

MINUTES

County of Inyo Board of Supervisors

August 2, 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 August 2, 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 Chairman Griffiths asked for public comment and there was none.

CLOSED SESSION Chairman 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. 1 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.** (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *Native American Heritage Commission v. Inyo County Planning Department and Inyo County Board of Supervisors*, Inyo County Superior Court Case No. SICVPT 1557557 (Munro Petition for Writ of Mandate); and 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, Information Services Director Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.

OPEN SESSION Chairman Griffiths recessed closed session and reconvened the meeting in open session at 10:09 a.m. with all Board members present. The meeting was opened in honor of retired Public Works employee Jon Michener, who recently passed away.

PLEDGE Supervisor Tillemans was asked to lead the pledge of allegiance in honor of his birthday.

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 Rich White of Independence advised that Board that although he and his wife Kathy retired from designing and hosting the County’s CalExpo exhibit, they did staff this year’s exhibit for a couple days. He said it was well received and the contractor who built it did a great job. He said he thinks it’s important that the County continue to have a presence at CalExpo, and to have a staffed exhibit.

COUNTY DEPARTMENT REPORTS Assistant CAO Rick Benson told the Board this is the first time in many years that the Whites didn’t take the lead on the County’s CalExpo exhibit. He said the County won a Silver Award and thinks the contractor did a good job on behalf of the County. Supervisor Kingsley said he heard there were a couple entities in Lone Pine who were represented in the booth but were never contacted for their input and thus didn’t know how they were represented. Benson said this is the contractor’s first go-round and there were things that need to be improved, but overall they did well. Supervisor Kingsley suggested they ask for entities’ input ahead of time in the future.

Treasurer-Tax Collector Alisha McMurtrie told the Board that the PTMS Program is going to start doing some intensive on-site training regarding property tax software and her department will be starting Monday. They’ve been asked to train four days a week, seven hours a day, so it will impact how they serve the public. She said if they can expedite training at any point they will but she wanted to let the Board know in advance what’s going on.

<i>INFORMATION SERVICES BLANKET PURCHASE ORDER FOR POSTAGE</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to authorize the issuance of a blanket purchase order in the total amount of \$54,000 to Pitney Bowes from the Information Services Budget 011801, Object Code 5236 (Information Services Postage) contingent on Board approval of the Fiscal Year 2016-2017 budget. Motion carried unanimously.
<i>MOTOR POOL SURPLUS AND AUCTION APPROVAL</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) Declare the vehicles identified in Exhibit A as surplus; B) Authorize Motor Pool to offer the vehicles for sale utilizing the Public Surplus auction site; and C) authorize Motor Pool to utilize either the previously approved consignment agreement with Enterprise Fleet Management or another auctioneer for the removal and sale of any vehicle remaining unsold after the Public Surplus process. Motion carried unanimously.
<i>MUSEUM REIMBURSEMENT AGREEMENT WITH C&C RAILROAD</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve and authorize the Chairman to sign a grant agreement with the Carson & Colorado Railway allowing the County to reimburse the Carson & Colorado for a portion of the cost, not to exceed \$50,000, to construct a building to house Engine No. 18 on the grounds of the Eastern California Museum, contingent upon obtaining all necessary signatures. Motion carried unanimously.
<i>INFORMATION SERVICES CREST SOFTWARE CONTRACT RENEWAL</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to ratify the renewal of a Software Maintenance Agreement between Crest Software Corporation and the County of Inyo for the County's enterprise Property Tax Management System for the period of July 1, 2016 through June 30, 2017 in an amount not to exceed \$34,040, contingent on Board approval of the Fiscal Year 2016-2017 budget. Motion carried unanimously.
<i>ESAAA SOLE-SOURCE HOME MEALS SUPPLIES CONTRACT</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) Declare Oliver Products Company a sole-source vendor; and B) Approve a blanket purchase order for Oliver Products Company in the amount of \$25,000 for the purchase of food trays and coverings for the home-delivered meals program for Fiscal Year 2016-2017, contingent on Board approval of the Fiscal Year 2016-2017 budget. Motion carried unanimously.
<i>JAIL NURSE TEMPORARY EMPLOYEE/ON-CALL EXTENSION</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve up to an additional six months, not to exceed January 31, 2017, the temporary employee status of two nurses that provide on-call response to inmate health care issues for the Jail and Juvenile Center. Motion carried unanimously.
<i>SOCIAL SERVICES PITNEY BOWLES SOLE-SOURCE</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to authorize the issuance of a blanket purchase order for Pitney Bowes in the amount of \$13,000 for postage in the Social Services Programs for Fiscal Year 2016-2017. Motion carried unanimously.
<i>SOCIAL SERVICES ANNUAL WELFARE DIRECTORS ASSOC. DUES</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve payment of County Welfare Directors Association of California dues for Fiscal Year 2016-2017 in an amount not to exceed \$16,975, contingent on Board approval of the Fiscal Year 2016-2017 budget. Motion carried unanimously.
<i>PUBLIC WORKS ANIMAL SHELTER FENCING N.O.C.</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to adopt Resolution No. 2016-30, titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Authorizing the Recording of a Notice of Completion for the Animal Shelter Fencing Project," accepting the construction and authorize the recording of a Notice of Completion for the Animal Shelter Fencing Project. Motion carried unanimously.
<i>PUBLIC WORKS – SHOSHONE PROPANE CONTRACT RATIFICATION</i>	Public Works Director Clint Quilter said additional electrical work was required to get the HVAC installed at the Community Center, and exceeded his 10 percent authority for Change Orders. He said the work has already been done, however, because summer time is not the time to let those residents go without AC. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to ratify the contract with Shoshone Propane of Pahrump, Nevada \$2,700 for a not-to-exceed amount of \$22,700 per the approved Contract Change Order for additional electrical services. Motion carried unanimously.

*PLANNING EB-5
INVESTOR PROGRAM*

Planner Cathreen Richards started with a brief presentation on the EB-5 Investor Program, which is a visa program created in 1990 to help stimulate the economy through foreign capital investments and job creation. The program makes visas and eventually “green cards” available to foreign nationals who invest at least \$1 million in commercial enterprises that create or preserve 10 full-time jobs in the U.S. Rural areas and areas of high unemployment were considered Targeted Employment Areas, however most of the money is going toward projects in urban areas. Senator Dianne Feinstein wants to end the program because she believes it is inherently unfair to grant visas to rich investors while other immigrants struggle through the system for years trying to get citizenship. Richards said Feinstein has said the program sends the wrong message about this country’s values and is prone to fraud and abuse. However, the Planning Department proposed a letter to Feinstein asking her to support EB-5 as a means of attracting capital to Inyo County. Jack Stone, owner of the Darwin Mine, said a foreign company called MCCCH offered to put up \$50 million and then have 100 investors put up \$1 million each to get the mine back in operation. In exchange, those 100 investors will receive visas. Stone said when back in operation, the mine will create 350 jobs directly and almost four indirectly. He said the problem with the program, which was originally intended to help rural areas, is that companies have basically hijacked EB-5 to get capital for projects, such as hotels, in Beverly Hills and other metropolitan areas. Supervisor Kingsley suggested the Planning Department’s letter include a statement to the effect that the EB-5 money should be going to rural projects. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to authorize the Chairperson to sign the letter, and send it with the suggested language added. Motion carried unanimously.

*INTEGRATED WASTE
MANAGEMENT
EQUIPMENT
OPERATOR I OR II*

Assistant CAO Benson said this position is important to keeping the department fully staffed so it can serve the public. Moved by Supervisor Tillemans and seconded by Supervisor Tothoroh to find that, consistent with the adopted Authorized Position Review Policy: A) The availability of funding for the requested position exists in the Fiscal Year 2016-2017 Solid Waste budget as certified by the Department Head and concurred with by the County Administrator and Auditor-Controller; B) Where internal candidates meet the qualifications of the position, the vacancy could possibly be filled through an internal recruitment, however it would be more appropriate to fill the position through an open recruitments; and C) Hire one Equipment Operator I, at Range 58 (\$3,310 - \$4,027), or Equipment Operator II at Range 60 (\$3,471 - \$4,261), depending on the qualifications of the selected candidate as determined by the County Administrator. Motion carried unanimously.

*HHS AIDS DRUG
ASSISTANCE
PROGRAM
AGREEMENT*

Health and Human Services Director Jean Turner explained this agreement allows HHS to enroll its AIDS/HIV clients in a drug assistance program at no cost. Moved by Supervisor Tillemans and seconded by Supervisor Tothoroh ratify and approve the Standard Agreement between the County of Inyo and California Department of Public Health, AIDS Drug Assistance Program, Office of AIDS, Agreement #16-10337, to continue Inyo County HHS/Public Health as an enrollment site, for the period of July 1, 2016 through June 30, 2019; and authorize the Director of Health and Human Services to sign the Standard Agreement, the Security Requirement Protections and Confidentiality Checklist (Exhibit F), the Contractor Certification CCC-307 form, and the Darfur Contracting Act form, and transmit a copy of the signed documents to the Clerk of the Board for the Board’s files. Motion carried unanimously.

*HHS AGREEMENT
FOR HIV/AIDS CARE
AND SUPPORT
SERVICES*

Moved by Supervisor Tothoroh and seconded by Supervisor Pucci to ratify and approve the Standard Agreement #15-11056 between the County of Inyo and Department of Public Health for the provision of HIV/AIDS care and support services to individuals living with HIV/AIDS or who are at risk of HIV infection, at a total grant amount of \$243,443 from the period of April 1, 2016 through March 31, 2019, contingent upon Board approval of future budgets; and authorize the Chairperson to sign the Standard Agreement, Certification Regarding Lobbying, Contractor Certification, and the Darfur Contracting Act Certification. Motion carried unanimously.

HHS Director Jean Turner explained that AB 403 initiated a diligent effort by the state to change the frequency and duration children could be placed in congregate settings because nationwide trends are showing that youth placed in long-term facilities later end up in adult facilities. The push now is to focus on keeping youth out of the jail and prison system and improving how they function as adults in their communities. Key to this will be shorter-term placements and family-based settings for support. Under AB 403, Turner said, foster care terminology is changing to refer to relatives, foster homes, guardianship and adoptive homes as “resource families” providing “home-based family care.” She also said group homes will be referred to as “Short-Term Residential Treatment Centers.” Turner said the idea is to bring these youth back to their home communities and place them in family-based settings. Obviously juveniles who commit violent crimes or major felonies will be placed in more appropriate detention facilities. The law will also change front-end approaches for child welfare and juvenile probation – basically using a state-approved standardized approach to assess the appropriate level of placement for youth, as well as the services needed, including Medi-Cal funded local Mental Health services. Turner said Inyo is lucky that it’s small enough that HHS and Probation can work closely in this regard, especially since the reform efforts focus so much on a team approach to keeping at-risk youth and low-level offenders at home or in a home setting rather than group homes or juvenile hall. She said a team approach is a healthier way to do business in general, and helps prevent case workers from losing their objectivity. She noted the state wants the resource families to do their own billing for Medi-Cal but there is push-back considering the very strict billing standards. She said the billing can be done through Foster Family Agencies and HHS wants to look into establishing one. The law also puts a premium on family engagement, which Turner said will require diligence, persistence and insistence on the part of caseworkers who will have to go into these people’s homes. She said family engagement can be an uphill battle, particularly when caseworkers are dealing with parents who are often very stressed and scared. She said the reform effort dovetails nicely with what the County is proposing to do with its Juvenile Services Plan. The law includes federal requirements that case management activities involving youth placed locally or out of the area include concerted efforts to preserve the continuity of family and other connections, including parents, siblings, schools, tribes, faith, language, neighborhoods, and friends. She said great care will be taken in the placement process to ensure the right fit for both the households and the youth. The County has an advantage with front-end assessments in that HHS and Probation know most of these youth and their families already. Turner said efforts will be made to improve communication with foster families and tighten the relationships they have with staff. Chairman Griffiths said when he first became a foster parent, the communication was not good, and sometimes it felt like CPS and Probation were only interested in dumping the kids off somewhere. He said he was encouraged by the changes discussed and likes the idea of using relatives as resource families. Still, he said, it’s important the County develops a cadre of non-relative caregivers also. He said residents adopt every dog out of the animal shelter but the County still struggles to find foster families. And while it may be easier to adopt a dog than bring a child into your home, he said people need to ask which is more important and what it says about people’s values as a community. Supervisor Kingsley asked whether there were non-profit groups out there willing to share the responsibilities of foster parenting, so the youth would be rotated between several families. He said it might give families more confidence to take in youth if they knew they had the support of other families. Turner said there is a church in Bishop that does exactly that, and there’s no such thing as too much support. He also asked Turner about the rate increases for foster families. Turner said while the families will be getting more compensation, they have to guard against attracting people for the wrong reason. Supervisor Pucci said HHS and Probation are doing a wonderful job and he thinks Inyo County is on the cutting edge of this reform effort, and while there are bound to be mistakes made, this new approach will make a difference. Earl Wilson of Lone Pine said that while he lived in Fresno, he watched many lives destroyed when kids were treated like Yo-Yo’s by the juvenile probation system. He said what Inyo planned was a whole new approach and he applauded the Board for even thinking about it. Wilson also asked whether there is a local Big Brothers program that can help with the effort. Turner said the County does have a fledgling mentoring program with no funding, but there are many ways for people to get involved if they’re not ready to become foster parents. CAO Carunchio thanked Turner for her presentation and noted that because of several recent discussions about changes to the County’s Juvenile Services Plan, the Board was probably already familiar with the basic tenets of the reform effort. He noted that if the Board decides to go ahead with the plan to make Juvenile Hall a weekend-only facility, resource families will be key in keeping low-level youth offenders closer to home. He said the end result will be better for youth, the community, and the County budget but it will take a huge shift in culture. He said it would be great if Turner gave the same presentation at the staff level as the County tries to get out in front in a holistic rather than mandated manner. Turner agreed the presentation would be helpful for HHS and Probation staff.

*APPROVAL OF
MINUTES*

The Assistant Clerk of the Board informed the Board that a correction was needed with regard to the list of Supervisors present and absent for the meeting. It should have stated Supervisor Kingsley was in attendance and Supervisor Tillemans was absent. Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to approve the minutes of the Board of Supervisors regular meeting of June 28, 2016, with the noted correction. Motion carried 4-0 with Supervisor Tillemans abstaining.

PUBLIC COMMENT

Earl Wilson of Lone Pine presented the Board with maps he referenced during the RETI 2.0 discussions on July 19 and which are inaccurate in terms of where they show solar project locations in Inyo County.

RECESS/RECONVENE

Chairman Griffiths recessed the meeting at 11:40 a.m. for lunch and reconvened the meeting at 1 p.m. with all Board members present.

*PLANNING –
MARIJUANA
LEGISLATION UPDATE*

Planning Director Josh Hart noted the Board has had many discussions about medical marijuana and since the last discussion an initiative qualified for the November General Election ballot that would legalize the recreational use of marijuana. As such, the Planning Department needed direction from the Board regarding options for regulating or prohibiting marijuana cultivation and/or dispensary, collective, or cooperative operation in unincorporated Inyo County, particularly with regard to land use implications. Hart said the department was focused on the land use implications. Paul Smith, the Senior Legislative Advocate of the Rural County Representatives of California (RCRC), then offered a PowerPoint presentation that he said was intended to make the Board aware of marijuana related legislation. He said he was not there to advocate the County site or ban commercial activity, but just to share the options on the table. He provided a brief history of Justice Department memos and legislation that began setting the stage for decriminalization of marijuana. He said three years ago RCRC and the California State Association of Counties tried to defeat a bill that sanctioned medical marijuana. They both decided that they couldn't fight the movement toward legalization and instead needed to influence policy principles they could live with, such as preservation of local control, explicit county taxing authority, ending the collective model, and addressing environmental impacts. Of those, he said local control was the most important to RCRC and CSAC. The result was the 2015 Medical Cannabis Regulation and Safety Act, which Smith said included at least four key clauses preserving local control. It also ends the collective model with a strict licensing scheme that mandates no commercial cannabis activity can take place without obtaining both a state license and some sort of approval at the local level, whether by permit license or other authorization. The state system includes 17 types of licenses, any or all of which local governments can use as models for their regulatory structure. Exemptions to the licensing mandate are personal growers and patient caregivers. Even with the licenses, it will be illegal to transport marijuana out of state, although Smith noted that the County has no authority to impede the movement of those shipments as long as they stay on public highways and roads. He said the legislation implies that local governments have a strong enforcement role otherwise. Mobile deliveries originating from licensed dispensaries are allowed under the bill, and can only be prohibited by enactment of local ordinance. The law also sets employer restrictions (that can go beyond the 9-5 work day), transportation and pesticide standards, cross-ownership restrictions, and mandatory distribution. He said the cross-ownership restrictions were written to prevent the "Walmartization" of marijuana whereby a grower owns all of the licenses. Smith explained mandatory distribution as similar to the restriction against breweries distributing their own beer. He explained that distributors have to take the beer to the retailers, and this law would require growers to use a licensed distributor for their product as well. Growers are also required to identify a water source and have their product tested.

Smith then explained how Prop 64 will sanction the use of recreational marijuana if passed, and allow people to cultivate up to six plants for personal consumption. Smith said counties can regulate personal grows as far as zoning and setback requirements, but will have a very difficult time banning them if Prop 64 passes. He said he guarantees there will be litigation as a result. Smith said Prop 64 is for the most part congruent with the Medical Cannabis Regulation and Safety Act. Prop 64 defers to county ordinances, imposes monitoring and reporting requirements, establishes regulatory fee schedules, comes with no obligations to counties, and is effective immediately upon adoption by each Board. The proposition also establishes a 15 percent excise tax on retail sales. He said counties that adopt ordinances allowing recreational marijuana use will be tasked with issuing licenses, and can charge no more than \$100 for each license. The commercial entity will be responsible for paying for testing, which will be regulated under the Department of Consumer Affairs, along with dispensaries, distributors and transporters. The Department of Food and Agriculture will regulate cultivators and nurseries. Chairman Griffiths at one point inquired about the price of an ounce of marijuana and Smith estimated \$20. He was immediately corrected by an audience member who said the price is more like \$100. Smith said the State envisions county ag commissioners having a very formal role in licensing for cultivators and doing inspections. Supervisor Tillemans asked whether counties had the discretion of requiring cultivators to be residents of the county they want to grow in and was told they do. Chairman Griffiths asked for advice on how to proceed over a fairly compacted time frame. Smith said to look at what other counties are doing. Humboldt and Medocino are ahead of the curve. He said at some point counties will just have to take a leap of faith while jumping into the issue. Supervisor Kingsley said the Board previously said they didn't want to act on anything until they knew the results of the General Election, but he thinks now is the time to get to work on it. Smith said Inyo County is as far along in the process as most jurisdictions. Planner Michael Draper then started a presentation on current County policy and options for addressing the possible legalization of marijuana. He also included a list of potential drawbacks (increase in crime, environmental issues, impacts on neighboring businesses) and benefits (increase in taxable revenue, provision of alternative medicine to residents, increases in property value, patient migration, more jobs) to allowing and regulating marijuana business activities as well as a look at how the Town of Mammoth and other nearby jurisdictions currently regulate medical marijuana. He said Inyo County does not have any ordinance regulating medical marijuana and without one, it's considered prohibited. The minimum effective measure the County could take to provide maximum control without too much complication would be establishing a new marijuana overlay zone where medical marijuana businesses are permitted. Other options include a complete ban on marijuana business activity, seeking voter approval for general direction, or allowing cultivation/dispensaries by issuance of Special Use or Conditional Use Permits. He said these businesses can be taxed just as any other business is taxed – and the County could impose a sales, excise, parcel or business license tax. Assistant County Counsel John Vallejo said there are timing issues related to some of the options. Land use changes do not require voter approval but taxes would and the County has until August 12 to get something on the November ballot. The next election is not until June 2018. During public comment, Steve McNeil from Tecopa advocated for approval of commercial grow operations, which could be located near Charleston View. He said a 20,000 square foot facility could earn about \$2 million and some of that money (\$200,000 a year) could be used to supplement the Southern Inyo Fire Protection District. He said he could also open a dispensary and give money to schools. He encouraged the Board to simply adopt the laws already in place in Nevada. He also said adding a bunch of taxes would only benefit the black market. Supervisor Kingsley asked how much water would be needed and where McNeil would distribute his product. McNeil said marijuana takes half as much water to grow as alfalfa and there are systems now that can reuse the water. He said he would distribute in Los Angeles because you can't cross state lines. Supervisor Kingsley also questioned the viability of a dispensary in such a remote area, but was told Tecopa is a "hot area" that gets a lot of tourists and frankly, dispensaries do well anywhere because there are so few places to buy medical marijuana. Reginald Cook told the Board he retired from the Los Angeles Sheriff's Office due to a back injury that for years required heavy painkillers. He said he now uses marijuana because it works the best for easing his pain. He said he runs a small collective outside of Lone Pine with about seven to 22 members and everything he grows is for pain management. He said he tries to keep his prices down because his clients are not rich people. But he noted that prices at normal dispensaries range from \$25 for an eighth of an ounce to \$80 an eighth. He asked the county not to ban medical marijuana activity and to get on board with the state licensing regulations. He said a ban would only result in increased illegal activity on the black market, which he is against.

Charles James of Big Pine said he wanted to commend the County for its thoughtful discussion, which stood in contrast the Bishop City Council's deliberations that included "virtually no facts whatsoever." The Bishop Police Chief quoted a statistic that crime has increased in areas where weed has been legalized. James said that's simply not true based on the actual reports. And, he said, a Colorado police spokesperson said there is no link between the spike in crime and marijuana laws. He said many of the laws already on the books can be applied to marijuana use, such as the law against driving while under the influence. Jason Meade said he worked with two different cannabis consulting companies and he wanted to applaud the County for what it was doing today. He suggested that whatever regulations the County adopts, they be the least complicated for businesses. And he encouraged the County to consider issuing Conditional Use Permits in the interim. Chairman Griffiths said he sees the issue as similar to alcohol in many ways in that community values determine legality. There are dry counties and wet counties, he said, and some places where you can't buy any alcohol on Sundays. He said whether cultivation and dispensaries fit into Inyo's values is both a countywide and community-by-community question and the best way to answer it would be through a ballot measure. He said a tax measure also needs to be put to the voters now in case of Prop 64 passing in November. Supervisor Totheroh asked whether there were other mechanisms for getting this information, such as online polls, and was told yes. Vallejo noted that ballot measures are just a very formalized tool for getting public opinion. Supervisor Tillemans said he wasn't here today to support any outright ban or maintaining the status quo, but he wasn't interested in changing the status quo right now either. He said taxing commercial marijuana activity could help diversify Inyo's very limited revenue streams. He said there is potential for large grow operations on City of L.A.-owned agricultural land and that it would not only save water, it could also be a boost to local farmers. He said he was leaning toward a gross receipts tax based on square footage and that down the road, putting a tax issue on a future ballot will tell the Board if the public is supportive of these activities. But he said the train is moving and he doesn't think the County needs to jump aboard yet. Supervisor Kingsley said he was aligned with Chairman Griffiths on putting an advisory question or two on the November ballot. He said if there is also an opportunity to put a tax measure together based on those of other counties that have already done the research, as Vallejo suggested was a possibility, then he thought the County should work to get something on the November ballot. The tax wouldn't take effect unless Prop 64 passed and the County would have the time to work out regulatory issues. Supervisor Pucci said he liked the advisory question concept but he doesn't know if the County is ready for a tax scheme just yet as it can be complicated by voter emotion. He said he wanted to make sure that people in need of medical marijuana in Inyo County have access to it and it sounds like they do. Supervisor Kingsley said everyone seemed in agreement they didn't want to rush anything, but getting something on the ballot and polling residents on their feelings about recreational commercial activity and medical commercial activity in November would put the County in a better position to deal with the coming changes. Chairman Griffiths said the proposal would be putting a question on the ballot asking about support of the activities, and then a separate measure related to the tax that makes it clear it will be imposed contingent on Prop 64's passage. He said he had faith that voters could separate the two, knowing that a vote for a tax scheme wasn't necessarily a vote for marijuana. Vallejo said the County was at a disadvantage policy-wise because of the time frame. Supervisor Totheroh wondered whether the tax could be an interim measure until the next election. Vallejo asked if he meant sunseting the tax. CAO Carunchio said he had never heard of sunseting a tax but said the Board should at least have staff take a stab at getting a ballot measure together and before the Board prior to August 12. He said if it goes before the voters and gets voted down, the County hasn't lost anything. He asked what sense there was in letting the opportunity go by when the tax can take effect immediately even if the licensing structure is still lagging a year and a half behind. Chairman Griffiths said ideally, the county would have two questions, one for recreational and one for medicinal marijuana, and thinks the tax proposal should be a gross receipts tax to keep it as simple as possible. Supervisors Kingsley and Totheroh wanted the language "If Prop 64 passes" added. Chairman Griffiths moved and Supervisor Totheroh seconded to direct staff to prepare advisory ballot questions as discussed and bring them back before the Board at its August 9 meeting. Motion carried unanimously. The Board agreed to take a break to give County Counsel's Office time to review the ballot measures of other counties and return for further discussion on tax options.

RECESS/RECONVENE Chairman Griffiths recessed the meeting at 4:09 p.m. for a break and reconvened the meeting at 4:31 p.m. with all Supervisors present to discuss options and give staff direction regarding the language of the proposed marijuana tax ballot measure.

PUBLIC COMMENT

Chairman Griffiths asked for public comment and there was none.

*BOARD MEMEBERS
AND STAFF REPORTS*

Supervisor Kingsley said he would be gone for next week’s discussion on the Draft Forest Plan so he would get his comments to the Planning Department before he left. He said he went to the Southern Inyo Airport Advisory Committee meeting and the slow implementation of the name change is causing frustration.

Supervisor Totheroh said he attended the Northern Inyo Airport Advisory Committee meeting and there was nothing to report.

Chairman Griffiths commented on the great turnout of the recent Health and Human Services volunteer dinner. He said he was passing out comments gathered by the Eastern Sierra Recreation Collaborative which the Eastern Sierra Council of Governments approved taking back to their respective governing Boards for incorporation into their Forest Plan comments. He said the ESCOG meeting included a gathering of FAA representatives from L.A. and San Francisco as well as Public Works staff and other employees of both the County and Town of Mammoth Lakes. ESCOG directed that a subcommittee be formed to more formally look at areas for collaboration on regional commercial air service.

Supervisor Tillemans said the HHS volunteer appreciation dinner was great, in a great setting (Whiskey Creek). He noted there will be a RETI 2.0 online workshop the following Tuesday at 3 p.m.

CAO Carunchio drew the Supervisors’ attention to item 27 on the agenda: correspondence from Western Counties Alliance Executive Director Ken Brown providing updates on various issues. Carunchio said that the correspondence was his idea in place of having Brown visit in person.

ADJOURNMENT

Chairman Griffiths adjourned the meeting at 5:02 p.m. with the Board scheduled to meet again on Tuesday, August 9 in the County Administrative Center in Independence. The meeting was closed in honor of Bishop resident Ian Lindsay, a long-time and extremely dedicated foster parent who recently passed away.

Chairperson, Inyo County Board of Supervisor

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

by: _____
Darcy Ellis, Assistant