

MINUTES



County of Inyo Board of Supervisors

November 6, 2018

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:34 a.m., on November 6, 2018, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Dan Totheroh, presiding, Rick Pucci, Jeff Griffiths, Mark Tillemans, and Matt Kingsley.

- Public Comment* Chairperson Totheroh asked for public comment during the first public comment period and there was no-one wishing to address the Board.
- Closed Session* Chairperson Totheroh recessed open session at 8:34 a.m. to convene in closed session with all Board members present to discuss the following items: No. 2 **PUBLIC EMPLOYMENT [Pursuant to Government Code §54957]** – Title: County Administrator; No. 3 **CONFERENCE WITH REAL PROPERTY NEGOTIATORS [Pursuant to Government Code §54956.8]** – Property: APN 010-490-12, Bishop, California. Agency Negotiators: Clint Quilter, Acting County Administrator, and Marshall Rudolph, County Counsel. Negotiating parties: Inyo County and Inyo County Development LLC. Under negotiations: price and terms of payment; and 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: Acting County Administrative Officer Clint Quilter, Deputy Personnel Director Sue Dishion, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.
- Open Session* Chairperson Totheroh recessed closed session and reconvened the meeting in open session at 10:02 a.m. with all Board members present.
- Pledge* Supervisor Kingsley 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 noted the Board would be returning to closed session to continue discussions later in the meeting.
- Public Comment* Chairperson Totheroh asked for public comment during the second public comment period and there was no-one wishing to address the Board.
- Chairperson Totheroh did note that today is election day and encouraged all those who haven’t voted already to do so before the polls close tonight.
- County Department Reports* HHS Director Marilyn Mann distributed copies of the latest Preserving Wellness Newsletter to the Board.
- Sheriff Jeff Hollowell reported on his predecessor Bill Lutze’s retirement party, and a pumpkin carving activity that the Sheriff’s Office participated in with Probation at both Lo-Inyo and Owens Valley elementary schools. He also said the department is considering an additional CSAC media training event after the success of the first one.
- Treasurer-Tax Collector Alisha McMurtrie distributed data on the County’s Debt Purchase Program and gave a brief update ahead of the annual Treasury Oversight Committee scheduled for tomorrow.

Introductions

HHS Director Marilyn Mann introduced to the Board Meaghan McCamman, Assistant Director, and Tyler Davis, Office Clerk III; Acting CAO Quilter introduced Justin Drew, Park Specialist, Parks & Recreation, and Kody Nelson and Chuck Baker, Equipment Operators, Recycling & Waste Management; and Sheriff Hollowell introduced Cheyanne Tu-Va Barlow, Public Safety Dispatcher, and Kristin Mullen, Animal Services Shelter Attendant.

*Info. Services –
Reclassify Cadastral
Tech to
GIS Analyst II*

Moved by Supervisor Kingsley and seconded by Supervisor Griffiths for the Board to, consistent with the Fiscal Year 2018-2019 Board Approved Budget, reclassify the Cadastral Technician, Range 61 (\$3,694 - \$4,486), in the Assessor's Office to a Geographic Information System (GIS) Analyst II, Range 72 (\$4,787 - \$5,815), in the County Administrator's Information Services Department effective November 15, 2018. Motion carried unanimously.

*HHS-Social Services
– HHS Specialist III*

Moved by Supervisor Griffiths 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 one (1) HHS Specialist III exists in a non-General Fund budget, as certified by the HHS Director and concurred with by the Acting County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but as a State Merit System position, an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) HHS Specialist III at Range 57 (\$3,363 - \$4,086). Motion carried unanimously.

*HHS-Social Services
– Registered Nurse*

Moved by Supervisor Tillemans 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 one (1) Registered Nurse exists in a non-General Fund budget, as certified by the HHS Director and concurred with by the Acting County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but as a State Merit System position, an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Registered Nurse at Range 78 (\$5,518 - \$6,705). Motion carried unanimously.

*HHS-Social Services
– Social Worker II*

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 one (1) Social Worker II exists in the non-General Fund Social Services budget, as certified by the HHS Director and concurred with by the Acting County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but as a State Merit System position, an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Social Worker II at Range 67 (\$4,253 - \$5,163). Motion carried unanimously.

*Probation – Legal
Secretary I-II*

Moved by Supervisor Griffiths 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 one (1) Legal Secretary I/II exists in the General Fund, as certified by the Chief Probation Officer and concurred with by the Acting County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position and the vacancy could possibly be filled through an internal recruitment, an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Legal Secretary I at Range 56 (\$3,292 - \$3,994) or a Legal Secretary II at Range 60 (\$3,612 - \$4,387), depending on qualifications, and authorize up to the E step for a qualified lateral applicant. Motion carried unanimously.

*Probation – Deputy
Probation Officer I-II*

Moved by Supervisor Tillemans 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 one (1) Deputy Probation Officer I/II exists in the General Fund, as certified by the Chief Probation Officer and concurred with by the Acting County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position and the vacancy could possibly be filled through an internal recruitment, an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Deputy Probation Officer I at Range 67 (\$4,008 - \$4,962) or a Deputy Probation Officer II at Range 70 (\$4,391 - \$5,341), depending on qualifications, and authorize up to the E step for a qualified lateral applicant. Motion carried unanimously.

*Sheriff – APAR
Shelter Assistant*

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) APAR Shelter Assistant exists in the General Fund, as certified by the Sheriff and concurred with by the Acting County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position and the vacancy could possibly be filled through an internal recruitment, an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) APAR Shelter Assistant (APAR 1-19.99), Range 42PT (\$12.75/hr. - \$15.52/hr.). Motion carried unanimously.

*Info. Services –
Payment of 2016
Thomson Reuters
Invoice*

Information Services Director Scott Armstrong reported his department recently received an invoice from 2016 for training that he subsequently verified with the Auditor, Assessor and Treasurer did indeed take place. He said he also verified funds were available to pay the invoice, and County Counsel noted he reviewed the County's contractual obligations. Armstrong said he did confirm in writing with the current project manager that there are no other outstanding invoices from prior fiscal years. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to authorize payment of Invoice No. 0068657 from Thomson Reuters in an amount not to exceed \$18,445.72 for travel-related expenses in support of on-site Property Tax Management System (PTMS) implementation and training in August and September 2016. Motion carried unanimously.

*Info. Services –
CDW-G Database
License*

Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to authorize payment in an amount not to exceed \$18,523.20 to CDW-G for the purchase of Microsoft SQL Server database license to support the new version of the Thomson Reuters Aumentum Property Tax Management System (PTMS). Motion carried unanimously.

*Sheriff – Prior Fiscal
Year Payments*

Sheriff Hollowell reported that one of his first acts of business after taking office in July was ordering an audit, which turned up several unprocessed travel reimbursement claims from current and former correctional officers and deputies. He said he can only surmise the individuals did not say anything about lack of payment because they were new employees at the time. He said paying the claims now will wipe out this fiscal year's training budget but he wants to see these individuals made whole. Supervisors Kingsley and Totheroh thanked the Sheriff for trying to make it right, and Supervisor Pucci said mistakes will happen and situations like this highlight the importance of audits. Moved by Supervisor Pucci and seconded by Supervisor Kingsley to authorize prior-year payments to the following payees in the following amounts, for a total amount not to exceed \$28,178.98:

- \$576.00 to Hernandez, Christian for per diem
- \$234.56 to Kapturkiewicz, Joseph for mileage
- \$96.00 to Madera, Brian for per diem
- \$8,044.40 to Murphy, Michael for mileage and per diem
- \$96.00 to Nicholson, Joshua for per diem
- \$352.00 to O'Grady, Lindsay for per diem
- \$3,872.00 to Perez, Irving for per diem
- \$788.20 to Perez, Perl for per diem and mileage
- \$184.00 to Rhoads, Nikolaus for per diem
- \$69.44 to Santana, Hector for fuel reimbursement
- \$4,077.96 to Vega, Estaban for mileage and per diem
- \$5,382.00 to Riverside Community College for academy registration
- \$232.48 to Mountain Investments for June utility reimbursement

Motion carried unanimously.

*Sheriff – MOU with
BUSD*

Sheriff Hollowell said Palisade Glacier High School is interested in partnering with the Animal Shelter for a second year to have students work at the shelter after school in exchange for credits, in a win-win situation that helps improve the animals' chances of adoption. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve a Memorandum of Understanding between the County of Inyo and Bishop Unified School District for the "After School Shelter Dog Project" for the period of November 6, 2018 through December 21, 2018 and February 25, 2019 through April 18, 2019. Motion carried unanimously.

*BOS – RCRC
Delegate and
Alternate*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to designate Supervisor Kingsley a delegate and Supervisor Pucci an alternate to serve on both the Rural County Representatives of California (RCRC) Board of Directors and RCRC's Golden State Finance Authority Board of Directors for 2019. Motion carried unanimously.

*Treasurer –
CCA JPA/
Reso #2018-46*

Treasurer-Tax Collector Alisha McMurtrie presented for the Board's consideration the option of joining the California Cannabis Authority (CCA), and discussed in detail the benefits of doing so as Inyo County begins dealing with the commercial cannabis industry in earnest. Supervisor Tillemans recused himself from discussions at 10:48 a.m. and left the room. McMurtrie noted that, as currently planned, only the first 10 counties to join will have seats on the Board of Directors and there are 5 members already. The Board and McMurtrie engaged in discussion at length, with McMurtrie concluding that the County would be getting a great deal in exchange for the membership fees it would invest. Acting CAO Quilter noted that the County would struggle on its own to access the tools and resources needed to perform the due diligence required for track and trace mandates that would be available through the CCA. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to adopt Resolution No. 2018-46 to join the California Cannabis Authority. Motion carried unanimously 4-0, with Supervisor Tillemans absent. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to appoint Treasurer-Tax Collector Alisha McMurtrie as the Inyo County representative and Supervisor Griffiths as the alternate to serve on the CCA Board of Directors. Motion carried unanimously 4-0, with Supervisor Tillemans absent. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to authorize the Chairperson to execute the CCA Joint Exercise of Powers Agreement. Motion carried unanimously 4-0, with Supervisor Tillemans absent. Supervisor Tillemans returned to the meeting at the conclusion of the vote at 11:12 a.m.

*Planning – NRAC
Recommissioning
Discussion*

Planning Director Cathreen Richards asked the Board whether it wanted to recommission the Natural Resource Advisory Committee, which was rendered defunct in July when its term expired without an extension by the Board. She said there has not been a need for an NRAC meeting in two years, and a new resolution would be required to re-active the committee at this point. The Board agreed there was no pressing need for an NRAC at this time but it would consider a resolution in the future if warranted. The Board also directed staff to inform NRAC members that the committee is officially inactive and to thank them for their service.

*Ag Commissioner-ES
Weed Management –
CDFW Contracts*

Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to: A) ratify and approve the contract between the County of Inyo Department of Agriculture – Eastern Sierra Weed Management Area and the California Department of Fish and Wildlife for the provision of noxious weed control services, in the amount of \$342.99, for services completed on July 6, 2018; B) approve the contract between the County of Inyo Department of Agriculture – Eastern Sierra Weed Management Area and the California Department of Fish and Wildlife for the provision of noxious weed control services, in an amount not to exceed \$4,500, for the period of January 1, 2019 to June 30, 2021; and C) authorize Nathan Reade, Agricultural Commissioner, to sign the contracts on behalf of the County of Inyo Department of Agriculture. Motion carried unanimously 4-0, with Supervisor Kingsley out of the room at the time of the vote.

*HHS-ESAAA – CA
Dept. of Aging
Contract*

Moved by Supervisor Griffiths and seconded by Supervisor to ratify and approve Amendment No. 1 to Standard Agreement for Contract Number AP-1819-16 between the County of Inyo and the California Department of Aging, increasing the overall allocation by \$88,424 for a total contract amount of \$856,436; and authorize the HHS Director to sign. Motion carried unanimously.

*Sheriff – Records
Retention Policy/
Reso #2018-47*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to adopt Resolution No. 2018-47, titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Approving Sheriff's Office Records Retention Schedule" (*4/5ths vote required*). Motion carried unanimously.

*Public Works –
Continue Emergency
Jail Sprinkler
Replacement*

Acting Public Works Director Mike Errante provided an update on the project to replace fire suppression sprinklers at the jail. Moved by Supervisor Pucci and seconded by Supervisor Kingsley, pursuant to Public Contract Code Division 2, Part 3, Chapter 2.5, Section 22050 (C) (1), to determine that there is a need to continue with the emergency action of replacing the fire suppression sprinklers at the Inyo County Jail Facility (*4/5ths vote required*). Motion carried

unanimously.

*Emergency Services
– 2018 EMPG
Program Application/
Reso #2018-48*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) review the proposed Federal Fiscal Year 2018 Emergency Management Performance Grant Program Application and, if deemed acceptable; B) approve the submittal of the Federal Fiscal Year 2018 Emergency Management Performance Grant Program Application and authorize the County Administrator, as the designated Authorized Agent, to sign the grant application, as well as any and all accompanying documents, by approving a resolution titled, "Governing Board Resolution No. 2018-48;" and C) authorize the Chairperson to sign the Resolution Addendum letter. Motion carried unanimously.

*Here it Comes
Emergency*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci 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.

*Rocky Road
Emergency*

Moved by Supervisor Griffiths and seconded by Supervisor Tillemans 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.

*Gully Washer
Emergency*

Moved by Supervisor Tillemans and seconded by Supervisor Griffiths 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 Kingsley 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 existed until recently in the County, while considering how to address the ongoing hydrologic issues in West Bishop. Motion carried unanimously.

*DV Down But Not
Out Emergency*

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans 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 –
Approval of Minutes*

Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve the minutes of the special Board of Supervisors meeting of August 28, 2018 and the regular Board of Supervisors meetings of September 4, 2018, September 11, 2018, and September 25, 2018. Motion carried unanimously.

Public Comment

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

*Board Member and
Staff Reports*

Supervisor Kingsley reported he had been out of the country the past two weeks while the Board's meeting schedule was dark but did attend the Emergency Medical Services Summit last night in Lone Pine.

Supervisor Tillemans said he also attended last night's EMS Summit and over the weekend, received word that Big Pine resident Alan Bacock had been nominated for presidential appointment to the position of director of the USPEPA American Indian Environmental Office in D.C. He said he would be writing a personal endorsement and encouraged his fellow supervisors to do the same, but would also be bringing for approval next week a letter for full Board support.

Supervisor Pucci said he was out of state the past two weeks but did attend Sheriff Bill Lutze's retirement party on Saturday.

Chairperson Totheroh noted that HHS conducted its bimonthly quality improvement assessment, and said he would be attending a Behavioral Health Advisory Board meeting Thursday.

Supervisor Griffiths reminded everyone that there are two local elections today in Bishop, one for City Council and one for School Board. He also reported having attended an Eastern Sierra Transit Authority/Eastern Sierra Council of Governments meeting, the Chocolate Art Walk in Bishop, a Bishop City Council meeting, the CSAC media training, an opportunity zones meeting in Bishop, Sheriff Lutze's retirement party, and a meeting with a Forest Service representative about maintaining and enhancing visitor centers.

Acting CAO Quilter said he also attended the EMS Summit and thanked HHS Director Marilyn Mann and her staff for their hard work organizing and facilitating the evening. He said tomorrow morning he would be attending a meeting of the local Realtors Group to discuss the Building Inspection process.

Closed Session

Chairperson Totheroh recessed open session at 11:47 a.m. to convene in closed session with all Board members present 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 1:34 p.m. with all Board members present.

Report on Closed Session

County Counsel Rudolph reported with regard to agenda item 2, the Board took a unanimous vote by all members present to appoint Acting CAO Clint Quilter as County Administrative Officer effective immediately. He said a contract with the terms and conditions of Quilter's employment would be coming for Board approval next week, and a press release would be forthcoming.

Adjournment

Chairperson Totheroh adjourned the meeting at 1:35 p.m. to 8:30 a.m. Tuesday, November 13, 2018 in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

*Attest: CLINT G. QUILTER
Clerk of the Board*

by: _____
Darcy Ellis, Assistant