

MINUTES



County of Inyo Board of Supervisors

January 3, 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 3, 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

Vice Chairperson Tillemans asked for public comment and there was none.

CLOSED SESSION

Vice Chairperson Tillemans recessed open session at 8:36 a.m. to convene in closed session with all Board members present except Chairperson Griffiths 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); and 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.

OPEN SESSION

Chairperson Griffiths, now in attendance, recessed closed session and reconvened the meeting in open session at 10:06 a.m. with all Board members present.

PLEDGE

Supervisor Kingsley led the pledge of allegiance.

REPORT ON CLOSED SESSION

County Counsel Marshall 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 recess to closed session later in the meeting to continue discussions.

ELECTION OF OFFICERS

The Chairperson turned the meeting over to the Assistant Clerk of the Board for the election of officers. The Clerk called for nominations for Chairperson. Outgoing Chairperson Griffiths nominated Vice Chairperson Tillemans and the nomination was seconded by Supervisor Totheroh. The Clerk closed the nominations and called for a vote. Vice Chairperson was unanimously elected Chairperson of the Board of Supervisors. The Clerk called for nominations for Vice Chairperson. Supervisor Kingsley nominated Supervisor Totheroh and the nomination was seconded by Supervisor Pucci. The Clerk closed the nominations and called for a vote. Supervisor Totheroh was unanimously elected Vice Chairperson of the Board of Supervisors. The Clerk turned the meeting over to the new Chairperson, who thanked Supervisor Griffiths for his leadership as the Chairperson of the Board during 2016.

PUBLIC COMMENT

Chairperson Tillemans asked for public comment and there was none.

COUNTY DEPARTMENT REPORTS

Water Department Director Bob Harrington reported that he received the State Department of Water Resources report regarding the West Bishop groundwater issue. It has been posted to the Water Department's website and distributed to the Board of Supervisors, the Water Commission, and the Bishop Creek Water Association. He said the report contains no great revelations or recommendations for how to proceed.

Planning Director Josh Hart showed the Board the plaque the County received from the SolSmart program as a national bronze award winner for implementation of local solar. He

against recognized Assistant Planning Director Cathreen Richards for spearheading the County's program and working with Building and Safety to expedite the permitting process. He then posed with the Board and plaque for a photo for SolSmart's website.

**INTRODUCTIONS OF
NEW EMPLOYEES**

Senior Deputy County Administrator Brandon Shults introduced to the Board Chris Jeffrey, A Network and Operations Analyst I with Information Services; and Public Works Director Clint Quilter introduced Scott M. Dimock, an Equipment Operator I.

**HHS – FISCAL
COMPUTER
PURCHASES**

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to approve the purchase of 12 laptop computers, 17 docking stations, and 11 monitors from Dell, in an amount not to exceed \$18,614.63 plus tax, shipping, and handling costs. Motion carried unanimously.

**HHS/RISK
MANAGEMENT
PRIVACY OFFICER
APPOINTMENT**

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to appoint Jennifer Shonafelt, HHS Management Analyst, as Privacy Officer for Inyo County for purposes of the federal Health Insurance Portability and Accountability Act (HIPAA), and authorize the Privacy Officer to modify and/or develop required processes and procedures necessary to comply with the HIPAA requirements. Motion carried unanimously.

**PUBLIC WORKS LOT
LINE ADJUSTMENT**

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to: A) authorize the processing and recordation of Lot Line Adjustment 2016-05; B) authorize the Chairperson to execute the Consent of Property Owner; and C) designate the Public Works Director as the authorized agent in connection with Lot Line Adjustment 2016-05 between two County of Inyo properties (APN 002-133-03 and APN 002-133-04) in Independence, CA. Motion carried unanimously.

**CHILD CARE
PLANNING COUNCIL
APPOINTMENTS**

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to appoint Ms. Verna Sisk to a three-year term on the Inyo County Child Care Planning Council ending November 4, 2018, representing the community at-large, and appoint Ms. Raquel Dietrich to an unexpired three-year term on the Inyo County Child Care Planning Council ending November 4, 2018, representing a public agency. (*Notice of Vacancy resulted in requests for appointment being received from Ms. Sisk and Ms. Dietrich.*) Motion carried unanimously.

**I.S. – BOARDSYNC,
INC. RENEWAL**

Senior Deputy County Administrator Brandon Shults told the Board the original Software Maintenance Agreement between BoardSync, Inc. and the County of Inyo for the County's Board agenda automation system included an automatic renewal. He added this latest renewal to the agenda to keep the Board into the loop as far ongoing expenditures for the automation project. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to ratify the renewal of the Software Maintenance Agreement with BoardSync, Inc. for the period of November 10, 2016 through November 9, 2017 in an amount not to exceed \$11,100. Motion carried unanimously.

**SHERIFF – FOOD
COOK POSITION**

Sheriff Lutze said his Department has seen a lot of retirements in the last year, including a Food Cook in December. He said if internal recruitment is successful, the Department will have a look at the newly vacant position before deciding whether to backfill it. CAO Caraunchio said internal recruitment is entirely appropriate in this case. 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 a Food Cook position exists in the Jail General Budget, as certified by the Sheriff and concurred with by the County Administrator and Auditor-Controller; B) where internal departmental candidates meet the qualifications for the position, the vacancy could be filled through a closed departmental recruitment; C) approve the hiring of one Food Cook position, Range 51 (\$2,815 - \$3,414), and authorize up to the E step depending on qualifications; and D) if the closed departmental recruitment does not result in a qualified applicant, authorize an open recruitment for the position. Motion carried unanimously.

**HHS – MEDI-CAL
INMATE PROGRAM
PARTICIPATION**

Anna Scott with Health and Human Services reported that the California Department of Health Care Services has invited counties to participate in the Medi-Cal Inmate Program, which provides Medi-Cal coverage for eligible inmates who receive inpatient services at a medical facility off-site from the jail for more than 24 hours. The program relieves counties of the federal share of providing these services to inmates. She said hospitals will still be able to bill Medi-Cal and receive payment as usual. In order to participate, Inyo County must submit signed participation forms by January 9. After further discussion, it was moved by Supervisor Totheroh and seconded by Supervisor Kingsley 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 2016-2017 Quarter 4 and Fiscal Year 2017-2018, with signed copies transmitted to the Board Clerk for the Board's files.

*HHS-ESAAA/IC-GOLD
A-PAR PROGRAM
SERVICES ASSISTANT
I, II, OR III*

Marilyn Mann of HHS reported that an A-Par Program Services position is vacant as the result of an employee accepting a B-Par position. Responsibilities of the position would include Lone Pine Senior Center kitchen work, meal delivery to homebound seniors, assisted transportation, and – at Level III – home care. She said the kitchen duties are funded more heavily by ESAAA and the fee-based home care duties are funded more by IC-Gold. Supervisor Kingsley shared comments he has heard about a lack of home visits in the Lone Pine area. Mann explained that the person responsible for those visits is out on leave right now but HHS is doing routine check-ins by phone as a safety net in the interim. 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 Eastern Sierra Area Agency on Aging and IC-Gold funding for the position of A-Par Program Services Assistant (PSA) I, II or III exists, as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; B) where due to the part-time nature of this position it is unlikely that the position could be filled by internal candidates meeting the qualifications for the position, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of one A-Par PSA, either a I at Range 39PT (\$11.46 - \$13.92/hr.), a II at Range 42PT (\$12.26 - \$14.91/hr.), or a III at Range 50PT (\$14.75 - \$17.91/hr.), depending on qualifications. Motion carried unanimously.

*HHS-FISCAL OFFICE
TECH I/II (STATE
MERIT SYSTEM)*

Melissa Best-Baker reported that the Office Tech position is vacant because an employee applied for a vacant position elsewhere in the County. She said because the position is State Merit System, recruitment will be external. Moved by Supervisor Griffiths 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 an Office Tech I/II position exists in a non-General Fund HHS budget, as certified by the Health and Human Services 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 Office Tech I at Range 55 (\$3,088 - \$3,754) or Office Tech II at Range 59 (\$3,389-\$4,118) dependent upon qualifications. Motion carried unanimously.

*HHS-FISCAL OFFICE
TECH I/II*

Melissa Best-Baker reported that Fiscal had another promotion of an employee who went into another department, creating another vacant Office Tech position. She said this one is a County position rather than a State Merit System position. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley for the Board to find that, consistent with the adopted Authorized Position Review Policy: the availability of funding for an Office Tech I/II position exists in various non-General Fund HHS 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 possibly be filled through an internal recruitment, but an external recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one Office Tech I at Range 55 (\$3,088 - \$3,754) or Office Tech II at Range 59 (\$3,389-\$4,118) dependent upon qualifications. Motion carried unanimously.

*WATER DEPT. – FIVE
SEASONAL FIELD
ASSISTANTS*

Water Director Bob Harrington said the five seasonal positions he was requesting are the field assistants who assist in the annual vegetation monitoring program. He said the Department normally asks for six but inadvertently only requested five in the budget. He said the Water Department would be back to ask for the sixth during the Mid-Year budget. Moved by Supervisor Totheroh and seconded by Supervisor Kingsley for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for five seasonal field assistant positions exists in the Water Department budget, as certified by the Water Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the positions, the vacancies could possibly be filled through internal recruitment, but an open recruitment would be more appropriate; and C) approve the hiring of five seasonal Field Assistant I's at Range 050PT (\$14.75 - \$17.91/hr.), June 1, 2017 through August 31, 2017, contingent upon the adoption of the Fiscal Year 2017-2018 budget. Motion carried unanimously.

*PLANNING – RETI 2.0
UPDATE*

Planner Cathreen Richards provided the Board with background on the RETI 2.0 and an update on work that RETI 2.0 staff from the California Energy Commission, California Public Utilities Commission and the California Independent System Operator completed since the Planning Department's last presentation to the Board. She said the work included identifying areas with significant renewable energy resource potential – Transmission Assessment Focus Areas (TAFAs) – and assigning them hypothetical megawatt potential. The TAFAs include Tehachapi, Victorville/Barstow, Riverside, Imperial Valley, San Joaquin Valley, Solano, Sacramento River Valley, and Lassen/Round Mountain. Richards said Inyo County is included in a small portion of the Victorville/Barstow TAFE and in the Inyokern Super Competitive Renewable Energy Zone (CREZ), a designation created in the first RETI and updated in RETI 2.0. She said some of the work to date also includes the Solar Energy Development Areas from Inyo County's Renewable Energy General Plan Amendment. RETI staff has released a RETI 2.0 Plenary Report – Public Review Draft summarizing the work completed so far and providing conclusions and recommendations. Inyo County is facing transmission development pressure more from pass-through energy, Richards said, as opposed to energy generated locally. She noted a Nevada study that proposed upgrading a line from Valley Electric in Western Nevada to the Southern California Edison line in the Owens Valley. She said of yet, the Energy Commission has not indicated how it wants to receive comments to the Public Review Draft, but the Planning Department will be preparing them and bringing them back for the Board's approval. Supervisor Griffiths asked for clarification on the 368 Corridor, which Richards explained is a directive from federal land managers to identify transmission corridors on federal lands. She said 368 and RETI 2.0 are happening concurrently, so it's at least beneficial that RETI staff is looking at it. Discussion then turned to Path 52, which is proposed to run through Westgard Pass and is being studied under the RETI effort. Earl Wilson of Lone Pine compared the various transmission efforts to the various entities trying to connect the West with a bunch of extension cords. Supervisor Pucci asked whether the County's major concern wasn't large transmission lines being built on the valley floor. Richards noted that the County's policy sets megawatt capacity for the valley via SEDA caps. Chairperson Tillemans said it might not be a bad idea to let the lines become filled to capacity via pass-through transmission first to avoid development of energy projects. Richards said that could be one strategy, but said it is important to point out that the County has a policy that has been left out of RETI's document. Supervisor Kingsley noted a school of thought that believes with the right maneuvering, juggling, and connecting of lines, western states can collectively hit the 50 percent renewable energy goal.

*GULLY WASHER
EMERGENCY*

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh 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 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.

*CLERK OF THE
BOARD – MINUTE
APPROVAL*

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve the minutes of the regular Board of Supervisors meetings on December 6, 2016 and December 13, 2016.

*RECYCLING & WASTE
MANAGEMENT –
CONVERSION OF
BISHOP-SUNLAND
LANDFILL GATE FEES*

Assistant County Administrator Rick Benson explained the Board was being asked to authorize the conversion of the gate fee structure used at the Bishop-Sunland Landfill to one based on tonnage – the industry standard – rather than volume, and to approve rates within that structure to make charges more equitable. The Board was also asked to approve a new, \$10 fee that would be charged to landfill users bringing in untarped loads. Benson explained it is hoped the \$10 fee will encourage self-haulers to be more responsible when transporting refuse to the landfill by covering their loads and not letting branches, garbage, and other debris fly out of their vehicles to litter the landscape and create hazards for other motorists. The overall change in the fee structure hinges on a \$50 per ton rate to be charged to commercial waste haulers beginning in March. Benson said County staff identified the need for the new rate after analyzing data collected from scales installed at the Bishop-Sunland Landfill in December of 2015. According

to Benson, the data revealed that self-haulers were paying \$109.72 a ton at the \$5/cubic yard flat rate while commercial haulers were paying \$15.34 a ton at \$1/cubic yard. The \$50 per ton tipping fee is on the conservative side and should generate an estimated \$650,000 a year for the landfills and relieve that much pressure from the County's General Fund to continue subsidizing the facility as it operates at a \$730,000 a year loss, Benson said. The change in the gate fee structure also corrects an error that essentially had the self-hauler shouldering larger disposal costs than commercial haulers. The new structure keeps the gate fee for self-haulers at \$5 per load, up to 200 pounds. Chairperson Tillemans opened the public hearing. Dale Comontofski of Preferred Septic and Disposal and Rick Vahl of Bishop Waste both spoke in favor of the rate change, but expressed concern about how it will be implemented. Comontofski predicted cash flow problems and suggested raising the gate fee for self-haulers to \$10. He also asked that the change come at the same time as the new franchise agreement with the County in March. Vahl asked for a phased-in approach to cushion the blow of a 400 percent increase and suggested closing the landfill on Sundays to reduce costs, but Comontofski said most residents do yard work on Sundays. Both also attested to the problem with self-haulers not covering their loads and letting trash blow all over the road. County staff and the Board did recognize the fee adjustment would impact commercial haulers, who said they will have to raise their customers' rates. Board members expressed their support of commercial curbside garbage service, and encouraged residents to take advantage of what local commercial haulers offer. It was pointed out that, by law, residents must dispose of their garbage at least once a week. The Supervisors also expressed their support of the new rate structure in the name of equity and consistency. CAO Carunchio said it is important to remember that the curbside services of local commercial haulers are valuable and most residential customers will likely continue to investing in those services. He also stressed that the change in the gate fees is not an increase, but a rate adjustment that is in keeping with County policy to maintain a consistent rate structure. He said to not adjust the rates would be to contract County policy while allowing the public to subsidize commercial haulers. Carunchio also said he thinks law-abiding citizens who take their trash to the dump once a week will understand that it should cost more – and is worth it – to have a curbside service do the work for them. Chairperson Tillemans closed the public hearing. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve a rate of \$50 per ton for commercial haulers, approve a \$10 fee for untarped loads; and approve Resolution No. 2017-01 converting gate fees to a weight-based system.

*RECESS FOR
SWEARING-IN
CEREMONY/LUNCH*

Chairperson Tillemans recessed the meeting at 12 p.m. so that he and Supervisors Griffiths and Kingsley could attend a ceremony at the Historic Courthouse where they would be sworn in to new, four-year. The three supervisors were re-elected in June 2016.

CLOSED SESSION

Chairperson Tillemans reconvened the meeting from the lunch break at 1:09 p.m. and immediately recessed open session so that the Board could convene in closed session with all Board members present to continue discussions from earlier in the meeting.

OPEN SESSION

Chairperson Tillemans recessed closed session and reconvened the meeting in open session at 1:41 p.m. with all Board members present. No action was taken during closed session that is required to be reported.

*CAO – CANNABIS
REGULATION
WORKSHOP*

CAO Carunchio introduced to the Board David McPherson, Cannabis Compliance Director for Hdl, the consultant it authorized hiring on December 20, 2016 to advise the County on commercial medical and recreational cannabis regulation. McPherson spoke briefly about his background in law enforcement and city government, where he became the first tax administrator in the country to successfully tax medical marijuana while working for the City of Oakland. He began the presentation with a legal timeline of events leading up to now, including the 2013 release of the Cole Memo Guidelines, which he called the basic standards on which all regulation should be based. Those Guidelines prevent diversion to other states, the use of firearms in the cultivation and distribution of marijuana, growth on public lands, the distribution to minors, and drugged driving, among other activities. McPherson talked about the many states and local governments that had cannabis related items on the ballot during the 2016 General Election. Inyo County's own tax measure, Measure I, was modeled after the tax measures of two different counties that McPherson had drafted. He reviewed the key components of the Medical Marijuana Regulation and Safety Act of 2015: AB 243 (enforcement), AB 266 (regulation and licensing), and SB 643 (taxing regulations). He said the MMRSA provides good local control via dual licensing and enforcement and the County will want to play an active role in that. He said the law does not take effect until 2018, the intent being to give small, independent operations a chance to grow. McPherson also reviewed the guidelines of the

MMRSA. He then moved to Prop 64, and noted that AB 65 will provide more specifics regarding advertising and marketing. Supervisor Griffiths asked whether the County would be able to regulate that as well. McPherson said the County can regulate anything related to the time, place, and manner of the sale of marijuana. He said the State is going to set a low bar – prohibiting sales within 600 feet of a youth facility for example – and the County can raise it from there. Under Prop 64, he said, local regulations must be considered reasonable, such as requiring personal cultivation permits, proof of home ownership or landlord approval, or restricting the size of plants that can be grown. Background checks are not considered reasonable. He discussed the options for regulating public consumption, and listed the 19 types of permits available, including 13 for cultivation, 1 for retailers, 1 for manufacturers, 1 for testing labs, 1 for transporters, and 1 for distributors. He said only microbusinesses can hold more than one type of license, but even they cannot do their own testing. Supervisor Pucci asked whether testing is done for harmful pesticides in addition to quality. McPherson said tests are also run for pesticides and mold. McPherson cautioned the Board that Prop 64 defines cannabis as an agriculture product, which means the County cannot use permissive zoning anymore to regulate it. The County must have explicit bans, but also cannot flat-out ban cannabis as a whole. If land use zoning allows ag products, then zoning also has to allow cannabis, he explained. McPherson then discussed Prop 64 taxes. He noted that individuals with State-issued patient identification cards are exempt from paying state and local sales tax on cannabis, but said Hdl could find only 22 people over the last three years who have participated in the program. He said most people would rather pay the sales tax just like they would on beer or cigarettes. He reviewed Prop 64's estimated tax revenue and how it would be spent statewide, and reminded the Board it cannot receive any of the benefits with a commercial recreational cannabis ban. McPherson noted that with MMRSA, there is a dual licensing process. Prop 64 doesn't have that; the State will only be verifying that the local jurisdiction does not have a ban in place before issuing commercial recreational permits. Supervisor Totheroh asked whether the State would check to see what a county's regulations are exactly. McPherson said the licenses would be issued on the condition the licensee complies with local regulations. He said that's why jurisdictions want to be proactive to put a robust regulatory system in place. Supervisor Griffiths noted that whenever a gas station in Inyo County gets a license to sell beer, the County gets a letter. He said it seems like it would be simple for the state to do that with regard to cannabis operations. McPherson said the State has no such mandate. He pointed out that in California, the top five most regulated counties generate 60 percent of the sales tax revenue but only have 15 percent of all the retail permits in the state. In comparison, the top five with cannabis bans who actively enforce them only generate 3.2 percent of the sales tax revenue but make up 58 percent of the dispensary permits in the state (the dispensaries are required to have seller's licenses and thus are required to pay taxes, regardless of any ban). He said Inyo County currently has no cannabis retailers registered in the County generating any local tax. McPherson moved on to options regarding the application process, including those not recommended – first-come first-served, lottery, and competitive lottery – and more promising options such as a competitive process with a limited number of licenses, or an open-ended process with minimum standards dictated by land use. He then noted that marijuana as a cash crop continues trending upward. The predicted valuation of marijuana in 2017 is \$8.2 million per acre. McPherson went over tax and fee strategies as well as things to consider in implementing the tax, such as County regulatory fees that may offset staff costs to manage the program, and the fact that the cost of wages, health insurance, and unemployment insurance are new to the Cannabis Industry. He said if a policy decision is made to regulate cannabis locally, the County needs to create a strategic plan. He suggested several components to that plan, including regulatory fees to address staffing resources, an ordinance that sets good policy and considers the long-term, and taking baby steps. McPherson said the County must move mindfully and not get focused on the money. He said the County's two priorities should be public safety and land use. Chairperson Tillemans said there was a tremendous amount of information to consider. Supervisor Pucci said going slowly to avoid mistakes was important so as not to encourage the black market. The Chairperson asked for comments from the audience. Terry Erickson of Lone Pine said he hoped the County doesn't ban cannabis sales, as it would be crazy to not take advantage of the economic benefits, with smart regulations in place. He also said he hoped the licensing was done in a smart way that allowed responsible local business owners to try to obtain those licenses. Larry Levy of the Southern Inyo Fire Protection District encouraged the Board, in all its dealings with this issue, to keep alcohol in mind. He called it the true gateway drug, and asked the Board to try to look at marijuana as it would alcohol. Alena Wagener of PALS Collective, a cannabis delivery service, asked the Board to consider implementing a local licensing structure that mimics the State structure and is open to only Inyo County residents. She said that would be one way to keep out organized crime and has been a tactic used by

other counties. She also said that McPherson's research must not have counted delivery services because she has a seller's license and pays her taxes. McPherson acknowledged there could be one or two in operation not listed in the database that HdI checked. Rebecca Grant asked how stakeholders could get more involved in the process. Supervisor Griffiths said by participating in meetings as she was currently doing. He noted both the industry and general public are invited to participate in the process, which will include more outreach meetings as it progresses. George Gholson, Chairman of the Timbisha Shoshone Tribe, said he hoped, as it goes through the regulatory process, the Board would include some kind of language to address where Tribes fit in. He said his Tribe is trying to have a transparent relationship with the County and law enforcement. Supervisor Kingsley said it will be a slow process to develop something that reflects what the public wants and protects the County, but thinks the County is a little ahead of the game by having a tax structure in place. He noted that the scope of the issue is wide-ranging and far-reaching. Supervisor Pucci said he thought the two main priorities listed – public safety and land use – were totally appropriate. Chairperson Tillemans thanked Chairman Gholson for coming to speak to the Board. Supervisor Kingsley noted that the Timbisha Shoshone Tribe graciously gave the County a briefing before it broke ground on a grow facility it is constructing in Death Valley.

RECESS/RECONVENE Chairperson Tillemans recessed the meeting at 3:27 p.m. so he could leave to attend to other business, and to allow for a 10-minute break. Vice Chairperson Totheroh reconvened the meeting at 3:35 p.m. with all Board members present except Chairperson Tillemans.

PUBLIC COMMENT Vice Chairperson Totheroh asked for public comment and there was none.

BOARD MEMBERS AND STAFF REPORTS Assistant Clerk of the Board Ellis offered her congratulations to the three supervisors sworn in this morning, and noted that, with the encouragement of CAO Carunchio, had embarked on an effort to reduce the number of agenda packets printed and assembled every week and the number of paper agendas mailed out. She said the reduction of unnecessary paperwork should result in an estimated savings of approximately \$8,000 in printing, paper, shredding, and mailing costs and staff time.

CAO Carunchio wished the Board a happy 2017.

County Counsel Rudolph reported he was trying to pin down a start time for the planned November 9 Tribal Consultation Workshop with the Native American Heritage Committee.

Supervisor Griffiths said he had Arts Council and Eastern Sierra Transit Authority meetings coming up, and a Great Basin Unified Air Pollution Control District meeting – assuming he remained assigned to that board following upcoming 2017 committee and board appointments.

ADJOURNMENT Vice Chairperson Totheroh adjourned the meeting at 3:39 p.m. to Tuesday, January 10, 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