

# MINUTES

# County of Inyo Board of Supervisors

**August 16, 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 16, 2016, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Jeff Griffiths, presiding, Dan Totheroh, Rick Pucci, and Matt Kingsley. Absent: Mark Tillemans.

*PUBLIC COMMENT* Chairman Griffiths asked for public comment and there was none.

*CLOSED SESSION* Chairman Griffiths recessed open session at 8:33 a.m. to convene in closed session with all Board members present to discuss the following items: No. 2 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9. (one case); No. 3 **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. 4 **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 10:05 a.m. with all Board members present except the absent Supervisor Tillemans.

*PLEDGE* County Counsel Rudolph led the pledge of allegiance.

*REPORT ON CLOSED SESSION* County Counsel Rudolph reported that no action was taken during closed session that is required to be reported. The Board had not finished its closed session business, however, and would be reconvening to closed session at the end of the meeting to continue discussions.

*PUBLIC COMMENT* Bill Hines of the Bishop Senior Recreation Committee said he was informed an important step in the Bishop Senior Center painting/flooring project was requesting funding before the Board considered the new budget. CAO Carunchio said money for the project would be included in the budget.

Allen Berrey of Bishop asked the Board to help reduce institutionalized racism in Inyo County by recognizing Martin Luther King Jr. Day as a national holiday. He handed out copies of a speech from Ronald Reagan when he signed the law in 1983 making Martin Luther King Jr. Day a national holiday, a proclamation from Mendocino County recognizing the 25<sup>th</sup> anniversary of Martin Luther King Jr. Day, and an Inyo County holiday calendar that does not have Martin Luther King Jr. Day listed. He said he could not find any other County in California that doesn’t recognize Martin Luther King Jr. Day as a national holiday. He said at the very least, it’s a sign of complacency. He said a simple solution would be swapping out Lincoln’s Birthday for Martin Luther King Jr. Day, since Lincoln is already celebrated on President’s Day.

*COUNTY DEPARTMENT REPORTS* Auditor-Controller Amy Shepherd shared with the Board a copy of the CalPERS Miscellaneous Plan of the County of Inyo Annual Valuation. She noted major changes coming to CalPERS in the 2017-2018 Fiscal Year that will require a \$2.7 million contribution from the County and no

longer make it possible to incur salary savings by not filling vacant positions. If the County pays the lump sum in August, it qualifies for a \$90,000 discount; otherwise it will have to make monthly payments. Shepherd said CalPERS is going to make the County start paying down its unfunded liability whether it likes it or not, and has offered 30-year, 20-year and 15-year amortization schedules. The 20-year schedule will save the County about \$12 million in the end and the 15-year schedule, about \$28 million.

Health and Human Services Director Jean Turner told the Board that last fall HHS and Probation entered a partnership with University of the Pacific for training in the addictions field. Twenty-five employees signed up to take two courses after hours, which required between 10 and 20 hours of study. She said 12 employees ended up completing the program – four from Juvenile Probation and eight from HHS. She said she is thrilled to be able to add addictions training to the work HHS and Probation do and congratulated the graduates, who now must undergo 255 hours of practicums.

D.A. Tom Hardy announced that late yesterday the judge found Dawndee Rossy guilty of 91 felonies. He asked that she be ordered to commit to jail pending sentencing on August 29 but the judge released her to get her affairs in order. Her co-defendant is to appear in court October 20 for setting of a trial date.

Chief Probation Officer Jeff Thomson reported that this past weekend all local law enforcement agencies joined for the Second Annual Back to School Shop with a Cop program, organized by Dave Scobie and Jessica Scida. He called the event a great success, with 22 kids being provided backpacks from Kmart and lunch packs and then being able to shop for supplies from a list provided by their schools.

**INTRODUCTIONS**

The following employees were introduced to the Board: Cindy Reeves, Office Clerk II, Motor Pool; and Robert Lee Sunman; Equipment Operator I, Integrated Waste Management.

**CORONER  
CONTRACT WITH  
JOHN THATCHER  
BRIGHT**

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve the contract between the County of Inyo and John Thatcher Bright for personal services for the term of August 16, 2016 through December 31, 2019, for a total contract amount not to exceed \$45,000, contingent upon the adoption of future budgets, and authorize the Chairperson to sign. Motion carried unanimously, 4-0.

**EMERGENCY  
SERVICES/SHERIFF –  
HOMELAND  
SECURITY GRANT**

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to: A) approve the submittal of the 2016 Homeland Security Grant Program grant application; and B) direct the County Administrator, as the Director of Emergency Services and the Authorized Agent as designated with Governing Body Resolution 2016-28, to sign the grant application and accompanying documents as well as execute any actions necessary to obtain the Fiscal Year 2016 Homeland Security Grant Program Grant and related federal financial assistance by the Department of Homeland Security through the State of California. Motion carried unanimously, 4-0.

**PARKS AND REC  
MILLPOND  
CONCESSION  
AGREEMENT**

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve the concession agreement between the County of Inyo and Brown's Supply, Inc. for the operation and maintenance of the Millpond Campground and, contingent upon obtaining all necessary signatures, authorize the Chairperson to sign. Motion carried unanimously, 4-0.

**RECYCLING AND  
WASTE  
MANAGEMENT  
CONTRACT WITH  
GEO-LOGIC ASSOC.**

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to: A) approve the contract between the County of Inyo and Geo-Logic Associates, Inc. for Solid Waste Engineering Services, with a term for three years from August 16, 2016 to June 30, 2019, with two optional one-year extensions for a five-year not-to-exceed amount of \$584,005 (\$110,000 for the first year with maximum annual CPI increases up to 3 percent); and B) authorize the Chairperson to sign the contract subject to and contingent upon obtaining all appropriate signatures and the adoption of future County budgets. Motion carried unanimously, 4-0.

**RECYCLING AND  
WASTE  
MANAGEMENT  
CONTRACT WITH  
CHUCK STEWART**

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to: A) award the bid and approve the contract between the County of Inyo and Chuck Stewart of Olancho, California for the period of August 9, 2016 through June 30, 2019 in an amount not to exceed \$17,284.31 (\$5,592 for the first year and up to a 3 percent CPI increase each of the following two years) subject to Board adoption of future county budgets; and B) authorize the Chairperson to sign the contract contingent upon obtaining the appropriate signatures. Motion carried unanimously, 4-0.

*RECYCLING AND WASTE MANAGEMENT CONTRACT WITH PREFERRED SEPTIC* Moved by Supervisor Totheroh and seconded by Supervisor Pucci to: A) award the bid and approve the contract between the County of Inyo and Preferred Septic and Disposal, Inc. for Waste Disposal Hauling Services from the Olancha, Keeler, and Darwin transfer stations for the period of August 2, 2016 through June 30, 2019, in an amount not to exceed \$116,496 (\$38,832 per year for three years) subject to Board adoption of future budgets; B) authorize the inclusion of recycling, illegal dumping cleanup, and other services noted in Attachment A of the contract, as part of the trash disposal services contract; and C) authorize the Chairperson to sign the agreement contingent upon obtaining the appropriate signatures. Motion carried unanimously, 4-0.

*R&W MANAGEMENT CONSENT TO ASSIGNMENT OF RIGHTS LETTER WITH BENZ SANITATION* Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve and authorize the Chairperson to sign the Consent to Assignment of Rights Letter with Benz Sanitation, Inc., dba Ridgcrest Sanitation. Motion carried unanimously, 4-0.

*HHS MEDI-CAL DATA PRIVACY AND SECURITY AGREEMENT* Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve the Medi-Cal Data Privacy and Security Agreement between the California Department of Health Care Services and the Inyo County Department of Health and Human Services for the period of September 1, 2016 through August 31, 2019, and authorize the Director of Health and Human Services to sign, with copies remitted to the Board Clerk for the Board's files. Motion carried unanimously, 4-0.

*PLANNING RESOLUTION FOR GENERAL PLAN CORRECTION* Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve Resolution No. 2016-33 titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Certifying That the Provisions of the California Environmental Quality Act (CEQA) Have Been Met and Making Certain Findings With Respect to; and Approving the General Plan Correction of Land-Use Designation for 2290 Dixon Lane, Bishop Community, Inyo County, California (APN 10-352-01)." Motion carried unanimously, 4-0.

*PUBLIC WORKS CONTRACT AMENDMENT 1 WITH ANDERSONPENNA* Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve Amendment #1 to the contract dated June 28, 2016 between the County of Inyo and AndersonPenna Partners, Inc., which modifies the existing contract by changing the regular hourly wage rate and the lodging rate. Motion carried unanimously, 4-0.

*PUBLIC WORKS AWARD OF LP/DV AIRPORT LIGHTING CONTRACT TO SPIESS CONSTRUCTION* Moved by Supervisor Totheroh and seconded by Supervisor Pucci to: A) award the Construction Contract for the Lone Pine/Death Valley Airport Airfield Lighting and Visual Aids Improvement Phase I Construction Project to Spiess Construction Co., Inc. of Santa Maria, California in the amount of \$349,626.80; B) approve and award the Construction Contract with Spiess Construction Co., Inc. in the amount of \$349,626.80; C) authorize the Chairperson to execute the Project Construction Contract contingent upon obtaining appropriate signatures; and D) authorize the Public Works Director to execute all other Project Contract documents, including Contract Change Orders, to the extent permitted by Public Contract Code Section 20142 and other applicable laws. Motion carried unanimously, 4-0.

*PUBLIC WORKS CONTRACT WITH UTILITY COST MANAGEMENT LLC* Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve the contract between the County of Inyo and Utility Cost Management LLC for the provision of Utility Billing Audit services in an amount not to exceed 50 percent of the savings it obtains for the County for the three-year period of September 1, 2016 through August 30, 2019, and authorize the Chairperson to sign. Motion carried unanimously, 4-0.

*ROAD DEPT. SURPLUS DISPOSAL/TRADE* Moved by Supervisor Totheroh and seconded by Supervisor Pucci to: A) authorize the Road Department to dispose of two items, already identified as surplus, by selling them as scrap to Brown's Salvage; and B) authorize the Road Department to trade a tire machine located in Shoshone, also already identified as surplus, to the Caltrans station located in Shoshone for the cost of disposal. Motion carried unanimously, 4-0.

*ROAD DEPT. CLOSURE OF N. PA HA, DIAZ AND BARLOW LANES* Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve the closure of portions of North Pa Ha Lane, Diaz Lane, and Barlow Lane on Friday, September 23, 2016 between the hours of 9 a.m. and 12:30 p.m. for the California Indian Day Parade. Motion carried unanimously, 4-0.

*CAO – ARGUMENT IN FAVOR OF COUNTY CANNABIS TAX MEASURE*

CAO Carunchio said the draft ballot argument developed by staff was the result of Board direction at last week’s meeting. He said the Board was welcome to make any changes but reminded them the argument was limited to 300 words. He also noted the Board had the option of each Supervisor signing it or having the Chairperson sign on their behalf. Supervisor Kingsley said he thought the argument noted the important points, such as the County’s lack of taxable land and the fact that if it does nothing to tax commercial cannabis activity, the state will benefit and Inyo will get nothing. He said he was happy with the way it read and would be happy to sign it or not sign it. Chairman Griffiths said he was happy with the argument and thought everyone should sign it. Supervisor Totheroh said he was in favor of anything to strengthen the County’s case. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to: A) approve the written argument in favor of the County’s Cannabis Business Tax Measure being submitted to the voters on November 8, 2016 as written; B) approve the filing of said argument with the Clerk-Recorder (County Elections Official) in accordance with Elections Code Section 9162; and C) add individual Supervisors’ signatures, giving the absent Supervisor Tillemans the option of signing it or not. Motion carried unanimously, 4-0.

*WATER DEPT. STREAMFLOW ENHANCEMENT GRANT APPLICATION*

Water Director Dr. Bob Harrington told the Board the Water Department wanted to explore the feasibility of opening up the Lower Owens River channel through the “Islands” area and wanted to submit a grant application to the Wildlife Conservation Board (WCB) California Streamflow Enhancement Program (SEP) to fund the planning and study. Harrington said the 500-acre Islands area used to be a diverse riparian area and is now a marshy monoculture of tule. Supervisor Kingsley said the lessee in that area loses more range every year. Harrington said the LADWP won’t oppose looking at the feasibility of a project to clear out the channel, but could have a problem if the project is in any way construed as reducing wetlands, since LADWP has wetland acreage requirements under its agreement with the Lahontan Regional Water Quality Board. CAO Carunchio reminded the Board that it’s been the County’s longstanding position that the island situation was created by a design flaw in the Lower Owens River Project, and the County should not bear the cost of an experiment gone awry. Harrington said he’d be back before the Board if the Water Department got a favorable response from the WCB. Chairman Griffiths told him to go forth and grant-write.

*WATER DEPT. SEASONAL HIRES FOR SALT CEDAR REMOVAL*

Moved by Supervisor Kingsley 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 six seasonal field assistant positions exists in the Fiscal Year 2016-2017 Salt Cedar Budget as certified by the Water Director and concurred with by the County Administrator and the Auditor-Controller; B) where due to the seasonal nature of the positions it is unlikely that the positions could be filled by internal candidates meeting the qualifications for the positions, therefore an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of six seasonal Field Assistant I’s at Range 050PT (\$14.46 - \$17.56 per hour) for the period of October 1, 2016 through March 30, 2017, contingent upon adoption of the Fiscal Year 2016-2017 budget. Motion carried unanimously, 4-0.

*D.A. – BPAR LEGAL SECRETARY I-II*

Moved by Supervisor Pucci and seconded by Supervisor Totheroh for the Board to find that, consistent with the Authorized Position Review Policy: A) the availability of funding for one BPAR Legal Secretary I-II comes from the District Attorney’s General Fund Budget, as certified by the District Attorney, and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the position could possibly be filled through an internal recruitment, however an open recruitment is more appropriate to ensure a qualified applicant pool; and C) authorize the hiring of one BPAR Legal I Secretary, Range 56 (\$3,163 - \$3,839), or one BPAR Legal Secretary II, Range 60 (\$3,471 - \$4,216), depending on qualifications, through open recruitment. Motion carried unanimously, 4-0.

*PUBLIC WORKS ROAD SUPERINTENDENT*

Public Works Director Clint Quilter said he’s been brainstorming and getting ideas about restructuring the department from staff and realized none of them would be feasible without a Road Superintendent. He noted he thinks he has some good potential internal candidates. Moved by Supervisor Kingsley and seconded by Supervisor Pucci for the Board to find that, consistent with the Authorized Position Review Policy: A) the availability of funding for Road Superintendent comes from the non-General Fund Road Budget, as certified by the Public Works Director, and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position an internal recruitment would be appropriate; and C) authorize the hiring of one Road Superintendent, Range 78 (\$5,303-\$6,445). Motion carried unanimously, 4-0.

*PUBLIC WORKS  
BUILDING INSPECTOR*

Public Works Director Quilter explained that this department essentially wanted to share building inspector services with the City of Bishop, where its full-time inspector is retiring. The County really only needs about one-and-a-third inspectors and the City needs half of one, so the City will pay about 20 to 25 percent of the cost of two inspectors. Supervisor Kingsley said he supported the concept but was concerned about getting services in the south county. Quilter said the new arrangement should actually improve services. Supervisor Pucci said he thought the plan was a great idea. Moved by Supervisor Pucci and seconded by Supervisor Totheroh for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for Building Inspector comes from the General Fund- Building and Safety, as certified by the Public Works Director, and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications, the vacancy could possibly be filled through an internal recruitment, however it would be more appropriate to fill the position through an open recruitment; and C) authorize the hiring of one Building Inspector at Range 68 (\$4,188 - \$5,088). Motion carried unanimously, 4-0.

*HHS – FULL-TIME  
BEHAVIORAL HEALTH  
OFFICE CLERK III*

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one full-time Behavioral Health Division Office Clerk III exists in the non-General Fund Behavioral Health and Drinking Driver Program budgets, as certified by the Health and Human Services Director and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could be filled by an internal candidate, but an open recruitment would be more appropriate to ensure more qualified candidates apply; and C) approve the hiring of one full-time Office Clerk III at Range 52 (\$2,880 - \$3,500). Motion carried unanimously, 4-0.

*DEPUTY SHERIFF  
OPEN RECRUITMENT*

Moved by Supervisor Kingsley 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 one Deputy Sheriff position exists in the General Fund, as certified by the Sheriff and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates may meet the qualifications for the position, the vacancy could be filled by an internal candidate, but an open recruitment would be more appropriate to ensure the most qualified candidates apply; and C) approve the open recruitment and hiring of one Deputy Sheriff position at Range 67SA-SC (\$4,149 - \$5,565) and authorize up to the E step for a qualified lateral applicant. Motion carried unanimously, 4-0.

*RECESS/RECONVENE*

Chairman Griffiths recessed the meeting for a brief break at 10:58 a.m. and reconvened the meeting in open session at 11:10 a.m. with all Board members present except for the absent Supervisor Tillemans.

*PLANNING – FINAL  
LETTER ON FOREST  
SERVICE PLAN  
REVISION/DEIS*

Planner Cathreen Richards told the Board she took their suggestions from last week and incorporated them into the County's final comment letter, including comments to support the Piper and South Sierra proposed wilderness areas and an area northwest of the Deep Springs North proposal, while advocating for boundary changes and cherry-stemming to leave unauthorized roads out of wilderness. Supervisor Kingsley said the letter should clarify that the support of the area northwest of the Deep Springs North proposal is not an effort to make up for acreage the Board didn't support elsewhere. Richards continued, noting the letter also: asks the Forest Service to be more cognizant of disabled people who want to be able to access public lands; suggests that wildlife guzzlers be authorized in perpetuity regardless of who the Forest Supervisor is; puts a stronger emphasis on grazing and burning as part a wildfire management strategies and biomass production; encourages the Forest Service to partner with the Park Service, BLM and the County, and to hire a partnership coordinator; includes language regarding streamlining the permitting process as well as management strategies for meeting those goals. She said staff had also prepared a request for a 45-day extension to the comment period, as well as two separate letters to the Sequoia and Sierra national forests regarding smoke impacts. She said in general, the County's correspondence now addresses "fire management" rather than "fire suppression." Fran Hunt of the Sierra Club thanked the Board and County Planning staff for their hard work. She also thanked the Board for its recommendations of the wilderness areas outlined in the letter but asked for some tweaks that would make it clear what the Board does and does not support in order to elimination the misimpression that the Board doesn't support a certain proposal just because concerns about it have been expressed. Earl Wilson of Lone Pine said he noticed the EPA's comments on the Forest Plan, or rather a link to its comments, had been posted to the Federal Register.

**PLANNING – FINAL  
LETTER ON FOREST  
SERVICE PLAN  
REVISION/DEIS  
(continued)**

Sydney Quinn of Big Pine thanked the County for all its work and concurred with Hunt on the suggestion about the letter. Bishop resident Mike Johnston thanked Planning Staff for the amazing amount of work they put into the County's comments. He said the County should put together a coalition of user groups if the Forest Service listens to it about partnerships. Supervisor Pucci said the Board has made it clear the County can help. Mike Prather of Lone Pine also thanked the County and then asked whether the letter makes it clear the Forest Service can coordinate with non-profits like Friends of the Inyo who build trails and do campground management. He said he would like the County to help the Forest Service make it easier for non-profits to help out. Chairman Griffiths quoted the letter where it mentioned "volunteer groups" and said they could add "non-profit groups." Prather said the Forest Service also needs to turn the film permits around quicker so productions don't leave the County. Supervisor Pucci said staff produced a good letter and he's glad the County had a bigger discussion than just whether it wanted to support Alternative A, B, C, or D. He encouraged residents to write their own letters with comments to the Forest Service. Supervisor Kingsley said the County's letter should summarize that it supports the wilderness in Alternative B but many of the things the County supports are in Alternative D; or, the County could easily say it supports Alternative D with the wilderness areas from Alternative B. Chairman Griffiths said doing so might confuse things because the letter goes through the County's stance point by point. Supervisor Totheroh reminded Supervisor Kingsley that the Forest Service wanted comments to be as specific as possible. Supervisor Kingsley said he didn't want to go on record supporting Alternative B and then have the Forest Service add more wilderness than the County was comfortable with. Chairman Griffiths said the letter doesn't state anywhere that the County supports Alternative B. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to move to send the comment letter with the discussed changes made by Richards, to have Chairman Griffiths work with Richards to identify a mysterious black line on the Deep Springs wilderness map, and to authorize the Chairperson to sign the letter. Motion carried unanimously, 4-0. Richards was directed to send the other three letters as well.

**WASTE  
MANAGEMENT –  
RESOLUTION TO  
WAIVE DUMP FEES  
FOR BIG PINE  
CEMETERY DISTRICT**

Assistant CAO/Waste Management and Recycling Director Rick Benson said several diseased and dead juniper trees have become a threat to public safety in the Big Pine area. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to adopt Resolution No. 2016-34 titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Waiving Solid Waste Disposal and Gate Fees at Bishop-Sunland Landfill for the Big Pine Cemetery District for Green and Wood Waste in an Amount Not to Exceed \$500 for a 30-Day Period." Motion carried unanimously, 4-0.

**PLANNING LETTER TO  
FOREST SERVICE  
REGARDING  
BISHOP/PINE CREEK  
FUELS REDUCTION**

Planning Director Josh Hart said the Planning Department thought controlled burning would be involved in the Forest Service's project but it actually will not so he suggests eliminating the last part of the letter. Bishop resident Mike Johnston said it's nice the Forest Service actually notified affected residents before developing a plan. Chairman Griffiths suggested adding a sentence thanking the Forest Service for their proactive outreach to the community in development of the plan. Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve the Planning Department's correspondence as amended in regards to the U.S. Forest Service's Scoping Notice for the Bishop and Pine Creek Fuels Reduction Project. Motion carried unanimously, 4-0.

**GULLY WASHER  
EMERGENCY**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci 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, 4-0.

**LAND OF EVEN LESS  
WATER**

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, 4-0.

**DV DOWN BUT NOT  
OUT EMERGENCY**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci 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, 4-0.

*CLERK-RECORDER-  
REGISTRAR  
WORKSHOP ON  
VOTING  
TECHNOLOGY*

Clerk-Recorder-Registrar of Voters Kammi Foote updated the Board on the County's voting technology, which is becoming increasingly unreliable. The County is currently using a system that replaced the old punch-card system in 2005 after the Gore/Bush election and the controversy surrounding hanging chads. The "new" system was later de-certified and then conditionally re-certified by Secretary of State Debra Bowen in 2007. Foote said the software is a product from 2002, the equipment's life span was only meant to be six to 10 years, and eventually the County's technology will be too old to conform to changes in voting laws. She recommended replacement of the entire system by 2018 and said the County should start saving money now for the purchase. She said zero dollars are available through the Voting Modernization Act but the County does have \$80,000 set aside in an Election Innovation Fund. Foote said there is currently one vendor that has the newest available vote tabulation system certified and the quote is \$650,000. Foote said the system would include electronic machines to meet federal accessibility requirements, equipment and software for tabulating ballots at the central elections office, a server, two input computers and an air gap system. Chairman Griffiths asked if there was any way for the County to get a waiver on the accessibility requirement, which mandates counties have at least one touchscreen machine available at polling places for the handicapped or anyone who wishes to use it without aid, so they can vote independently and privately. Currently less than 10 people use the touchscreens in Inyo County, Foote said. She explained that Inyo County would not be asking for a waiver for the touchscreens but rather accessible voting and politically, that's not a good move. Chairman Griffiths noted that the County is spending hundreds of thousands of dollars on obscure machines because of random legal requirements pushed by giant corporations. County Counsel Rudolph said he wouldn't count on being able to get a waiver but he thinks generally there are other ways the ADA accessibility requirement can be satisfied. Foote said certainly a new system comes with sticker shock but there are options: two other vendors are working on getting certified, so that will drive the prices down; or the County could lease rather than purchase the system. She also noted that under SB 450, Inyo County is included as an early, 2018 adopter of a process where all voters receive vote-by-mail ballots and the County has at least two vote centers open for three days prior to the election. The polls would have to be connected to the Election Management System, and there are other language and accessibility requirements. She said regardless of SB 450, the County will still have to replace its antiquated voting system.

*RECESS/RECONVENE*

Chairman Griffiths recessed the meeting at 12:30 p.m. for lunch and reconvened the meeting at 1:34 p.m. with all Board members present except for the absent Supervisor Tillemans.

*JUVENILE SERVICES  
REDESIGN PLAN*

CAO Carunchio summarized the process that started in November 2015 and led to now. Chief Probation Officer Jeff Thomson called the past several months a long and difficult process but said thanks to HHS Director Jean Turner's partnership, he thinks they were able to propose the best use of resources to benefit youth. He said one benefit to using Juvenile Hall on the weekends only is that juvenile offenders can do their time and not be separated from family, school, community and friends for long periods of time over long distances. Thomson said creating new and stronger relationships with foster families will be important as they look to place kids in family settings rather than detain them. He said an agreement was reached with three other counties to accept Inyo County youth who are deemed a danger to the community and need secure detentions for 30, 60 days. These youth will not be placed in foster homes, Thomson said. He said his Probation Officers know these kids and what's appropriate: placement or intake. He said fortunately there are not a lot of detentions anymore because of the hard work the Probation Officers do every day working one on one with juveniles and their families so that they stay out of trouble. Thomson said the meat of the whole transition plan is an Area Resource Center and he and Turner feel Inyo's best option is not to have a central "place" for this center, but locations available around the County to continue to provide services to juveniles and make delivery of those services more consistent. Turner said she was excited at the direction of the County was going, and noted that most of the research today shows success through family engagement and working at the family level – as opposed to the older model of sending troubled youth away for indeterminate amounts of time to group homes, which are methodically being shut down across the state or transitioned to "short-term" detention facilities. She added that regardless of whatever angst people were having, the County's funding sources were requiring a move in this direction. She said there would be a huge training curve ahead, and probably a need for course correction at some point, but hopefully they could keep the programs fluid enough for that and could depend on everyone's help. She also noted that extended family would become a larger part of the equation, and withholding judgment of family members whose records aren't clean would be necessary. Chairman Griffiths opened the floor to public comment. Longtime Probation Officer Heather Lind asked if the program being

JUVENILE SERVICES  
REDESIGN PLAN  
(continued)

proposed wasn't already happening with the Wraparound Program, and wondered whether the two departments would be needlessly duplicating efforts. Turner said Wraparound is a philosophy started to keep kids out of Juvenile Hall through intensive case work. Funding for the actual program is disappearing as group homes disappear, she said. The idea now is to intervene with the kids before they get into the Probation system to start with. Thomson concurred, noting that by the time kids get to Probation, they're beyond the help of "preventive" measures. So there is still the need for resources beyond the traditional 9-5 Probation resources. Another audience member asked whether sending youth to out-of-the-area facilities would just make them more sophisticated criminals and asked if the County could guarantee their safety. Thomson said the Probation Department and its officers are familiar with the cooperating facilities and will try to place the youth where appropriate. He said Kern County is low on the list because its facilities are populated with a "different kind of kid" than those in Inyo County. He said El Dorado and Nevada counties are smaller and more similar to our area. He said the County can't guarantee they won't be assaulted, but can't at the current Juvenile Hall either. He said an eye will be kept on them to make sure they're safe. Supervisors Kingsley and Pucci noted that what works and what doesn't will quickly become apparent as the program proceeds. Debbie McCormick, who is president of the Inyo County Peace Officers Association but said she was not speaking on its behalf, objected to an idea laid out in an example schedule where Probation Officers were with a kid from breakfast time to bed time. She said they don't want to be the kids' parents and acting as if they were would only make the parents resentful. She also questioned how much cooperation the County was going to get from local tribes. McCormick also expressed concern about the safety of case workers going into homes where they are not wanted. Thomson said there are always safety concerns related to this kind of work and through training and relationship building those concerns can be eliminated. He also noted his officers know which homes are safe to enter and which are not, and said sometimes it's better to just let the truant kid miss school. Resident Mike Johnston wondered how the kids would perform in school. He said from first-hand experience he has seen kids do well at the Keith Bright School because they are literally a captive audience at Juvenile Hall. Karen Kong from the Inyo County Superintendent of Schools Office said the two teachers who are currently at Keith Bright will transfer to the Jill Kinmont Boothe campus for the new court school. Cameras will be installed and a special lock will be placed on the court school room door. She said a big contributing factor to youth doing well at Keith Bright School is that they're clean and sober. Thomson said the Probation Department's plans included drug testing the youth who have terms and conditions on their probation. He said they can't guarantee a student will not be at the school under the influence, but Probation can take disciplinary action. Lind asked exactly what the consequences would be because if it was detention, which meant Probation Officers having to drive that youth out of the county, it would just be an inconvenience to the officer. CAO Carunchio interrupted to ask if she in fact said it would be an inconvenience to her. She continued by stating that family engagement is like leading a bloated horse to water in that you can't make people do what they don't want to do. She also said she doesn't believe high-level offenders, some of whom have been arrested for violent or sexual crimes, should be placed in foster care. Chairman Griffiths said that nowhere in the plan does it say any high-level offenders would be placed in foster care. She continued by saying it seems like the concerns of the Probation Officers have been drowned out in favor of money and personal agendas, and they were the ones who did the work of social workers and kept the community safe, and now it looks like they worked themselves out of a job. Lind asked the Board to hold off on the Juvenile Services Transition Plan and consider whether the realignment funding wouldn't be better used servicing adults in the community. Supervisor Kingsley said the plan may have some holes that will need to be filled but he had faith it would work in the long run. Supervisor Pucci said they don't know if this program will work for certain, but they do know what's being doing now is not working – plus there are state mandates to change course. He added that he had all the confidence in the world that the Probation Officers in the audience would help to place kids where most appropriate. Supervisor Totheroh said he saw a flexible plan with a lot of work and input put into it. Chairman Griffiths said he agreed there were some shortcomings that could be improved upon but he had faith it would get figured out. He said he believed in his heart that this is the right path to follow, and that hearing that some families are hopeless – like bloated horses led to water – was upsetting. Griffiths said he has had dozens of foster kids in his home over the years, low-level offenders included. It doesn't always work out and the kids are moved to a different foster family. He said he gets emotional because most times the kids have experienced so much trauma by the time they get to foster care that they can't even talk about it. And they have acted out – stealing from him, leaving marijuana in his car, getting pregnant, telling him to eff off – but he said they are still all amazing kids with the potential to grow up to be great, functioning adults. He said he had one foster kid who had been in 14 different group homes in

*JUVENILE SERVICES  
REDESIGN PLAN  
(continued)*

17 different counties between the ages of 6 and 16. That model just doesn't work anymore, he said, and these kids and their families are worth the effort necessary to break the cycle that sees them go from group home to jail as adults. CAO Carunchio clarified that the County was trying to break the cycle of convenience and urged the Board not to allow the use of Juvenile Hall for any mid-week detentions. Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to: A) approve the individual Agreements between Inyo County and Tulare, Kern, El Dorado and Nevada counties for bed space for out-of-county placements of detained/committed Inyo County youth, and authorize the Chairperson to sign contingent on all appropriate signatures being obtained; B) direct the Chief Probation Officer to provide notification to the Board of State Community Corrections (BSCC) of Inyo County's decision to convert the full-time Inyo County Juvenile Center facility to a Special Purpose (e.g., weekend-only) facility effective on a date to be determined by your Board; C) approve the Memorandum of Understanding Between the County of Inyo, Inyo County Board of Education, Inyo County Superintendent of Schools, and Bishop Unified School District Regarding The Provision of Juvenile Services And The Operation of A Court School, and authorize the Chairperson, Chief Probation Officer, and Health and Human Services Director to sign contingent on all required signatures being obtained; D) approve the updated proposed *Area Resource Center Plan for Serving Children, Juveniles and Their Families*; and E) direct that mid-week intakes of detained youth (e.g., 72-hour holds) who are deemed to be low-level offenders and who do not pose a community safety risk are to be accomplished first through local Foster/Relative Homes and then at out-of-county facilities; and, the Inyo County Juvenile Center not be used for mid-week intakes or 72-hour holds. Motion carried unanimously, 4-0.

*RECESS/RECONVENE* Chairperson Griffiths recessed the meeting for a brief break at 3:52 p.m. and reconvened the meeting at 4:04 with all Board members present except for the absent Supervisor Tillemans.

*PUBLIC COMMENT* Earl Wilson of Lone Pine shared photocopies of the Federal Register Notice of the EPA's comments on the Forest Revision Plan, which he mentioned during the earlier agenda item.

*BOARD MEMEBERS  
AND STAFF REPORTS* CAO Carunchio told the Supervisors that in their mailboxes were copies of the 2015-2016 Grand Jury Report and flyers announcing the annual employee barbecue.

Supervisor Kingsley said that on his way home from a family reunion he stopped in Death Valley for the ribbon cutting for Jubilee Pass Road, which the National Park Service just finished repairing from flood damage.

*CORRESPONDENCE  
ACTION* Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve a \$3,000 expenditure from the Inyo Fine Fund and an additional \$2,000 expenditure (if the money is available) to purchase trout from the Desert Springs Trout Farm for planting in the Bishop Creek Drainage in mid-September, contingent upon matching funds from the Bishop Chamber of Commerce. Motion carried unanimously, 4-0.

*CLOSED SESSION* Chairman Griffiths recessed the meeting at 4:11 p.m. to reconvene in closed session to continue discussions from the morning session.

*OPEN SESSION* Chairman Griffiths recessed closed session and reconvened the meeting in open session at 5:04 p.m. with all Board members present except the absent Supervisor Tillemans.

*REPORT ON CLOSED  
SESSION* County Counsel Rudolph reported that no action was taken during closed session that is required to be reported.

*ADJOURNMENT* Chairman Griffiths adjourned the meeting at 5:04 p.m. with the Board scheduled to meet next on Tuesday, September 6 at 8:30 a.m. in the County Administrative Center in Independence.

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Chairperson, Inyo County Board of Supervisors

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

by: \_\_\_\_\_  
*Darcy Ellis, Assistant*  
Board of Supervisors MINUTES

