV. Financial Analysis**

A. Cost of Contract Fiscal Year 2010 - 2011	\$482,963
B. Cost of Staff at requested pay grades	\$367,957
C. One-time cost to replace vehicles	\$ 35,000
D. Cost to replace laboratory services	\$ 5,000
E. Savings to County Fiscal Year 2010 – 2011	\$ 75,006
Saving to County in future years      (approximately)	
(Without Fiscal Year 2010 – 2011 vehicle costs)	\$110,000

**V. Requested Action:**

- A. Adopt draft job specifications (attached)
- B. Assign salary grades as recommended above. Assign these three positions to MCMCO. Credit two State employees who will become County employees for time served in Mariposa County for purpose of longevity, vacation, and sick leave accrual rates and credit with 40 hours of sick leave.
- C. Authorize Health Officer to advise the State of our intent to discontinue the contract for personnel, to effect re-organization of Health Department, and to begin recruitment process.
- D. Accomplish this on before June 30, 2010.

**Alternative to Requested Action:**

Maintain contract with the State. Direct Health Officer to bring contract forward to Board (not recommended).

Sup. REHS NO STIPEND

	5%	7.5%	10%
\$	4,713.17	\$ 4,825.38	\$ 4,937.60
\$	4,917.37	\$ 5,034.45	\$ 5,151.53
\$	5,131.77	\$ 5,253.96	\$ 5,376.14
\$	5,356.90	\$ 5,484.45	\$ 5,611.99
\$	5,593.14	\$ 5,726.31	\$ 5,859.48
\$	67,117.68	\$ 68,715.72	\$ 70,313.76

Director EH

5%	\$ 5,872.80	\$ 6,012.63	\$ 6,152.45
7.5%	\$ 6,012.63	\$ 6,155.78	\$ 6,298.94
10%	\$ 6,152.45	\$ 6,298.94	\$ 6,445.43

\$	70,473.56	\$ 72,151.51	\$ 73,829.45
\$	72,151.51	\$ 73,869.40	\$ 75,587.29
\$	73,829.45	\$ 75,587.29	\$ 77,345.14

Nurse

	\$ 87,492.00
w/benefits	\$118,114.20

REHS II Without Stipend Increase

\$ 4,870.67 \$ 4,713.17

\$ 5,114.20 \$ 4,948.82

\$ 5,369.91 \$ 5,196.27

\$ 5,638.41 \$ 5,456.08

\$ 5,920.33 \$ 5,728.88

\$ 6,512.36 \$ 6,301.77 Dir. EH