

# MINUTES



# County of Inyo Board of Supervisors

## January 4, 2022

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:32 a.m., on January 4, 2022 in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present via webinar per California Assembly Bill 361: Chairperson Jeff Griffiths, presiding, Dan Totheroh, Rick Pucci, Matt Kingsley, and Jennifer Roeser. Also present: County Administrator Leslie Chapman, Assistant Clerk of the Board Darcy Ellis, and County Counsel John-Carl Vallejo.

- Public Comment* The Chairperson asked for public comment on items not calendared on the agenda.
- The Assistant Clerk of the Board had not received additional written comment and nobody requested to speak to the Board via the “hand-raising” feature on Zoom.
- Closed Session* Chairperson Griffiths recessed open session at 8:32 a.m. to convene in closed session with all Board members present to discuss the following item(s): No. 2 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9** - Names of cases: *LADWP V. Inyo County* (Kern County Sup. Ct. Case Nos. BCV-18-101260-TCS, BCV-18-101261-TSC, and BCV-18-0262-TSC); No. 3 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9** - Name of case: *Berrey v. Inyo County et al*; No. 4 **PUBLIC EMPLOYEE EVALUATION – Pursuant to Government Code §54957** – Title: County Administrative Officer.
- Open Session* Chairperson Griffiths recessed closed session and reconvened the meeting in open session at 10:04 a.m. with all Board members present.
- Pledge of Allegiance* Supervisor Kingsley led the Pledge of Allegiance.
- Election of Officers* Chairperson Griffiths turned the election over to the Assistant Clerk of the Board, who called for nominations for Chair and Vice Chair. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to nominate and elect Supervisor Totheroh as Chairperson and Supervisor Roeser as Vice Chairperson. Motion carried unanimously.
- Report on Closed Session* County Counsel Vallejo reported that no action was taken during closed session that is required to be reported.
- Public Comment* Chairperson Totheroh asked for public comment on items not calendared on the agenda.
- Wes French said a prayer.
- Someone identifying as “Bob,” said it was blatant hypocrisy to see Health Officer Dr. James Richardson at a gathering without a mask, and neither Public Health nor the Board have been able to answer constituents’ questions or justify the orders put in place.
- County Department Reports* Clerk-Recorder-Registrar of Voters Danielle Sexton reported that the signature in lieu of filing fees process began yesterday for most offices for the upcoming election.
- Dr. Aaron Steinwand gave an update on the Owens Valley Groundwater Authority.
- COVID-19 Staff* HHS Director Marilyn Mann, HHS Deputy Director-Public Health & Prevention Anna Scott,

## *Update*

and Public Health Officer Dr. James Richardson provided the Board with an update on COVID-19, including local case numbers, vaccinations, current hospitalizations, booster shots, the Omicron variant, and new at-home tests. Ms. Scott also shared a slide show with data showing local trends. Dr. Richardson reiterated that people are five times more likely to catch COVID if they are unvaccinated, and 14 more times likely to be hospitalized and 15 times more likely to die.

Public comment was received from Wes French, who accused Ms. Scott of presenting inflated numbers. Supervisor Griffiths and CAO Chapman interjected to ask speakers not to attack staff, to address all comments to the Board, and to remember that the County is a subdivision of the state that must follow state mandates. Other comments were received from: someone identifying themselves as "JB," who said she hoped the community would stop giving COVID so much power; Charles James, who said the COVID updates are resembling Facebook rants and everyone should remember there are other health crises that might be getting ignored; Wayne Croasdale, who said he doubted real numbers are being reported and said there are only two genders; Lynette McIntosh, who accused Dr. Richardson of being hypocritical because there are photos of him circulating where he is indoors and not wearing a mask (he responded that he was following protocol for indoor celebrations, with his mask off only for eating); Cari Arnal, who said a lie doesn't become a truth just because it's been accepted by the masses; Robin Moxley, who echoed Ms. McIntosh and said the tide is turning with people pushing back against the state; Kristin Ostley, who said the three-minute time limit being opposed on comments is not enough time to refute staff's misinformation, and denied that speakers are bullying staff; Debborah Morales, who told the Board she sees them as heroes in the trenches of the COVID battle, and said those who have died are not numbers – they were people; and Josh Nicholson, who said the Board's constituents are going up the chain of command with their concerns and opposition. The Assistant Clerk of the Board read aloud letters from Christine Hanley and Pam Mitchell, who both urged the County to keep public health measures in place to protect the community.

Supervisors Kingsley and Pucci also spoke out against speakers attacking or disrespecting staff.

## *Information Services – Broadband Task Force Update*

Information Services Director Scott Armstrong provided the Board an update on the Inyo County's Broadband Task Force activities to date. Public comment came from Charles James, Stephen Muchovej, Scott Stoner, Will Holmes, Bryan Harper, Jennifer Beaudean, and Doug Thompson, who appreciated the County taking on this issue and also weighed in on service providers and options for consumers.

## *Recess/Reconvene*

Chairperson Totheroh recessed the meeting at 12:50 p.m. and reconvened the meeting at 1:24 p.m. with all Board members present.

## *CAO-Emergency Services – Reclass/Recruit Emergency Services Manager*

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to: A) change the Authorized Strength in the Office of the CAO by reclassifying one (1) Emergency Services Manager at Range 82 (\$6,575 - \$7,984) as an Emergency Services Manager at Range 78 (\$5,971 - \$7,255) and approve the revised job description; B) find where internal candidates may meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Emergency Services Manager at Range 78 (\$5,971 - \$7,255). Motion carried unanimously.

## *Public Works – Engineering Assistant II*

Moved by Supervisor Pucci and seconded by Supervisor Roeser for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Engineering Assistant I/II exists in the General Fund, as certified by the Public Works Director and concurred with by the 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 an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Engineering Assistant I at Range 71 (\$5,058 - \$6,150) or an Engineering Assistant II at Range 75 (\$5,563 - \$6,761) or an Engineer Assistant Civil at Range 73 (\$5,302 - \$6,449) up to E step depending on qualifications. Motion carried unanimously.

## *CAO – Laws*

Moved by Supervisor Roeser and seconded by Supervisor Griffiths to approve reimbursement to Laws Railroad Museum in the amount of \$39,820 for the repair of one wall in the Wells

<i>Museum Reimbursement</i>	Fargo building and the replacement of the roof on the School building. Motion carried unanimously.
<i>HHS – FY 21-22 CMS Plan &amp; Budgets</i>	Moved by Supervisor Roeser and seconded by Supervisor Griffiths to ratify and approve the Fiscal Year 2021-22 Children’s Medical Services (CMS) Plan and Budgets and authorize the Chairperson to sign the Certification Statements. Motion carried unanimously.
<i>HHS-Behavioral Health – CDHCS Amendment 01</i>	Moved by Supervisor Roeser and seconded by Supervisor Griffiths to approve Amendment No. 01 to the performance contract between the County of Inyo and the California Department of Health Care Services, for the period of July 1, 2017 through June 30, 2022, and authorize the HHS Director, in her role as Interim Local Mental Health Director, to sign the STD Standard Agreement 213A as well as complete the Contractor Certification Clauses. Motion carried unanimously.
<i>HHS-Behavioral Health – Bakersfield Behavioral Healthcare Contract</i>	Moved by Supervisor Roeser and seconded by Supervisor Griffiths to ratify and approve the agreement between the County of Inyo and Bakersfield Behavioral Healthcare Hospital, LLC of Bakersfield, CA, for the provision of psychiatric inpatient services in an amount not to exceed \$50,000 for the period of November 1, 2021 through June 30, 2022, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>HHS-First 5 – First 5 California Contract Amendment 1</i>	Moved by Supervisor Roeser and seconded by Supervisor Griffiths to approve Amendment No. 1 to the Standard Agreement between the County of Inyo and First 5 California of Sacramento, California, shifting budget categories in staffing and travel, and authorize the HHS Director to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>Treasurer – 2022 Statement of Investment Policy</i>	Moved by Supervisor Roeser and seconded by Supervisor Griffiths to review and approve the 2022 Statement of Investment Policy and direct any questions to the County Treasurer. Motion carried unanimously.
<i>Treasurer – Delegation of Investment Authority/Reso # 2022-01</i>	Moved by Supervisor Roeser and seconded by Supervisor Griffiths to approve Resolution No. 2022-01, 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," and authorize the Chairperson to sign. Motion carried unanimously.
<i>HHS-First 5 – Positive Parenting Awareness Month</i>	First 5 Director Serena Johnson presented a proclamation for Board approval. She also spoke about the Triple P Parenting Program, and introduced community partners from other agencies. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve a proclamation declaring January 2022 as Positive Parenting Awareness Month in Inyo County. Motion carried unanimously.
<i>Child Support Services – Budget Amendment</i>	Moved by Supervisor Griffiths and seconded by Supervisor Roeser to amend the Fiscal Year 2021-2022 Department of Child Support Services Budget (022501) as follows: increase estimated revenue in Family Support Admin (Revenue Code 4554) by \$6,600; increase estimated revenue in Family Support Reim-State (Revenue Code 4478) by \$3,400; and increase appropriation in Advertising (Object Code 5263) by \$10,000. (4/5ths vote required). Motion carried unanimously.
<i>HHS – Budget Amendment/DHCS Payment</i>	Moved by Supervisor Griffiths and seconded by Supervisor Pucci to: A) Amend the Fiscal Year 2021-2022 California Child Services - Admin Budget (045501) as follows: increase estimated revenue in State Other (4499) by \$69,000 and increase appropriation in Professional Services (Object Code 5265) by \$69,000 (4/5ths vote required); and B) Request Board authorize the payment to the Department of Health Care Services (DHCS) in the amount of \$69,000. Motion carried unanimously.
<i>Public Comment</i>	The Chairperson asked for public comment on items not calendared on the agenda.  The Assistant Clerk of the Board had not received additional written comment and nobody requested to speak to the Board via the “hand-raising” feature on Zoom.

*Board Member and Staff Reports*

Assistant Clerk of the Board Ellis reported she was able to take advantage of the new commercial airline services over the holidays and is happy to have it as a resource in Inyo County.

Supervisor Roeser reported she believed the County should start working on a town hall meeting to clarify the recent redistricting. CAO Chapman suggested a special Board meeting in mid-February instead.

Supervisor Kingsley reported he is working on a redistricting town hall in Independence.

Supervisor Griffiths said he spent a lot of time over the holidays thinking about first responders and their dedication and sacrifice.

Chairperson Totheroh reported he will be attending an Eastern Sierra Council of Governments meeting on Friday.

*Closed Session*

Chairperson Totheroh recessed open session at 2:08 p.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 3:15 p.m. with all Board members present.

*Report on Closed Session*

County Counsel Vallejo reported that no action was taken during closed session that is required to be reported.

*Adjournment*

Chairperson Totheroh adjourned the meeting at 3:15 p.m., to 8:30 a.m. Tuesday, January 11, 2022 in the County Administrative Center in Independence.

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Chairperson, Inyo County Board of Supervisors

*Attest: LESLIE L. CHAPMAN  
Clerk of the Board*

by: \_\_\_\_\_  
*Darcy Ellis, Assistant*