

MINUTES



County of Inyo Board of Supervisors

January 17, 2017

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 January 17, 2017, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Mark Tillemans, presiding, Dan Totheroh, Rick Pucci, Jeff Griffiths, and Matt Kingsley.

- PUBLIC COMMENT** Chairperson Tillemans asked for public comment and there was none.
- CLOSED SESSION** Chairperson Tillemans recessed open session at 8:35 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 LABOR NEGOTIATORS [Pursuant to Government Code §54957.6]** – Employee Organizations: Deputy Sheriff’s Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); Law Enforcement Administrators’ Association (LEAA). Unrepresented employees: all. Agency designated representatives: County Administrative Officer Kevin Carunchio, Assistant County Administrator Rick Benson, Deputy Personnel Director Sue Dishion, Senior Deputy County Administrator Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo; No. 4 **CONFERENCE WITH REAL PROPERTY NEGOTIATORS [Pursuant to Government Code §54956.8]** – Property: APN 00506805, 310 and 312 N. Jackson Street, Lone Pine, California. Agency Negotiators: Kevin Carunchio, County Administrator, Marshall Rudolph, County Counsel, Clint Quilter, Director Public Works and Jean Dickinson, Director Health and Human Services. Negotiating parties: Inyo County and Bruce and Dorothy Branson Trust. Under negotiations: price and terms of payment.
- OPEN SESSION** Chairperson Tillemans recessed closed session and reconvened the meeting in open session at 10:15 a.m. with all Board members present.
- REPORT ON CLOSED SESSION** County Counsel Marshall Rudolph reported that no action was taken during closed session that is required to be reported.
- PLEDGE** Supervisor Griffiths led the pledge of allegiance.
- PUBLIC COMMENT** Chairperson Tillemans asked for public comment and there was none.
- COUNTY DEPARTMENT REPORTS** Assistant County Administrator Rick Benson reported that the Parks and Recreation Department expects to go live with its online campground reservations through Reserve America in about a month. In response to an inquiry from Chairperson Tillemans, he reported he hasn’t heard of any storm damage to County campgrounds, but did hear of a theft at Taboose Creek, where someone cut down the pole holding a security camera in order to steal the camera. He noted the thief left the cash machine alone that the camera was there to monitor.
- Water Director Dr. Bob Harrington reported a couple of upcoming meetings, noting that L.A. staff has asked if the tentatively scheduled February 2 Standing Committee meeting could be pushed to February 22. There is also a meeting in Ridgecrest this Thursday, January 19 of the Indian Wells Groundwater Authority. He reported the group submitted its paperwork to apply to be the Groundwater Sustainability Agency for the Indian Wells Valley Groundwater Basin, triggering the 90-day period for any other entities to submit competing applications to the State Department of Water Resources. He also reported on last week’s stakeholder meeting in Bishop, held to discuss the formation of a Groundwater Sustainability Agency for the Owens

Valley and Tri-Valley. Several eligible agencies were in attendance, including Community Services Districts, for whom the material is all relatively new. Harrington thanked Supervisor Totheroh for attending because he has inroads with the CSD community that Harrington does not. He said the meeting included good, spirited discussion with the Tri-Valley Water District about becoming a separate Groundwater Sustainability Agency, and how its Groundwater Sustainability Plan would be developed. He said many questions were still somewhat unresolved after a couple of hours of discussion. Also still left to be considered is how the County might include other, non-local agencies in the process.

Health and Human Services Director Jean Turner notified the Board of an Eastern Sierra Area Agency on Aging Advisory Council meeting scheduled for Wednesday, February 1 in Bishop. She said she didn't know who the Supervisor representative would be after today's 2017 committee assignments but wanted the Board to know about the meeting and that one or more Mono County Supervisors will be participating.

INTRODUCTION

County Counsel Marshall Rudolph introduced to the Board Terry Walker, new Deputy County Counsel.

**PRESENTATION –
CARSON &
COLORADO RAILWAY**

Assistant County Administrator Rick Benson reported that there is a wonderful opportunity to put the No. 18 Slim Princess engine on display at the 37th Annual National Narrow Gauge Convention in Durango, Colorado. He said because the engine is the property of the County, there are a lot of details to work out, but the Carson & Colorado Railway would like the Board's approval, at least in concept, to take the train on tour. Dave Mull, President of the Carson & Colorado, explained that the group restored the locomotive to running order at Dehy Park last year and now would like to take it out and use it, to enjoy a return on some of the thousands of hours of labor they contributed to the project. He said Carson & Colorado was approached by the Durango & Silverton Railway several weeks ago about the Narrow Gauge Convention, which is actually coming to Denver, Colorado, but will have a contingent going to Durango to run engines on their track there. Carson & Colorado has to respond to Durango & Silverton's invitation by January 24. Mull said the first step is getting the Board's approval and then raising \$30,000 for the trip: \$15,000 for insurance and \$15,000 for trucking and transportation costs. He said Carson & Colorado would like to have the Slim Princess at Durango for about 20 days. Randy Babcock, Carson & Colorado's Vice President, is also in charge of the round house at the Durango & Silverton Railway and anticipates a couple of weeks of trial runs before the convention. In the end, Mull said he anticipates being able to run three revenue trains run out of Durango to Silverton, which will help offset some of the costs. He said he is fairly confident the group can raise \$20,000 to \$30,000 relatively easily, given the widespread attention Carson & Colorado has received among the train enthusiast community. Chairperson Tillemans applauded the group for the progress it has made restoring the locomotive and its competence at fundraising. Supervisor Griffiths noted the trip will be a good opportunity to fully test the locomotive. Mull agreed, calling it an investment for Inyo County. Supervisor Kingsley said the one-way, 62-mile run from Durango to Silverton is a unique opportunity for the County to run the locomotive at distances not available locally. Mull offered an update on the progress of the locomotive barn at the Eastern California Museum, saying July 3 had tentatively been chosen as the "roll-out" date for the restored engine at the new barn. CAO Carunchio said given the Durango & Silverton Railway's request for a definitive answer by January 24, he recommended the Board consider a motion to direct staff to work on some sort of mechanism that would allow the group to take the locomotive to Durango, and bring it back for Board approval as soon as possible, allowing Mull to confirm attendance in the meantime. So moved by Supervisor Griffiths and seconded by Supervisor Totheroh. Motion carried unanimously.

**CAO – ADVERTISING
COUNTY RESOURCES
CA VISITORS GUIDE
AD**

Motioned by Supervisor Pucci and seconded by Supervisor Totheroh to approve a payment from the 2016-2017 Advertising County Resources Budget (011400) to California Travel Media for a total of \$12,280.80 for an Inyo County one-third page advertisement in the 2017 California Visitors Guide. Motion carried unanimously.

**MOTOR POOL –
BLACKPOINT
BLANKET P.O.**

Motioned by Supervisor Pucci and seconded by Supervisor Totheroh to: A) authorize the issuance of a blanket purchase order with Blackpoint, Inc. in the amount of \$5,000 from the Motor Pool Budget (200100) for miscellaneous customizations and maintenance of motor pool vehicles; and B) authorize the issuance of a separate purchase order in the amount of \$7,014 for the purpose of re-equipping two Animal Control trucks. Motion carried unanimously.

**MOTOR POOL –
BLANKET P.O.
INCREASE** Motioned by Supervisor Pucci and seconded by Supervisor Totheroh to increase the blanket purchase order for Bishop Ford and Bishop Automotive Chevron from \$20,000 to \$30,000 for vehicle maintenance. Motion carried unanimously.

**RECYCLING & WASTE
– UNTARPED LOAD
FLYER** Motioned by Supervisor Pucci and seconded by Supervisor Totheroh to review flyer informing the public about new \$10 fee to be charged for “untarped loads” at the Bishop-Sunland Landfill. Motion carried unanimously.

**HHS – SOCIAL
SERVICES WORK
NUMBER CONTRACT** Motioned by Supervisor Pucci and seconded by Supervisor Totheroh to approve the Memorandum of Understanding with the California Department of Social Services for access to TALX’s online employment verification services, The Work Number, for the period of “upon approval by the CDSS” through September 30, 2017, and authorize the Chairperson to sign three (3) original copies. Motion carried unanimously.

**PW – PLANS & SPECS,
AD & BID WATER
DEPT. ROOFING
PROJECT** Motioned by Supervisor Pucci and seconded by Supervisor Totheroh to approve the plans and specifications for the Water Department Roofing Project and authorize the Public Works Director to advertise and bid the project. Motion carried unanimously.

**MUSEUMS –
ALLOCATIONS TO
C&C RAILWAY/LAWS
MUSEUM** Museum Services Director Jon Klusmire said construction of the Larry Peckham Engine House is currently underway at the Eastern California Museum, and current cost estimates show the Carson & Colorado Railway coming up about \$10,000 short to finish the building. Laws Museum, meanwhile, plans to construct a bar to house the full-scale 20-Mule Team Borax Wagons – which were in the recent Rose Parade – on land owned by the County and the County wants to support that effort. Jim Morrow from Laws Museum reported that the plans needed modifications so the project was delayed a bit. He also said a private donor agreed to provide \$50,000 if Laws could match that amount. He said the museum has raised \$15,000 so far, and the County’s allocation would bring the total to \$25,000. Chairperson Tillemans asked about the modifications to the barn plan, and was told they included changes such as adding insulation and skylights. Supervisor Kingsley said the wagons looked awesome in the Rose Parade, but was disappointed that the announcers did not focus very much on them. Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to allocate \$10,000 from the Eastern California Museum’s Endowment Trust Fund to the non-profit Carson & Colorado Railway to complete the Larry Peckham Engine House building project, and \$10,000 to the non-profit Bishop Museum and Historical Society Laws Museum to help fund planned construction of the barn that will house the full-scale 20-Mule Team Borax Wagon Exhibit; and B) if affirmed, request your Board amend the 2016-2017 County Budget as follows: increase estimated revenue in Carson Colorado Locomotive (Budget 610190), Operating Transfer In (Object Code 4998) by \$10,000 and increase appropriation in Carson Colorado Locomotive (Budget 610190), Other Agency Contributions (Object Code 5539) by \$10,000; and increase estimated revenue in General Revenue and Expenditures (Budget 011900), Operating Transfer In (Object Code 4998) by \$10,000 and increase appropriation in Advertising County Resources (Budget 011400), Laws-20 Mule Team Exhibit (Object Code 5591) by \$10,000 *(4/5ths vote required)*. Motion carried unanimously.

**BOS – ANNUAL
CHAIRPERSON
COMMITTEE
ASSIGNMENTS** Chairperson Tillemans asked for motions on his committee assignment recommendations for 2017. Supervisor Kingsley asked for additional time to review the recommendations, which he said were just handed out (with copies made available for the public). Chairperson Tillemans explained what he just received were revisions to the list that was provided to the Board last night and that was also going to be distributed at the meeting today. He pointed out the revisions, such as changing the NACo alternate from himself to Supervisor Griffiths and taking himself off the Local Transportation Commission and putting Supervisor Kingsley on as the representative and Supervisor Totheroh as the alternate. Supervisor Kingsley requested he be switched to the alternate position on the LTC because of another committee assignment that also requires meeting on Wednesday. Supervisor Totheroh was amenable to the switch. Chairperson Tillemans accepted the request, noting that Supervisors Totheroh and Pucci would serve on the LTC with Supervisor Kingsley as the alternate. Chairperson Tillemans also pointed out four committees on the list where he would like to add an alternate position but needs County Counsel to research the respective committees’ bylaws to determine whether the additions are possible. The committees/boards include the Behavioral Health Advisory Board, the Children and Families First Commission, the Eastern Sierra Area Agency on Aging Advisory Board, and the Inyo Council for the Arts. Supervisor Kingsley asked if staff could also research the possibility of adding an alternate to the Eastern Sierra InterAgency Visitors Center Board of

Directors, and if so, he recommended Supervisor Totheroh for the alternate position. County Counsel Rudolph said he would research that Board as well. Discussion turned to the committee assignments requiring Form 806 reporting. Supervisor Kingsley noted that he has been the representative for the BLM Steering Committee since being elected, but has never attended a single meeting.

Chairperson Tillemans called for a motion on the non-Form 806 recommendations. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve the committee recommendations for 2017, not including those requiring Form 806 reporting. Motion carried unanimously.

Chairperson Tillemans called for motions on the Form 806 committee appointments.

- Moved by Supervisor Pucci and seconded by Supervisor Griffiths to appoint Supervisors Kingsley and Totheroh to the Great Basin Unified Air Pollution Control District Board of Directors, with Supervisor Griffiths as the alternate. Motion carried unanimously.
- Moved by Supervisor Totheroh and seconded by Supervisor Pucci to appoint Supervisor Kingsley to the BLM Steering Committee. Motion carried unanimously.
- Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to appoint Supervisor Totheroh to the Behavioral Health Advisory Board. Motion carried unanimously.
- Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to appoint Supervisors Griffith and Pucci to the Local Area Formation Commission, which Chairperson Tillemans as the alternate. Motion carried unanimously.
- Moved by Supervisor Totheroh and seconded by Supervisor Pucci to appoint Supervisor Griffiths to the Child Care Planning Council. Motion carried unanimously.

*BOS – LETTER OF
SUPPORT FOR
GREENFIRE GRANT
APPLICATION*

CAO Carunchio reviewed how the Board entertained a presentation last week from GreenFire, Inc.'s CEO regarding its supercharged CO2 energy producing technology. The presentation concluded with a request for a letter of support from the County for GreenFire's grant application to the California Energy Commission so it could demonstrate that technology down at Coso Geothermal. Carunchio noted that the Board did indicate it would like to consider such a letter at its next meeting. He added it was his understanding the Board's support would not make or break GreenFire's chances, but could not hurt. Carunchio said GreenFire provided the County with a sample letter of support, which staff streamlined into an alternate version. Both were presented for the Board's consideration. Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve staff's version of the letter supporting a grant application to the California Energy Commission's Geothermal Grant and Loan Program to aid GreenFire Energy in building an ECO2G Demonstration Project at the Coso Known Geothermal Resource Area, and authorize the Chairperson to sign. Motion carried unanimously.

*HHS – SOCIAL
SERVICES HHS
SPECIALIST III*

HHS Director Jean Turner said she has a budgeted vacancy in a short-staffed program as a result of a Bishop staff member taking a position in the Auditor's Office in Independence. 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 a Health and Human Services Specialist III exists in a non-General Fund HHS budget, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but as a State Merit System position, an external recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one HHS Specialist III, Range 57 (\$3,232 - \$3,927). Motion carried unanimously.

*WATER DEPT. –
BOATING AND
WATERWAYS GRANT
APPLICATION*

Water Director Dr. Bob Harrington reported that the Water Department is proposing to submit a grant application seeking up to \$200,000 from the Division of Boating and Waterways to fund access facilities – a parking lot, launch ramp, and sanitary facilities – along the Owens River Water Trail between Lone Pine Station Road and Keeler Bridge. He said being able to use the Boating and Waterways grant would free up funding from the original Water Trail grant for additional channel clearing efforts. He said the application is due January 31 and requires a Board resolution, which is not ready at this time. The Board will not be meeting again until February, however Harrington said Boating and Waterways has indicated the Water Department could submit the Resolution by the end of February and still be considered for the grant. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to authorize the Water

Department to submit a grant application seeking up to \$200,000 from the Division of Boating and Waterways to fund access facilities improvements associated with the Owens River Water Trail. Motion carried unanimously.

**WATER DEPT. –
LANDSCAPE CENTER
LORP PROJECT**

Water Director Dr. Bob Harrington explained that the 2017 Lower Owens River Project Work Plan includes a small component that would include the planting of cottonwood and willow tree poles to hopefully accelerate the establishment of riparian vegetation. Mitigation Projects Manager Larry Freilich said an estimated 500 trees would be planted. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve the contract between the County of Inyo and The Landscape Center for the *Lower Owens River Project (LORP) Fremont Cottonwood and Native Willow Tree Pole Planting Pilot Project* (RFP attached) in an amount not to exceed \$20,000, for the period of February 6, 2017 through June 30, 2017, and authorize the Chairperson to sign contingent on obtaining the appropriate signatures. Motion carried unanimously.

**I.S. – AMENDMENT 2
WITH MANATRON –
THOMSON REUTERS**

Senior Deputy Administrator Brandon Shults provided a brief history of the County's enterprise property tax management system (PTMS) implementation and contract with Manatron, Inc. – A Thomson Reuters Company, entered into in December 2012. Since that time, Thomson Reuters (TR) has formally requested five delays of the original production date of February 2014. Shults noted the first four were approved. After the fourth delay, the PTMS working group evaluated the impacts of the delays and considered whether the County should initiate legal action. Discussions eventually led to negotiations that resulted in an amended agreement that would hold TR to a new completion date or allow the County to walk away with a refund of its money. In late 2016, TR informed the County it would not be able to meet the latest "go live" date of February 2017. Shults presented the Board with a second agreement amendment that establishes a new "go live" date no later than April 30, 2018 and allows the County to recover some of the additional costs incurred to the previously missed deadline. Amendment 2 also includes a refund clause if TR fails to deliver by April 30, 2018. Shults said he believes TR has put significant effort into getting the County's PTMS project completed, going so far as to move 60 employees into a hotel across Riverside County offices in an attempt to expedite that project so it could focus on Inyo County's. He said the alternatives to giving the company one last chance would be detrimental to the County and he did not recommend them. Treasurer-Tax Collector Alisha McMurtrie said she did not agree with the current position on TR and said she was ready to admit the PTMS working group made a mistake by allowing the delays to go on for several years. She said the County has given the company many opportunities to meet project milestones and they have failed to do so. She said she believes the product they are producing now is not the product the County purchased. McMurtrie said she heard from one of her counterparts in Riverside County late Friday that they will not be able to go live in July as planned, which means Inyo County's project will be further delayed. She said she wanted the Board to know that her department is not confident in the product and the training by TR representatives was a complete and utter waste of time, as they proved themselves unknowledgeable about their own product and reliant on the County to populate it. She said she wanted to go on record that whatever decision the Board makes, her department will do everything that is asked of them, but they do want the Board to consider their concerns. Assessor Dave Stottlemire noted that this process started before he was elected and he is not a member of the PTMS working group, so he can only share what he's experienced this past year. He said his staff lost hundreds of hours of productivity to unsuccessful training on this project. He said it was as though instead of being trained, County staff was being used as a tool to troubleshoot what TR had put together at that point. He said he doesn't know whether his department could make the same commitment in staff time moving forward. He also noted that his department currently uses two programs to close the tax rolls and there isn't any one person in the Assessor's Office who knows those programs that well. From what he can tell, the TR program is even more complicated and time consuming, and he wonders how much future training and support will be available. Stottlemire said he respects Shults and has faith in him but is providing his perspective. Supervisor Kingsley asked for a clarification on Stottlemire's stance. Stottlemire said from what he's seen, he cannot support staying with TR. Chairperson Tillemans said it sounds like Stottlemire is saying his office can't commit to the task, and said no matter what his staff is working with – whether a pencil and a calculator – the public's business needs to get done and he asked how Stottlemire can ensure that it does. Stottlemire said his office's commitment is to close the tax roll every year, and he can't guarantee they could commit to both that and hundreds of hours of more training. He said his office will do the best they can, and reminded the Board they are currently down a full-time and part-time position. Auditor-Controller Amy Shepherd said she tried to weigh out the risks of both options and found them about equal. She said she would ask the Board that if this amendment is

approved today, that it be the line in the sand and that if the newest deadline is not met, the County commit to doing something different. Supervisor Griffiths asked Treasurer-Tax Collector McMurtrie what option she did support. She said she was not in support of the amendment to continue the project without a final goal in sight. She said she doesn't agree that the County would not be in a different place with a different company because she has done the research and knows what's out there. But, she said she can't deny the County is getting a sweet deal from TR and that would be the only reason to support moving forward. She also encouraged drawing a line in the sand and noted the company has faced no consequences for missing deadlines and is taking on new clients despite assurances it wouldn't until wrapping up outstanding projects. She said the only bright spot is the opportunity to recoup taxpayer dollars to pay a better company. She said the current system will hold until a PTMS project is completed, whether it's the current one with TR or a new one. She told the Board that the departments would still get the rolls out, bill for taxes, and keep the revenues coming in because that is their priority and they will make it happen. Supervisor Totheroh asked for and received confirmation that the existing system could probably hold up if the County faced an extended delay in implementing a new program. McMurtrie said yes. Supervisor Pucci said he could see McMurtrie's point but didn't know if drawing a line in the sand would do any good – since the County has drawn that line before. He also noted that the County is dealing with a very large company and getting a refund of just under a million from them could mean a legal fight, despite the clause in the agreement amendment. He said the issue of not liking the system is a whole different discussion because the County made a commitment to buy it. McMurtrie said Ventura County has cancelled its contract with TR under very similar circumstances Inyo County is facing, so she is a little more comfortable advocating stepping away. Chairperson Tillemans said he doesn't see the harm in waiting another year, especially because no additional costs will be accrued and the County can recover its costs if necessary. Supervisor Kingsley said drawing a hard line sounds like a good idea, but the County should be assessing the project as it moves forward. He said he appreciated McMurtrie's commentary and said he was confident Stottlemire's staff would get on board. Supervisor Griffiths asked for clarification on whether Stottlemire said his staff doesn't understand the current software system. Stottlemire said the current system is fairly sophisticated and broken down into different components. He said his predecessor was well versed in the system but even he didn't know every aspect of it. Supervisor Griffiths asked what Stottlemire recommended then, if both the current and new system are too sophisticated. Stottlemire said he can only base his opinion of the new system on what was presented during the training, so the end product might be fantastic. As far as getting on board, he said he would play the hand he was dealt. Shults confirmed for the Board that the trainings hosted by TR were horrible, exposing how poorly the system worked and frustrating staff. He said it was what led to the company coming to the County to report not being able to make the latest deadline. He pointed out that the current proposed amendment has a hard line included, and he agreed with Supervisor Kingsley that the County needed to constantly monitor progress this time. He also said he believes TR has changed its spots. He said one of the reasons Inyo's project is being held hostage by Riverside's project is because TR wants a single line of code that only needs to be configured to the respective counties. Shults added that he thinks the County will be able to tell in a few months if the new completion date is realistic or not. CAO Carunchio said he believed this was a good discussion for the County to have and acknowledged it was a tough decision to make when two elected officials were advocating not moving forward and one of them was the initial project champion who was in on the ground floor. He said he thought a lot of weight had to be given to Tax Collector McMurtrie's opinion. He said he also appreciated Mr. Shults stepping up in a leadership role to work with everybody to keep the project alive. Carunchio said what he found troubling was that in addition to the \$1 million plus paid to TR, the County also paid a program manager \$218,020 – so any discussions about refunds should take that contract into consideration as well. He likened the situation to changing horses midstream, and said maybe it's more appropriate to just return to the shoreline and regroup. Then again, based on the Assessor's comments, he said maybe not everyone would have the time and energy to make it back across the stream. He said it's a bad situation for everyone, but it sounds like Shults is asking everyone to keep working together and if the project fails, there are protections in place. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to accept Amendment No. 2 to Contract CA2012.004 between the County of Inyo and Manatron, Inc. – A TR Business relative to the County's enterprise property tax system implementation, and authorize the Chairperson to sign.

**RECYCLING & WASTE
MANAGEMENT –
BISHOP-SUNLAND
LANDFILL LEASE**

Assistant County Administrator Rick Benson explained he was now before the Board asking for approval of the Bishop-Sunland Landfill lease they discussed in depth last week. He reiterated that the lease was needed in order to get Los Angeles to sign off on the County's permit revision with CalRecycle to avoid numerous penalties. He noted again that the County had several concerns with the lease, including the length, considerable cost escalator on rent, and numerous requirements for the County to obtain written LADWP approval before making changes or undertaking projects at the landfill. He said despite the concerns, he was recommending approval because a new lease was crucial to avoiding the penalties. Chairperson Tillemans said the County was put into a corner where it had to move forward on the lease regardless of its concerns. Supervisor Totheroh said upon reading it, he initially believed there was no way the County should sign the lease, but after listening to the consequences – \$10,000 a day in fines – he decided there was no way the County could not sign it. He said he supported its approval under duress. He also said it's unfortunate that a group that said it wanted to help support a sustainable economy and be a contributor to the County has proposed a lease as ridiculous as this one. Supervisor Kingsley said he appreciated Benson giving the Board a week to digest the lease, which also gave the public a chance to become aware of the situation. He likened the situation to being caught between the devil and the deep blue sea, and said he appreciated the press coverage of the predicament the County has been put in. Supervisor Pucci said he thinks sometimes that LADWP forgets it is a public agency, and while he can understand the differences in opinion over water issues, landfills are a public health and safety matter that LADWP should not be treating like a business opportunity. Chairperson Tillemans said non-department uses such as leases are meant to enhance the community and valley and he can't see how the terms of this lease do that. Supervisor Pucci commented on how silly some of the provisions in the lease are. "Reluctantly and under duress," Supervisor Totheroh moved and Supervisor Griffiths made the second to approve a lease with the Los Angeles Department of Water and Power allowing for the continued operation of the Bishop-Sunland Landfill by the County, and authorize the Chairperson to sign. Motion carried unanimously.

**GULLY WASHER
EMERGENCY**

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to continue the local emergency known as the "Gully Washer Emergency" that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013. Motion carried unanimously.

**LAND OF EVEN LESS
WATER EMERGENCY**

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to continue the local emergency known as the "Land of EVEN Less Water Emergency" that was proclaimed as a result of extreme drought conditions that exist in the County. Motion carried unanimously.

**DV DOWN BUT NOT
OUT EMERGENCY**

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

PUBLIC COMMENT

Chairperson Tillemans asked for public comment and there was none.

**BOARD MEMBERS
AND STAFF REPORTS**

Supervisor Kingsley said he had a meeting with Public Works, Friends of the Museum and Coso Geothermal about getting the Charcoal Kilns covered to prevent damage from rainfall.

CAO Carunchio offered an update on the local eligible agencies who might be interested in forming Groundwater Sustainability Agencies in Inyo and Mono counties.

ADJOURNMENT

Chairperson Tillemans adjourned the meeting at 12:20 p.m. to February, 7, 2017 at 8:30 a.m. in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

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

by _____
Darcy Ellis, Assistant