

# MINUTES



# County of Inyo Board of Supervisors

## October 4, 2022

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 October 4, 2022 in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present per California Assembly Bill 361: Vice Chairperson Jennifer Roeser, presiding, Jeff Griffiths, Rick Pucci, and Matt Kingsley. Also present: County Administrator Nate Greenberg, County Counsel John Vallejo, Assistant Clerk of the Board Darcy Ellis, and Office Technician Hayley Carter. Absent: Dan Totheroh.

### *Public Comment*

The Vice Chairperson asked for public comment related to Closed Session items and no one requested to speak.

### *Closed Session*

Vice Chairperson Roeser recessed open session at 8:33 a.m. to convene in closed session with all Board members except Supervisor Totheroh 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** – Name of case: Hollowell v. County of Inyo et al. (ICSI-CVCV-2021-66822); No. 3 **CONFERENCE WITH COUNTY'S LABOR NEGOTIATORS – Pursuant to Government Code §54957.6** – Regarding 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 County designated representatives – Administrative Officer Nate Greenberg, Assistant County Administrators Sue Dishion and Meaghan McCamman, Deputy Personnel Director Keri Oney, County Counsel John-Carl Vallejo, Health and Human Services Director Marilyn Mann, and Chief Probation Officer Jeff Thomson; No.4 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to potential litigation pursuant to paragraph (2) of subdivision (d) Government Code §54956.9: one potential case. Facts and circumstances: CalRecycle Threatened Compliance Order for Mandatory Commercial Recycling Program Implementation Gap(s); and No. 5 **PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Pursuant to Government Code §54957** – Title: County Administrator.

### *Open Session*

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

### *Pledge of Allegiance*

Office Technician Hayley Carter led the Pledge of Allegiance.

### *Report on Closed Session*

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

### *Public Comment*

Vice Chairperson Roeser asked if there was any public comment pending for items not calendared on the agenda.

Public comment was received from Lauralynn Hundley and from Vice Chairperson Roeser.

### *County Department Reports*

Environmental Health Director Jerry Oser discussed updates and changes with cottage food rules and the recently passed SB 972 "Street Vendor Permit Bill."

Sheriff Pritchard had several updates to report including: the hiring of Deputy Dummer, K-9 Officer Bartlett, and a new K-9 named Ason who is training to be dual purpose officer; radio projects; a 20% increased success rate of the inmate WRAP program being run by jail Sergeant Carter; the recent switch from 40 caliber weapons to 9 mm which will provide valuable cost savings to the County; and a pending collaborative project with Mono County to

create a recruitment video.

HHS Director Marilyn Mann reported that the California Department of Public Health hosted a COVID booster clinic at the Clint Quilter Consolidated Office Building in Bishop and said that flu clinics began this week.

Clerk-Recorder Danielle Sexton gave information on October dates for the general elections noting that ballots will be going out on Tuesday, that October 24<sup>th</sup> is the last day to register to vote, and that results are finalized November 23<sup>rd</sup>.

*Proclamation –  
Indigenous People’s  
Day 2022*

Clerk of the Board Darcy Ellis gave a brief history and Supervisor Griffiths read aloud the proclamation declaring October 10, 2022 Indigenous People’s Day in the Inyo County.

Public comment in support of the proclamation was received from Big Pine tribal member Allen Bacock and Perla Gastelum of HHS.

Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve a proclamation declaring October 14, 2022 Indigenous People’s Day in Inyo County. Motion carried 4-0, with Supervisor Totheroh absent.

*Recess/Reconvene*

Vice Chairperson Roeser recessed the meeting at 10:49 a.m. and reconvened the meeting at 10:57a.m. with all Board members present except Chairperson Totheroh, who was absent.

*Clerk-Recorder –  
Electronic Recording  
Delivery System/Reso  
# 2022-38*

Moved by Supervisor Kingsley and seconded by Supervisor Roeser to approve Resolution No. 2022-38, titled “A Resolution of the Board of Supervisors of the County of Inyo, State of California, authorizing the Inyo County Clerk-Recorder to establish an Electronic Recording Delivery System,” and authorized the Chairperson to sign. Motion carried unanimously 3-0, with Supervisor Totheroh absent and Supervisor Pucci out of the room at the time of the vote.

*Clerk-Recorder –  
Appointment In-Lieu of  
Elections*

Moved by Supervisor Kingsley and seconded by Supervisor Roeser to, pursuant to Elections Code section 10515, appoint in-lieu of election nominees who filed Declarations of Candidacy during the filing period for the November 8, 2022 General Election and/or interested, qualified candidates who did not submit Declarations of Candidacy as indicated on the attached Clerk’s Certificates. Motion carried unanimously 3-0, with Supervisor Totheroh absent and Supervisor Pucci out of the room at the time of the vote.

*HHS-Behavioral Health  
– Advocates for Human  
Potential Agreement  
Modification No. 1*

Moved by Supervisor Kingsley and seconded by Supervisor Roeser to ratify and approve Modification No. 1 to the Subcontract Agreement and HIPAA Privacy Compliance Agreement between the County of Inyo and Advocates for Human Potential of Sudbury, MA, effective July 21, 2022, and authorize the HHS Director to sign the modification and Business Associate Agreement. Motion carried unanimously 3-0, with Supervisor Totheroh absent and Supervisor Pucci out of the room at the time of the vote.

*County Counsel –  
AB 361 Findings*

Moved by Supervisor Kingsley and seconded by Supervisor Roeser to adopt findings pursuant to AB 361 that: A) the Board reconsidered the circumstances of the existing State of Emergency issued on March 4, 2020, in response to the COVID-19 pandemic; and B) local officials continue to recommend measures to promote social distancing, and/or the state of emergency continues to directly impact the ability of the members to meet safely in person. Motion carried unanimously 3-0, with Supervisor Totheroh absent and Supervisor Pucci out of the room at the time of the vote.

*Public Works-  
Recycling & Waste  
Management –  
Disposal Fee  
Waiver/Reso #  
2022-39*

Moved by Supervisor Kingsley and seconded by Supervisor Roeser to approve Resolution No. 2022-39, titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Waiving Solid Waste Disposal and Gate Fees for the Disposal of Items Associated with the Fairview Fire Clean Up," and authorized the Chairperson to sign. Motion carried unanimously 3-0, with Supervisor Totheroh absent and Supervisor Pucci out of the room at the time of the vote.

<i>CAO-Economic Development – The Ferguson Group Presentation</i>	The Board received a presentation and update from Kristi More, of The Ferguson Group, on legislative issues relevant to Inyo County.
<i>Treasurer-Tax Collector – Proposed Ordinance Rescinding Section 3.20.035</i>	<p>Treasurer-Tax Collector Alisha McMurtrie introduced a proposed ordinance to eliminate the Transient Occupancy Tax operator allowance.</p> <p>Public Comment was heard from Spencer McNeal.</p> <p>Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to waive further reading of the proposed ordinance titled, "An Ordinance of the Inyo County Board of Supervisors, State of California, Rescinding Section 3.20.035 of the Inyo County Code," and scheduled enactment for October 11, 2022, in the Board of Supervisors Chambers, County Administrative Center, Independence. Motion carried unanimously 4-0, with Supervisor Totheroh absent.</p>
<i>HHS-Health/Prevention – Tobacco Budget Amendment</i>	Moved by Supervisor Griffiths and seconded by Supervisor Pucci to: A) amend the Fiscal Year 2022-2023 Tobacco Budget (Budget 640322) as follows: increase revenue in Operating Transfer In (4998) by \$43,463 and increase appropriation in Prior Year Refund (5499) by \$43,463 ( <i>4/5ths vote required</i> ); and B) approve the return of funds to the California Department of Public Health (CDPH) in the amount of \$43,463.00 for unspent grant funds from the Inyo Tobacco Prevention and Education Program. Motion carried unanimously 4-0, with Supervisor Totheroh absent.
<i>HHS-Social Services – FIRST Supervisor Change</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to change the Authorized Strength in the Health and Human Services Department by modifying one (1) FIRST Supervisor at Range 78 (\$6,210 - \$7,545) to a FIRST Supervisor at Range 76 (\$5,923 - \$7,202). Motion carried unanimously 4-0, with Supervisor Totheroh absent.
<i>Water Department – Research Assistant Change/ Job Description Revision</i>	Moved by Supervisor Pucci and seconded by Supervisor Kingsley to: A) approve revised job description for the Research Assistant position to include saltcedar control duties and training requirements; and B) change the Authorized Strength in the Water Department by modifying one Research Assistant, Range 62 (\$4,257-\$5,176), to a Research Assistant, Range 64 (\$4,461-\$5,419). Motion carried unanimously 4-0, with Supervisor Totheroh absent.
<i>Public Guardian – Presentation</i>	The Board received a presentation from Public Administrator/Public Guardian Patricia Barton on the Office of the Public Guardian.
<i>Clerk of the Board – Approval of Minutes</i>	Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to approve the minutes of the regular Board of Supervisors meeting of September 20, 2022. Motion carried unanimously 4-0, with Supervisor Totheroh absent.
<i>Public Comment</i>	Vice Chairperson Roeser asked if there was any public comment pending for items not calendared on the agenda and there was none.
<i>Board Member and Staff Reports</i>	<p>Supervisor Kingsley reported having a number of meetings last week and noted he will be traveling this week to the NACo Western Interstate Region meeting.</p> <p>Supervisor Pucci said he attended a fundraiser for the Future Farmers of America.</p> <p>Supervisor Griffiths reported attending meetings of the Eastern Sierra Sustainable Recreation Partnership and NACo Resilient Counties, volunteering at the Choo-Choo Swap Meet, participating in a call with NACo regarding long-term acute care facilities, and working with the Eastern Sierra firefighter training program.</p> <p>County Administrator Nate Greenberg reported that he met with HHS Director Marilyn Mann last week, established monthly meetings with Caltrans, executed an agreement for an outside appraiser for the Assessor's Office, and taught a class at CSAC on collaboration.</p>
<i>Adjournment</i>	Vice Chairperson Roeser adjourned the meeting at 12:33 p.m. to 8:30 a.m. Tuesday,

October 11, 2022 in the County Administrative Center in Independence.

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Vice Chairperson, Inyo County Board of Supervisors

*Attest: Nate Greenberg  
Clerk of the Board*

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