

MINUTES



County of Inyo Board of Supervisors

April 17, 2018

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:31 a.m., on April 17, 2018, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Dan Totheroh, presiding, Jeff Griffiths, Mark Tillemans, and Matt Kingsley. Absent: Rick Pucci.

Public Comment

Chairperson Totheroh asked for public comment during the first public comment period.

Philip Anaya of Bishop said he appreciated the Board's efforts to hold LADWP accountable with regard to Well 385 in the Five Bridges Area, and said he would appreciate staff sitting down with LADWP and Southern California Edison to discuss Bishop Creek releases in an effort to avoid a repeat of the 2013-14 season.

Closed Session

Chairperson Totheroh recessed open session at 8:39 a.m. to convene in closed session with all Board members present except Supervisor Pucci to discuss the following items: No. 2 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9] – County of Inyo v. Los Angeles Department of Water and Power**, Inyo County Superior Court Case No. SICVCV 18-61899; No. 3 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9 (one case); 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); IHSS Workers; 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, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo; No. 5 **PUBLIC EMPLOYEE EVALUATION [Pursuant to Government Code §54957] –** Title: County Administrator; and No. 6 **PUBLIC EMPLOYEE EVALUATION [Pursuant to Government Code §54957] –** Title: Public Works Director.

Open Session

Chairperson Totheroh recessed closed session and reconvened the meeting in open session at 10:06 a.m. with all Board members present except Supervisor Pucci.

Pledge

County Counsel Marshall 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 but the Board would be returning to closed session to continue discussions at some point.

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

Clerk-Recorder-Registrar of Voters Kammi Foote discussed voter registration and outreach efforts, and said she would work on bringing forward a workshop on the new voting system.

HHS Director Marilyn Mann distributed to the Board copies of the April Preserving Wellness Newsletter and reported that the Families First Act was a hot topic at last week's California County Welfare Directors Association meeting.

Water Director Dr. Bob Harrington offered an update on the recent Technical Group meeting;

the schedule for receiving and responding to LADWP's annual operations plan; the status of the Owens Valley Groundwater Association; and the rescheduling of the Standing Committee meeting.

*Proclamation – HHS
– Children’s
Memorial Day*

HHS Director Marilyn Mann presented for approval a proclamation declaring April 27, 2018 Children’s Memorial Day in Inyo County, noting that 2015 statistics show five children die every day in the U.S. from abuse or neglect. She invited members of the Board to join HHS on April 27 for its memorial flag-raising. Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve a proclamation titled, “A Proclamation of the Inyo County Board of Supervisors Proclaiming April 27, 2018 as Children’s Memorial Day Throughout Inyo County in Memory of Children Who Have Died by Violence.” Motion carried unanimously 4-0, with Supervisor Pucci absent.

*Clerk-Recorder-
Registrar of Voters –
ProDocument
Solutions Printing
Costs*

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to: A) approve the printing costs of the materials for the June 5, 2018 Direct Primary Election by ProDocument Solutions, Inc. (also known as ProVoteSolutions) in an amount not to exceed \$30,000; and B) authorize the pre-payment of \$6,858 to ProDocument Solutions, Inc. (estimated half of the total estimated printing cost) in order to obtain a discount of 2%. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*Recycling & Waste –
Preferred Septic
Chemical Toilet
Agreement*

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to: A) approve the agreement between the County of Inyo and Preferred Septic and Disposal for chemical toilet services at the Big Pine Transfer Station and Independence and Lone Pine landfills, in an amount not to exceed \$3,900 for the period of July 1, 2018 through June 30, 2019 with two options to extend the contract subject to Board approval and adoption of future County budgets; and B) authorize the Chairperson to sign contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*County Counsel -
National Opioid
Litigation
Professional Services
Agreement*

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to approve the County's entry into a proposed Professional Services Agreement with Baron & Budd P.C., Greene, Ketchum, Farrell, Bailey & Tweel, LLP, Hill Peterson Carper Bee & Deitzler PLLC, Levin Papantonio, Thomas, Mitchell, Rafferty & Proctor, PA, McHugh Fuller Law Group, Powell & Majestro, PLLC for representation and provision of legal services to the County, on a contingency fee basis, with respect to certain litigation in federal court pertaining to the "opioid epidemic;" and authorize the Chairperson to sign contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*HHS-EMS – EMCC
SIH Appointee*

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to appoint Brian Cotter to a two-year term on the Inyo County Emergency Medical Care Committee ending December 31, 2018 and representing Southern Inyo Hospital. (*Notice of Vacancy resulted in request for appointment from Mr. Cotter only.*) Motion carried unanimously 4-0, with Supervisor Pucci absent.

*Road Dept. – Mission
Linen Service
Agreement*

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to approve: A) Mission Linen Rental Service Agreement for uniform supply and laundry services, for \$18,786.04/year plus 20% for contingencies (damaged or lost uniform replacement), for a total amount of \$22,543.25/year; B) Addendum A modifying the term of the agreement to a 48-month contract; and C) authorize the Public Works Director to sign. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*Sheriff – Western
Summit Enterprises
Amendment 1*

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to approve Amendment No. 1 to the agreement between the County of Inyo and Western Summit Enterprises, Inc. dba Mountain Investments for repeater site space at El Paso Peak, at the rate of \$765.44 per month with 4% yearly increases, extending the term for 10 years, beginning June 1, 2018 through May 31, 2028, contingent upon the Board’s approval of the 2017-2018 and future year budgets; and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*Sheriff -
USFS/County*

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to: A) approve the 2018 Financial & Operational Plan (Agreement) for Controlled Substance Operations with the U.S. Forest Service, reimbursements in the amount of \$5,000, contingent upon adoption of the

<i>Controlled Substance Operations Agreement</i>	Fiscal Year 2017-2018 Budget; and B) authorize the Inyo County Sheriff and Board Chairperson to sign the Plan/Agreement and all necessary documents. Motion carried unanimously 4-0, with Supervisor Pucci absent.
<i>CAO-Personnel – Nate Reade Ag Commissioner Contract/Reso# 2018-21</i>	CAO Carunchio presented for Board approval a contract comporting with Board direction following a performance evaluation and labor negotiations with Inyo-Mono Ag Commissioner Nate Reade on March 10. He said the contract is updated to reflect Reade’s new responsibilities as the head of the Inyo County Commercial Cannabis Permit Office and additional work as head of Owens Valley Mosquito Abatement. Carunchio noted there is an MOU in the works with Mono County to alter the payment arrangement but clarified that Mono County does not pay Reade for any cannabis-specific activities in Inyo County. Supervisor Kingsley said serving as Ag Commissioner of two counties cannot be easy but Reade does a great job. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to: A) reappoint Nathan Reade to a new four-year term as the Inyo County Agricultural Commissioner; B) approve the contract between the County of Inyo and Nathan Reade for the provision of personal services as the Inyo County Agricultural Commissioner at a monthly base salary of \$11,833.00 effective April 19, 2018, and authorize the Chairperson to sign; and C) approve Resolution 2018-21, “A Resolution of the Board of Supervisors, County of Inyo, State of California, Amending Resolution 2017-54, Changing Salary and/or Terms and Conditions of Employment for Appointed Officials Employed in the Several Offices or Institutions of the County of Inyo” and authorize the Chairperson to sign. Motion carried unanimously 4-0, with Supervisor Pucci absent.
<i>CAO-Personnel – Kelley Williams Emergency Services Manager Contract</i>	CAO Carunchio reminded the Board that in the Fiscal Year 2016-17 Budget it authorized an increase in the County’s authorize strength by adding an Emergency Services Manager position in recognition of how much time and attention CalOES matters and the County’s own declared emergencies require. He noted the position is funded is through several grants and County matching funds, and a recent extensive recruitment resulted in three viable candidates. Kelley Williams, current Assistant to the Administrator/Emergency Management Specialist, was selected by an interview panel comprised of Sheriff’s Office personnel, the Public Works Director, and former Bishop Police Chief. Supervisor Griffiths said he believed Williams was the perfect person for the job. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to: A) approve and ratify job description for the Emergency Services Manager job description; and B) authorize the County Administrator to sign a personal services contract with Kelley Williams for Emergency Services Manager for \$6,574 per month per month effective April 19, 2018, contingent on all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Pucci absent.
<i>Clerk of the Board – Approval of Minutes</i>	Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve the minutes of the regular Board of Supervisors meeting of March 27, 2018. Motion carried unanimously 4-0, with Supervisor Pucci absent.
<i>Correspondence-Action – BP Fire District Elections</i>	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the re-scheduling of Big Pine Fire Protection District Governing Board Elections from odd-numbered years to even-numbered years in accordance with Elections Code 1303(b) and Senate Bill 415 (2015-2016 Regular Session), and approve the consolidation of the District’s Governing Body Elections with the Statewide General Election pursuant to Elections Code 10404. Motion carried unanimously 4-0, with Supervisor Pucci absent.
<i>Board Member and Staff Reports</i>	Supervisor Griffiths reported participating in a CSAC Rural Caucus conference call focused on economic development, as well as a Continuum of Care meeting and Inyo-Mono Broadband Consortium meeting. Supervisor Kingsley said he attended the annual Lone Pine FFA fundraiser dinner. Chairperson Totheroh said he also attended the Continuum of Care meeting, as well as a meeting of the Owens Valley Groundwater Association.
<i>Public Comment</i>	Earl Wilson of Lone Pine reported that a star party held at Independence Creek Campground Friday and Saturday nights drew approximately 10-20 stargazers, some of whom camped.
<i>Closed Session</i>	Chairperson Totheroh recessed open session at 10:34 a.m. to convene in closed session with

all Board members present except Supervisor Pucci to continue discussion and possible action as appropriate on previously noted closed session items.

Open Session

Chairperson Totheroh recessed closed session and reconvened the meeting in open session at 10:58 a.m. with all Board members present except Supervisor Pucci.

Report on Closed Session

County Counsel Rudolph reported that no action was taken that is required to be reported.

Board Member and Staff Reports (Continued)

CAO Carunchio said staff just received word from the Department of Water Resources that Inyo County was awarded a \$40,000 grant for flood fight materials. He announced that the Board would be having a special meeting Tuesday, May 1 at the Hurlbutt-Rook Community Center in Tecopa, and then the Board Chair and another Supervisor of his choosing will be addressing local high-schoolers the next day as part of Senior Government Day in Independence.

BOS – Earth Day Proclamation/Recess for Recyclescope Unveiling

The Assistant Clerk of the Board read aloud a proclamation recognizing Earth Day in Inyo County. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to approve the proclamation, titled, "A Proclamation of the Board of Supervisors, County of Inyo, State of California Recognizing April 22, 2018 as Earth Day." Motion carried unanimously 4-0, with Supervisor Pucci absent. The Chairperson then recessed open session at 11:05 a.m. so that the Board could attend the public unveiling of Inyo County's "Recyclescope," an interactive, educational public art project.

Closed Session

The Chairperson reconvened the meeting in closed session at 11:35 a.m. with all Board members present except Supervisor Pucci to continue discussion and possible action as appropriate on previously noted closed session items.

Open Session

The Chairperson recessed closed session and reconvened the meeting in open session at 12:38 p.m. with all Board members present except Supervisor Pucci.

Report on Closed Session

County Counsel Rudolph reported that no action was taken that is required to be reported.

Adjournment

Chairperson Totheroh adjourned the meeting at 12:38 p.m. to 8:30 a.m. Tuesday, April 24, 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