



County of Inyo Board of Supervisors

SPECIAL MEETING

December 29, 2015

The Board of Supervisors of the County of Inyo, State of California, met in special session at the hour of 10:10 a.m., on Tuesday, December 29, 2015, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Matt Kingsley, presiding, Dan Totheroh, Rick Pucci, and Mark Tillemans. Supervisor Griffiths was absent. The Assistant Clerk of the Board, Pat Gunsolley, led the Pledge of Allegiance.

Public Comment The Chairperson announced the public comment period and there was no one from the public wishing to address the Board.

District/So. Inyo The Chairperson, Supervisor Matt Kingsley, introduced the item for the Board of Supervisors to
Healthcare District appoint a quorum of the Southern Inyo Health Care District Board. He said that the District is in
Board Appointment dire straights and is struggling on many levels. He said that the entire District Board had resigned,
along with the CEO, and there is no one to provide administrative support and operational
decisions at the Hospital.

Kammi Foote, Clerk-Recorder, explained that the District is an autonomous governmental agency. She explained that the District Board was set up to have members appointed from specific geographic zones and provided a map of the zones for the Southern Inyo Healthcare District. She reviewed the process whereby the Board of Supervisors appoints a quorum of the Board, referencing their authority under California Government Code Section 1780(h)(3). She explained that the appointed members would serve terms until the District's next election which is in November of 2016 explaining that at that time all positions would be up for election. She confirmed that the three interested parties identified on the Agenda as Richard Fedchenko, Jaque Hickman and Mark Lacey all meet the requirements to serve of being voting district residents. The Assistant Clerk noted that additional requests for appointment had been received from Michael Dorame, Dave Woodruff, and Keith Franson. Ms. Foot said that she would check on the additional applicants' ability to serve.

The County Administrator provided information on the State of California Department of Health's involvement in providing regulatory support to the hospital and that the County's authority in this process is only to appoint the quorum of the District Board to provide the mechanism to move forward with decisions regarding the District. County Counsel, Marge Kemp-Williams, provided additional information concerning the Government Code and the Board's appointing authority. Supervisor Pucci said that he is prepared to make a decision regarding the appointments, but that he is only aware of the situation at the Lone Pine Hospital as a result of the news reports that have recently been published and not from any official update on the situation. He wanted everyone to understand that he is making the appointments from a very narrow perspective as defined by California Government Code. The Board and staff continued to discuss the appointment of a quorum to the Southern Inyo Hospitalcare District Board, recognizing the narrow focus of the Board's authority in this regards. The County Administrator explained that in an effort to provide full disclosure there is a situation at the hospital where the newly appointed Board will be operating and making decisions from a point where they will not know the complete financial position of the Hospital or the status of the resources that are available. He also said that the State Department of Health is not involved to "hold anyone's hand" they are involved only from a position to assist to ensure that State regulations are being met.

Ms. Foote, confirmed that the three additional applicants qualify for appointment to the District Board and provided the following information concerning the zones each of the applicants qualifies for:

Zone 1. Mark Lacy and
Dave Woodruff;

Zone 2. Richard Fedchenko,
Keith Franson, and
Michael Dorame; and

Zone 4. Jaque Hickman.

In providing an explanation regarding the newly appointed Board's ability to fill the remaining two vacancies on the District Board there appeared to be a discrepancy regarding what County Counsel had said earlier and what the Clerk-Recorder was saying. In order to allow the Clerk-Recorder and County Counsel to resolve their differences, the Chairperson recessed the special meeting at 10:40 a.m., to reconvene in open session at 10:45 a.m., with all Board Members present. County Counsel explained that she and the Clerk-Recorder understood the other person's interpretation of the Code and they were recommending that the District Board seek their own legal opinion regarding their ability to fill the remaining two vacancies.

The Board moved forward to consider the requests for appointment by zone. Supervisor Tillemans thanked Mr. Woodruff for his interest in helping the District and explained that Mr. Woodruff was withdrawing his letter of interest because he was supporting Mr. Lacy's appointment.

Moved by Supervisor Tillemans and seconded by Supervisor Pucci, to appoint Mark Lacy, representing Zone 1 to the Southern Inyo Healthcare District Board to serve a term as defined by Government Code Section 1780(h)(c). Motion carried unanimously, with Supervisor Griffiths absent.

Supervisor Tillemans thanked Mr. Franson, Mr. Dorame, and Mr. Fedchenko, for their interest in helping the District, noting that by having three such qualified applicants it was evidence of the communities desire to help their community. Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to appoint Richard Fedchenko, representing Zone 2. to the Southern Inyo Healthcare District Board to serve a term as defined by Government Code Section 1780(h)(c). Motion carried unanimously, with Supervisor Griffiths absent.

Moved by Supervisor Tillemans and seconded by Supervisor Pucci, to appoint Jaque Hickman, representing Zone 4 to the Southern Inyo Healthcare District Board to serve a term as defined by Government Code Section 1780(h)(c). Motion carried unanimously, with Supervisor Griffiths absent.

County Counsel provided the newly appointed District Board Members with a brief but thorough review of the Brown Act and how it applies to them. The County Administrator asked the appointees to remain after the meeting was adjourned in order to be sworn in and sign their Oath of Office. He also explained that in an effort to help the new Board move forward County staff was preparing an agenda for a Special Southern Inyo Healthcare District Board Meeting tomorrow. He and the appointees discussed the start time for the meeting.

Adjournment The Chairperson adjourned the Special Meeting at 11:05 a.m.

Chairperson, Inyo County Board of Supervisor

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

by: _____
Patricia Gunsolley, Assistant