

MINUTES



County of Inyo Board of Supervisors

January 16, 2018

The Board of Supervisors of the County of Inyo, State of California, met in special session at the hour of 8:35 a.m., on January 16, 2018, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Dan Totheroh, presiding, Rick Pucci, Jeff Griffiths, and Matt Kingsley. Absent: Mark Tillemans.

**MEMORIAL
ADJOURNMENT**

Chairperson Totheroh announced the sad news that Denis Tillemans, longtime Big Pine resident and father of Supervisor Mark Tillemans, passed away over the weekend. The meeting would be adjourned in his memory.

PLEDGE

Supervisor Griffiths led the Pledge of Allegiance.

PUBLIC COMMENT

Chairperson Totheroh asked for public comment during the second public comment period and there was no-one wishing to address the Board.

**COUNTY
DEPARTMENT
REPORTS**

Chief Probation Officer Jeff Thomson reported on Governor Brown's proposed budget plan for Fiscal Year 2018-2019 and its impacts on probation programs and said he would keep the Board updated as more information became available.

HHS Director Marilyn Mann reported on State sales tax receipts and their impact on realignment funding, and noted that Supervisor Griffiths was mentioned in Sacramento as a strong advocate for improvement in the reporting of near-death foster child cases.

CAO Carunchio reported on behalf of Clerk-Recorder Kammi Foote, who was traveling to pick up Inyo County's new election software per the required chain of custody protocol, that Southern Inyo Hospital District will be holding a special election on April 10.

**PROCLAMATION –
JULIE WEIER CPOC
CENTRAL REGION
EMPLOYEE OF THE
YEAR**

Chief Probation Officer Jeff Thomson said it was truly and honor and privilege to be able to recognize the outstanding contributions of Deputy Probation Officer Julie Weier, who was named the Central Region Employee of the Year by the Chief Probation Officers of California at the 2017 conference in Napa. He said Inyo County's Probation Department received many kudos for its programs, which are successful because of employees like Weier. He noted how telling it was that so many of Weier's coworkers were in the audience today, along with current and former clients. Thomson then read aloud the Board of Supervisors proclamation recognizing Weier's accomplishments. Judge Dean Stout said Weier has been instrumental in Drug Court and the new Re-Entry program, and along with her colleagues under the supervision of Thomson and Deputy Chief Morgan, is at the forefront of implementing best practices in California. He said Weier is a leading star and the presence of so many probationers and ex-probationers here today speaks volumes. Stout said it is a common sight in the courtroom for defendants to sit with their Inyo County Probation officers rather than their attorneys. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve a proclamation titled, "A Proclamation of the Board of Supervisors, County of Inyo, State of California, Commending Deputy Probation Officer Julie Weier for her Outstanding Contributions to the Inyo County Probation Department and Service to the Citizens of Inyo County and for Being Awarded the Central Region Employee of the Year by the Chief Probation Officers of California." Thomson and Chairperson Totheroh presented Weier with her proclamation, after which Board members applauded both her efforts and accomplishments and those of the department as a whole, noting that Inyo County Probation has met the challenges coming from the State level head-on, seizing the opportunity to achieve better outcomes and coming out ahead of many other counties as a result.

RECESS/

Chairperson Totheroh recessed the meeting at 9:31 a.m. and reconvened the meeting at 9:36

*RECONVENE
FILM COMMISSIONER
MID-YEAR REPORT*

a.m. with all Board members present, except Supervisor Tillemans, who was absent. Film Commissioner Chris Langley presented his 2017-2018 mid-year written report of filming activities in Inyo County, noted that filming has been steady, and also provided an update on recent activity, including the Amazon series "Man in the High Castle" coming all the way from British Columbia for the most important scene of its third season. He also mentioned some permitting confusion for the "Transformers" production that filmed at the Pine Creek mine. He said he did four scouts for a feature film arriving in April and noted there will be security issues to work out given that there will be 4-6 weeks of very obvious set construction in the Alabama Hills before shooting begins. Supervisor Kingsley said some local hotel owners have felt the positive impacts from the film industry. Supervisor Pucci told Langley he is doing a great job.

*FILM COMMISSION –
RFP OR SOLE-
SOURCE SERVICES*

CAO Carunchio explained to the Board that Film Commissioner Chris Langley's latest contract extension is set to expire in June, and before drafting a renewal, wanted to give the Board an opportunity to decide whether to continue contracting with Langley as a sole-source provider of film commissioner services, or have a Request for Proposals be issued. He provided some history and background on the Film Commissioner contract, which a previous Board in 2011 decided to open up to an RFP. Carunchio said he was not recommending that course of action, as he believed Langley still met the qualifications for a sole-source contract, but wanted to know the Board's decision in time to prepare an RFP if need be and avoid a lapse in services. It was the consensus of the Board to continue the sole-source contract, given Langley's unique skill set and the important relationships he has cultivated in the film industry. They also cited his training of a protégé, and overall excellent work, as reasons to continue the contract.

*EMERGENCY
SERVICES – FLOOD
EMERGENCY
RESPONSE
GRANT/RESO#
2018-05*

Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve the submittal of the Statewide Flood Emergency Response Grant Program Application on behalf of Inyo County and authorize the County Administrator, as the designated Authorized Agent, to sign the grant application in the amount of \$40,000, as well as any and all accompanying documents, by approving a resolution titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Authorizing the Grant Application for the Statewide Flood Emergency Response Grant Program, Inyo Flood Fight Material Emergency Response Project." Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*COUNTY COUNSEL –
DORIS LINK TRUST
ANIMAL SHELTER
DONATION*

Moved by Supervisor Griffiths and seconded by Supervisor Pucci to accept, on behalf of the County, anticipated donations/distributions from the Doris Link Trust to the Inyo County Animal Shelter Donation Trust. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*HHS – MCIP
PARTICIPATION*

Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve Health and Human Services' participation in the Medi-Cal County Inmate Program and authorize the HHS Director to sign the county participation forms for Fiscal Year 2018-2019. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*PARKS & REC –
DOUG CLAIR
CONSTRUCTION P.O.*

CAO Carunchio reported that Millpond and nearby Los Angeles Department of Water and Power watercourses experienced sand build-up as a result of the excessive runoff last spring and summer. He said Millpond needs to be excavated and that material, along with the sand stockpiled by LADWP and made available to the County at no charge, can then be used for beach maintenance at Millpond. Supervisor Griffiths said he would like to see the tules cleared at Millpond during the excavation if possible. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve a purchase order to Doug Clair Construction of Bishop, CA in an amount not to exceed \$15,000 for pond excavation and beach maintenance at Millpond Recreation Area. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*CAO-PW-
SUPERVISOR
GRIFFITHS –
COUNTY-MAMMOTH
OUTLINE
STATEMENT OF
INTENT*

CAO Carunchio presented to the Board for its consideration an Outline of Statement of Intent for Flexibility and Cooperation on the Development of Infrastructure and Programs in Support of the Provision of Reliable and Expanded Commercial Air Service between the County of Inyo and the Town of Mammoth Lakes, which will be considered by the Town Council tomorrow night and which he said Supervisor Griffiths was instrumental in bringing to fruition. Supervisor Griffiths said it has taken about two years of working through physical issues, egos, politics, and personalities to come together an outline for how Inyo and Mammoth are going to provide the most robust and reliable regional air service possible, as a region. Mammoth Public Works Director Grady Dutton said the document gets the County and Town to a much more serious place as they go hand-in-hand to the FAA and airline partners. He said he is looking forward to working together and

advancing the cause. Mammoth Mayor John Wentworth said there will be some interesting next steps in making the partnership work and bringing private entities on board. Supervisor Kingsley said the County and Town need to make sure they stay committed and on common ground as there will be both literal and political storms to weather. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve the Outline of Statement of Intent for Flexibility and Cooperation on the Development of Infrastructure and Programs in Support of the Provision of Reliable and Expanded Commercial Air Service between the County of Inyo and the Town of Mammoth Lakes, and authorize the Chairperson to sign. Motion carried unanimously 4-0, with Supervisor Tillemans absent. The Board also provided CAO Carunchio with a list of potential financial stakeholders who should be invited as signatories, pending approval by the Mammoth Lakes Town Council: the City of Bishop, Mono County, Bishop Chamber of Commerce, Mammoth Mountain Ski Area, and possibly China Lake Naval Air Weapons Center.

*TREASURER-TAX
COLLECTOR –
2018 INVESTMENT
POLICY*

Treasurer-Tax Collector Alisha McMurtrie presented the Inyo County Treasury Investment Policy for annual approval. She said there have been no changes since 2017 and did not recommend any changes. CAO Carunchio suggested a disclosure category for notification when the Treasury gets close to being in the red because outside entities have overdrawn the Treasury. He said if a County department is behind the issue, it allows for proactive measures to be taken. Chairperson Totheroh asked whether McMurtrie had any concerns with the addition. She said she did not, and added that transparency should be the County's number one goal. She said these incidents do occur and it's not necessarily the County but rather the outside agencies who are depositories in the pool. She said there is no reason it couldn't be disclosed to the Administrator or at a public meeting. Supervisor Griffiths said public disclosure is a good idea and McMurtrie's office has done a good job working with outside entities to reduce the amount of these incidents. Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve the 2018 Inyo County Treasury Investment Policy, with added disclosure language. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*TREASURER-TAX
COLLECTOR –
INVESTMENT
AUTHORITY/RESO
#2018-06*

Treasurer-Tax Collector Alisha McMurtrie presented for routine approval a resolution delegating to her the County's investment authority. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve a resolution titled, "A Resolution of the Board of Supervisors of the County of Inyo Delegating to the Inyo County Treasurer its Investment Authority Pursuant to Section 53607 of the Government Code." Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*PUBLIC WORKS –
SENIOR ENGINEER/
ASSOCIATE CIVIL
ENGINEER/
ASSOCIATE
ENGINEER
/ENGINEERING
ASSISTANT*

Public Works Director Clint Quilter requested authorization to expand recruitment in his department to include the position of Engineering Assistant, as one of his assistant engineers will soon have her licensure to move into a higher position, and another is moving to the Recycling & Waste Program. Supervisor Griffiths said he thought it was a good recruitment plan and Chairperson Totheroh applauded the flexibility. 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 the requested Senior Engineer/Associate Civil Engineer/Associate Engineer/Engineering Assistant position comes from the General Fund, as certified by the Public Works Director and concurred with by the County Administrator, and the Auditor-Controller; B) where no internal candidates meet the qualifications for the position, an external recruitment would be appropriate to best ensure a pool of the most qualified candidates; and C) authorize the hiring of either a Senior Engineer at Range 85 (\$6,407 - \$7,789), an Associate Civil Engineer at Range 82 (\$5,957 - \$7,233), an Associate Engineer at Range 78 (\$5,410 - \$6,575), or an Engineering Assistant I or II at Range 71 (\$4,583 - \$5,572) or Range 75 (\$5,040 - \$6,126) depending on qualifications, and change the authorized strength to reflect the position that is hired. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*PLANNING –
SHIPPING
CONTAINER
WORKSHOP*

Assistant Planner Josh Dan presented information to the Board on storage and shipping containers on properties in the County and their status as accessory buildings, including setback requirements. He discussed how their use is on the rise and becoming a nuisance in some areas of the County where residents consider them eyesores, particularly in R-1 and RMH districts. He said there is no current code regulating shipping containers specifically, but there is code regulating accessory buildings. He distributed to the Board flyers containing information about those applicable regulations, which he said staff believes could be the most powerful and effective tool for addressing the issue if distributed to vendors, news outlets and hardware and home supply stores. He offered other possible solutions, such as limiting the amount of accessory buildings on parcels depending on district and zoning; restricting their

placement to the back of primary structures; or creating design guidelines. Supervisor Kingsley said he wanted the issue of placement in relation to a neighbor's property addressed. Supervisor Pucci said aesthetics and setback requirements are important, and said he gets the most complaints about the containers being in front yards and being there for too long. He also suggested limiting the height to 8 feet. Chairperson Totheroh asked that an image of a shipping container be placed on the flyer. Dan said staff would get to work on the suggestions and return for further Board review.

CAO-COUNTY
COUNSEL-PW-
PLANNING-AG
COMMISSIONER –
ORDINANCES 1221,
1222, 1223
ENACTMENT
(CANNABIS)

Planning Director Cathreen Richards presented for enactment the County's cannabis ordinances, which the Board introduced and waived the first reading of last week. Supervisor Kingsley said he was getting requests for a timeline of when people can apply for their State licenses. CAO Carunchio said they will have to have their local license issued first. He said the ordinances, once enacted, will take effect in 30 days, during which time staff will be working to compile business permit scoring criteria and after which they will put out a call for licenses. Chairperson Totheroh opened the floor to public comment. Roz Gorham commended the County and its go-slow approach and thanked the Board and staff for all their hard work. Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to enact the following ordinances: "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Sections 18.06.030, 18.12.040, 18.21.040, 18.44.030, 18.45.030, 18.48.030, 18.49.040, 18.56.040, and 18.57.040, and Adding Sections 18.06.161, 18.06.162, 18.06.163, 18.06.181, 18.06.182, and 18.78.360 to the Inyo County Code," "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Adding Chapter 18.82 to the Inyo County Code," approving Zone Reclassification No. 2017-06/Inyo County Expedited Abatement Procedure for Nuisances Caused by Cannabis Cultivation," and "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Adding Chapter 5.40 to the Inyo County Code." Motion carried unanimously 4-0, with Supervisor Tillemans absent.

CAO-CLERK OF THE
BOARD – POSSIBLE
COMMITTEE
APPOINTMENT
POLICY AMENDMENT

CAO Carunchio presented to the Board two alternatives for updating the *Appointment Policy Boards, Committees, and Commissions for which the Board of Supervisors has Appointing Authority*, based on discussion in December about possible ad hoc committee interviews for Water Commission candidates: automatic formation of a two-Supervisor ad hoc committee when the number of applicants exceeds the number of vacancies available on a board, committee, or commission for which the Board has appointing authority, or discretionary formation of a two-Supervisor ad hoc committee when the number of applicants exceeds the number of vacancies available on a board, committee, or commission for which the Board has appointing authority. Board members engaged in a lengthy discussion about the pros and cons of each, with some objecting to the interviews taking place outside full view of the public. Supervisor Griffiths suggested an automatic process where, when the number of applicants exceeds the number of vacancies available on a board, committee, or commission, applicants are asked to submit a more detailed or thorough application/resume and then come before the entire Board for public interviews. After additional discussion, CAO Carunchio said staff would return with a new, possible update to the appointment policy based on today's discussion.

HERE IT COMES
EMERGENCY

Emergency Management Specialist Kelley Williams gave an update on the applicants briefing hosted in Independence last week by CalOES. Public Works Director Clint Quilter updated the Board on efforts to obtain funding for repairs of the Round Valley bridge. CAO Carunchio recognized the hard work of both staff members throughout the Here It Comes Emergency and after. He also noted that staff would be following up with LADWP management because they said it would be taking responsibility for the damage to its diversion structure at Bishop Creek, but nobody from the Water System was at the briefing. Williams added that LADWP staff in Inyo County and Los Angeles were aware of the briefing and she also informed them the bypass structure would probably be eligible for funding and reminded them of the deadline to apply for aid, but received no response. Moved by Supervisor Pucci and seconded by Supervisor Kingsley to continue the local emergency known as the "Here It Comes Emergency" that was proclaimed in anticipation of run-off conditions from near-record snowpack posing extreme peril to the safety of property and persons in Inyo County. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

ROCKY ROAD
EMERGENCY

Moved by Supervisor Pucci and seconded by Supervisor Kingsley to continue the local emergency known as the "Rocky Road Emergency" that was proclaimed as the result of flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County caused by an atmospheric river weather phenomena that began January 3, 2017 and continued throughout February. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

LAND OF EVEN LESS WATER EMERGENCY Moved by Supervisor Kingsley and seconded by Supervisor Griffiths 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 existed until recently in the County, while considering how to address the ongoing hydrologic issues in West Bishop. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

GULLY WASHER EMERGENCY Moved by Supervisor Griffiths 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, with Supervisor Tillemans absent.

DV DOWN BUT NOT OUT EMERGENCY Moved by Supervisor Kingsley and seconded by Supervisor Griffiths 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, with Supervisor Tillemans absent.

BOARD MEMBER AND STAFF REPORTS Supervisor Griffiths said he will be traveling to Sacramento to attend Supervisor Kingsley installation as the Second Vice President of the Rural County Representatives of California. He said he will also be attending a California State Association of Counties Executive Meeting to discuss foster child death and near-death reporting and SB 1 repeal efforts. He said there is an Eastern Sierra Transit Authority meeting on Friday, after which he will travel to Death Valley for Inyo Associated.

Supervisor Kingsley reported that the Southern Inyo Hospital Board passed a resolution to put a parcel tax measure before voters in a special election this spring. He also noted helping to work on patient transportation issues at the hospital. He said he attended a Great Basin Air Pollution Control Board meeting in Independence last week, as well as an animal vaccination and licensing clinic.

Supervisor Pucci said he attended the Sierra Life Flight farewell and grand opening event where they retired part of their fleet to make way for new aircraft.

County Counsel Marshall Rudolph reported attending a County Counsels Association Board of Directors meeting and thanked the Board for the opportunity.

RECESS FOR LUNCH Chairperson Totheroh recessed the meeting for lunch at 12:11 p.m. and reconvened the meeting at 1:30 p.m. with all Board members present except Supervisor Tillemans, who was absent.

BOARD OF EQUALIZATION MEETING Chairperson Totheroh recessed the Board of Supervisors meeting to convene as the Board of Equalization at 1:30 p.m. At 1:45 p.m., he recessed the Board of Equalization meeting to reconvene as the Board of Supervisors.

PUBLIC COMMENT Chairperson Totheroh asked for public comment during the final public comment period and there was no-one wishing to address the Board.

ADJOURNMENT Chairperson Totheroh adjourned the meeting at 1:47 p.m., in memory of Denis Tillemans, to 8:30 a.m. Tuesday, February 6, 2018 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