

# MINUTES



# County of Inyo Board of Supervisors

## January 5, 2021

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 9 a.m., on January 5, 2021, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present via videoconferencing per California Governor Executive Order N-25-20: Chairperson Matt Kingsley, presiding, Dan Totheroh, Jeff Griffiths, Rick Pucci, and Jennifer Roeser. Also present: County Administrative Officer Clint Quilter, Assistant Clerk of the Board Darcy Ellis, and County Counsel Marshall Rudolph.

*Pledge of Allegiance* Chairperson Kingsley led the Pledge of Allegiance.

*Election of Officers* Chairperson Kingsley welcomed everyone to the first meeting of 2021, and the Board's 10<sup>th</sup> month of holding Zoom meetings. Supervisors Griffiths and Totheroh thanked Chairperson Kingsley for his leadership during a challenging year and welcomed new Fourth District Supervisor Jennifer Roeser.

The Assistant Clerk of the Board opened nominations for Chairperson. Supervisor Totheroh nominated Supervisor Griffiths. The Assistant Clerk of the Board closed the nomination period. Moved by Supervisor Totheroh and seconded by Supervisor Pucci to elect Supervisor Griffiths the new Chairperson. Motion carried unanimously.

The Assistant Clerk of the Board opened the nominations for Vice Chairperson. Supervisor Kingsley nominated Supervisor Totheroh. The Assistant Clerk of the Board closed the nominations. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to elect Supervisor Totheroh the new Vice Chair. Motion carried unanimously.

The meeting was turned over to the new Chair.

*Public Comment* Chairperson Griffiths asked if there was any public comment pending for items not calendared on the agenda.

The Assistant Clerk of the Board said she had received none as of right then. Joshua Nicholson spoke via Zoom to welcome Supervisor Roeser to the Board. Supervisor Kingsley likewise welcomed Supervisor Roeser and said she would be a great representative for the Fourth District.

*County Department Reports* Public Works Director Mike Errante echoed the welcome to Supervisor Roeser and provided an update on the Independence water main project.

Assistant County Administrator Leslie Chapman updated the Board on the non-profit relief grant program, the Laws and Diaz Lake projects, and the business center being developed in Bishop.

*COVID-19 Staff Update* The Board heard staff's weekly update on the status of COVID-19 cases locally, as well as state and national trends. Staff also updated the Board on the distribution on vaccines and ongoing testing. Public comment came from Debborah Morales and Linda Arcularius, in written statements read aloud by the Assistant Clerk of the Board. Ms. Morales expressed concern about certain entities not adhering to the current public health guidelines, including motels, the movie theater, and local churches. She stated she does not feel safe with certain activities that are being allowed to continue, and which can easily overwhelm local hospitals and other public health resources. Ms. Arcularius offered her gratitude to the Board and County leadership for their tireless efforts to keep the public informed so that it can make wise and safe choices. She

also expressed gratitude to staff that has diligently served the public with deep concern for its well-being. As discussion continued, Ms. Morales requested to speak via Zoom. She reiterated her concerns about the local churches holding gatherings and not following the PPE protocols, possibly leading to super-spreader events. CAO Quilter noted that the County does not scour social media looking for violations, but rather relies on the public to report alleged violations so staff can reach out to those alleged violators to gain compliance. Public comment was also provided by Rose Colon in Tecopa, who thanked the Board and staff for getting information to the far reaches of the County, and for especially considering the local aging population's risk. Also during discussion, Chairperson Griffiths noted that "Mr. Bishop" Chuck Kilpatrick recently died of COVID-19 and asked that the meeting be adjourned in his honor.

*HHS – Office Tech III* Moved by Supervisor Pucci 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) Office Tech III exists in one or more HHS non-General Fund budgets, as certified by the HHS 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) Office Tech III at Range 63 (\$4,023-4,895). Motion carried unanimously.

*HHS – Administrative Analyst I-III* Moved by Supervisor Totheroh 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) Administrative Analyst I-III exists in various HHS non-General Fund budgets, as certified by the HHS 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 as a State Merit System position, an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Administrative Analyst I at Range 68 (\$4,533-5,508), Administrative Analyst II at Range 70 (\$4,753-5781) or Administrative Analyst III at Range 72 (\$4,981-6050), contingent upon qualifications. Motion carried unanimously.

*HHS-ESAAA – APAR and BPAR Program Services Assistants I-III* Moved by Supervisor Kingsley 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) B-PAR Program Services Assistant I, II, III and one (1) A-PAR Program Services Assistant I, II, III exists, as certified by the HHS 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) B-PAR Program Services Assistant I, II, III for the Bishop Senior Center and one (1) A-PAR Program Services Assistant I, II, III for the Lone Pine Senior Center at Range 39PT (\$12.41 - \$15.07/hr.) or Range 42PT (\$13.27 - \$16.15/hr.) or Range 50PT (\$15.97 - \$19.39/hr.), depending upon qualifications. Motion carried unanimously.

*Public Works – Building Maintenance Worker I-IV* Moved by Supervisor Totheroh 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) Building Maintenance Worker I, II, III, IV exists in General Fund and non-General Fund budgets, 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; C) approve the hiring of one (1) Building Maintenance Worker I at Range 56 (\$3,425 - \$4,155); Building Maintenance Worker II at Range 60 (\$3,758 - \$4,564); Building Maintenance Worker III at Range 62 (\$3,936 - \$4,786); or Building Maintenance Worker IV at Range 64 (\$4,124 - \$5,011) depending on qualifications; and D) if an internal candidate is hired as a result of the open recruitment, authorize the Public Works Director to backfill resulting vacancy. Motion carried unanimously.

*Motor Pool – Bishop Ford Spending Increase* Moved by Supervisor Kingsley and seconded by Supervisor Pucci to authorize an increase of Motor Pool purchasing authority with Bishop Ford of Bishop, CA by \$20,000, to a total not-to-exceed amount of \$45,000, for preventative maintenance and repair of Motor Pool vehicles. Motion carried unanimously.

*Motor Pool – Inyo-* Moved by Supervisor Kingsley and seconded by Supervisor Pucci to authorize a purchase

<i>Mono Body Shop P.O.</i>	order in an amount not to exceed \$7,209, payable to Inyo Mono Body Shop of Bishop, CA for body repair of two Motor Pool vehicles, which would be in addition to the current blanket purchase order for Inyo Mono Body Shop in the amount of \$15,000, for a total not-to-exceed amount for this vendor of \$22,209. Motion carried unanimously.
<i>HHS-Health &amp; Prevention – CDPH Lab Testing MOU</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the Memorandum of Understanding between the County of Inyo and the California Department of Public Health for the provision of laboratory testing services for human infectious diseases of public health effective upon execution until thirty days after the lifting of the declaration of the COVID-19 state of emergency, contingent upon the Board's approval of future budgets, and authorize the HHS Deputy Director of Public Health to sign. Motion carried unanimously.
<i>HHS-Social Services – eXemplar Sole-Source Contract</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to declare eXemplar Human Services of Reno, NV a sole-source provider of customized Social Service reporting tools and services; B) approve the agreement between the County of Inyo and eXemplar Human Services of Reno, NV for the provision of customized Social Service reporting tools and services in an amount not to exceed \$120,000.00 for the period of February 1, 2021 to January 31, 2023, contingent upon the Board's approval of future budgets, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>Public Works – Annex Retrofit N.O.C./Reso# 2021-01</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve Resolution No. 2021-01, titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California Authorizing the Recording of a Notice of Completion for the Annex HVAC Retrofit Project," and authorize the Chairperson to sign. Motion carried unanimously.
<i>Public Works – Spiess N. Round Valley Bridge Contract</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to award the contract for the North Round Valley Bridge Over Pine Creek Replacement Project to Spiess Construction Company of Santa Maria, CA as the successful bidder; B) approve the construction contract between the County of Inyo and Spiess Construction Company of Santa Maria, CA in the amount of \$3,334,502.55 and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained; and C) authorize the Public Works Director to execute all other project contract documents, including contract change orders, to the extent permitted by Public Contract Code Section 20142 and other applicable laws. Motion carried unanimously.
<i>HHS-First 5 – Positive Parenting Awareness Month Proclamation</i>	Serena Johnson, First 5 Director, presented to the Board a proclamation declaring January 2021 as Positive Parenting Awareness Month in Inyo County. She introduced Victoria de la Riva, the Tuniwa Nobi family literacy coordinator, who spoke about the partnership between First 5 and the Tribe, and Amara Keller, a new mother who provided a testimonial about the helpfulness of the Motherhood is Sacred program. Supervisor Roeser read aloud the proclamation. Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to approve a proclamation declaring January 2021 as Positive Parenting Awareness Month in Inyo County. Motion carried unanimously.
<i>Recess/Reconvene</i>	The Chairperson recessed the meeting for a break at 11:12 a.m. and reconvened the meeting at 11:25 a.m. with all Board members present.
<i>BOS – Letter to Airbnb</i>	The Board was asked to consider and approve sending a joint letter from the Board of Supervisors and Bishop City Council asking for Airbnb's cooperation in discouraging bookings while Inyo County is under a Regional Stay-at-Home Order. CAO Quilter explained that the Town of Mammoth Lakes and Mono County are making the request to the City of Bishop and Inyo County, based on letters sent to Airbnb from Truckee, El Dorado County, and Placer County.
	City Administrator Ron Phillips noted that the Council was prepared to sign the joint letter today if approved by the Board, and then have it ratified at the next Council meeting.
	The Board engaged in discussion about whether it wouldn't be better to contact local Short-Term Rental permit-holders instead. During public comment, Joshua Nicholson cautioned that prohibiting short-term rentals from operating could lead to increased dispersed camping. He added that vacation renters carefully vet their customers and go out of their way to provide sanitary conditions. He questioned what data exists specifically connecting short-term vacation

rentals to increases in COVID cases. Supervisor Totheroh said he wasn't sure if that mattered as much as the fact that Inyo County has to follow the governor's orders.

After additional discussion, the Board reached consensus that the Planning Department should send letters to the permit-holders requesting they abide by the current Stay-at-Home Order provisions, but also send a letter to Airbnb. Supervisor Roeser asked that the statement, "In addition, the City of Bishop and Inyo County are looking at options to penalize STR operators who rent their properties during this time," be removed. Supervisor Kingsley asked that the letters to local operators note that the County and City are asking Airbnb not to penalize them for cancelled reservations.

Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to send the letter to Airbnb, as revised, and for staff to send letters to short-term vacation renters with the requested addition. Motion carried unanimously.

CAO Quilter added that the language in the letters to short-term rental operators should be as similar as possible in language to the letters that have been sent to motel and hotel operators.

*Planning – Letter Re: West-wide Energy Corridor*

Planning Director Cathreen Richards provided a review of the West-wide Energy Corridor, Regions 4, 5 and 6, Report (specifically Region 5) and draft correspondence from the Board in response. Moved by Supervisor Roeser and seconded by Supervisor Totheroh to approve the correspondence in response to the West-wide Energy Corridor, Regions 4, 5 and 6, Report and authorize the Chairperson to sign. Motion carried unanimously.

*Planning – Tribal Consultation Committee Members 2021*

The Board was asked to appoint two Supervisors as Tribal Consultation Committee members for each of the recognized Tribes in the County, for appointments beginning January 1, 2021 and ending December 31, 2021. Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve the following appointments to Tribal Consultation Committees for the period beginning January 1, 2021 to December 31, 2021:

- Bishop Paiute Tribe – Supervisors Totheroh and Pucci
- Big Pine Paiute Tribe of the Owens Valley – Supervisors Roeser and Totheroh
- Fort Independence Indian Community of Paiutes – Supervisors Roeser and Kingsley
- Lone Pine Paiute-Shoshone Tribe – Supervisors Kingsley and Roeser
- Timbisha Shoshone Tribe – Supervisors Kingsley and Griffiths

Motion carried unanimously.

*Ag Commissioner-Cannabis – License Extension Reso # 2021-02*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve Resolution No. 2021-02 titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California Extending the Deadline for Commercial Cannabis Business License Requirements for Commercial Cannabis Business License Numbers 000123 and 000128," and authorize the Chairperson to sign. Motion carried unanimously.

*Ag Commissioner-Cannabis – License Extension Reso # 2021-03*

Moved by Supervisor Kingsley and seconded by Supervisor Roeser to approve Resolution No. 2021-03 titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California Extending the Deadline for Commercial Cannabis Business License Requirements for Commercial Cannabis Business License Number 000124," and authorize the Chairperson to sign. Motion carried unanimously.

*Ag Commissioner-Cannabis – License Extension Reso # 2021-04*

Moved by Supervisor Kingsley and seconded by Supervisor Roeser to approve Resolution No. 2021-04 titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California Extending the Deadline for Commercial Cannabis Business License Requirements for Commercial Cannabis Business License Number 000125" and authorize the Chairperson to sign. Motion carried unanimously.

*Ag Commissioner-Cannabis – License Extension Reso # 2021-05*

Ag Commissioner Nate Reade presented a request to extend the commercial cannabis business license number 000142 held by Old Spanish Cannabis and Commerce Park, LLC. Reade noted that the license holder has not paid its annual fees. David Saccullo, representative for Old Spanish Cannabis and Commerce Park, described his plans for the business and his investments so far. He said from a business perspective, it does not make sense to pay the annual fee if he cannot get an extension. Board members engaged in discussion, with Supervisors Kingsley, Roeser, and Pucci objecting to the sentiment that the fee will only be paid if Saccullo gets the extension. After additional discussion, the Board came

to consensus that they would approve the extension only on the condition that the annual fee is paid. Supervisor Pucci wanted a time limit placed on the payment, and CAO Quilter said the licensees' appeal scheduled for later in the meeting could take care of that. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve Resolution No. 2021-05 titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California Extending the Deadline for Commercial Cannabis Business License Requirements for Commercial Cannabis Business License Number 000142," and authorize the Chairperson to sign, with the caveat that the extension is contingent on the payment of the annual license fee and the licensee will not be back next year to request another extension. Motion carried unanimously.

*Ag Commissioner-  
Cannabis – Public  
Hearing on  
Revocation of  
License # 000142*

Chairperson opened a public hearing at 1:17 p.m. on the revocation for non-payment of commercial cannabis business license number 000142 issued to Old Spanish Cannabis and Commerce Park, LLC, as requested in an appeal by the licensee. Staff explained that the Board could continue the hearing for two weeks, during which time the licensee could pay the license fee. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to continue the hearing to January 19 at 10:30 a.m. Motion carried unanimously.

*Public Works –  
Consolidated Office  
Building Furniture  
P.O.*

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to: A) amend the Fiscal Year 2020-2021 Consolidated Office Building Budget 011809 by increasing appropriation in Office and Other Equipment object code (5232) by \$800,000 (*4/5ths vote required*); and B) approve a purchase order in an amount not to exceed \$800,000, payable to Source Creative Office Interiors of Orange County, CA for office furnishings for the new office building at 1360 N. Main Street, Bishop, CA. Motion carried unanimously.

*Public Works –  
Bishop Airport  
Taxiway Change  
Orders Reso # 2021-  
06/N.O.C. Reso #  
2021-07*

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to: A) approve the proposed Resolution No. 2021-06, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Ratifying Change Orders to the Contract with Qualcon Contractors Inc. for the Taxiway Rehabilitation Project at the Bishop Airport," and authorize the Chairperson to sign; and B) Approve the proposed Resolution No. 2021-07, titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California Authorizing the Recording of a Notice of Completion for the Bishop Airport - Taxiway Rehabilitation Project," and authorize the Chairperson to sign. Motion carried unanimously.

*HHS – Medi-Cal  
Managed Care  
Workshop*

Assistant HHS Director Meaghan McCamman conducted a workshop with the Board on the Statewide Medi-Cal Managed Care Procurement and Potential Impacts to Inyo County.

*HHS-Behavioral  
Health – North  
American Mental  
Health Services  
Contract*

Moved by Supervisor Pucci and seconded by Supervisor Roeser to ratify and approve the contract between the County of Inyo and North American Mental Health Services of Redding, CA for the provision of telepsychiatry services in an amount not to exceed \$163,000 for the period of January 1, 2021 through June 30, 2021, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

*HHS – FY 20-21  
CMS Plan and  
Budgets*

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to ratify and approve the Fiscal Year 2020-2021 Children's Medical Services (CMS) Plan and Budgets and authorize the Chairperson to sign the Certification Statements. Motion carried unanimously.

*Clerk-Recorder – AB  
571 Presentation*

The Board received a presentation from Clerk-Recorder Kammi Foote on AB 571, which sets default campaign contributions for county candidates when a county has not already enacted laws addressing contribution limits.

*CAO-Personnel –  
Jerry Oser EH  
Director Contract/  
Reso # 2021-08*

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve the contract between the County of Inyo and Jerry Oser for the provision of personal services as the Environmental Health Director at a monthly salary of \$8,918.00 effective January 7, 2021 and authorize the Chairperson to sign; Motion carried unanimously.

Moved by Supervisor Kingsley and seconded by Supervisor Roeser to approve Resolution No. 2021-08, titled, " A Resolution of the Board of Supervisors, County of Inyo, State of California, Amending Resolution 2006-06, Changing Salary and/or Terms and Conditions of Employment for Appointed Officials Employed in the Several Offices or Institutions of the County of Inyo," and authorize the Chairperson to sign. Motion carried unanimously.

*Public Works –  
Ordinance 1263  
(Change Orders)*

Moved by Supervisor Totheroh and seconded by Supervisor Roeser to approve an ordinance titled, "An Ordinance of the Board of Supervisors, County of Inyo, State of California, Amending and Repealing Certain Sections of Title 11 of the Inyo County Code Related to Change Orders in Public Works Contracts." Motion carried unanimously.

*Public Comment*

The Chairperson solicited public comment for the final public comment period. No additional comments had been emailed and nobody requested to speak to the Board via the "hand-waving" feature on Zoom.

*Board Member and  
Staff Reports*

Supervisor Totheroh said he hoped everyone had a safe holiday and stayed home.

Supervisor Kingsley said he got a lot of work done over the holidays, specifically engaging with constituents on the Stay-at-Home Order and other related COVID-19 concerns.

Supervisor Roeser reported being appreciative to the Assistant Clerk of the Board, Assistant CAO Leslie Chapman, and CAO Clint Quilter for the recent assistance in anticipation of her taking office. She mentioned the recent death of "Mr. Bishop" Chuck Kilpatrick from COVID-19 and also mentioned the recent passing of Kerry Powell, a founder of the Lone Pine Film Festival, and asked that the meeting also be closed in her honor.

Supervisor Pucci said he has been keeping up with State and Federal issues and engaging with constituents, and thanked those who call and/or text him with questions and concerns.

County Counsel Rudolph welcomed Supervisor Roeser to the Board and said his office is looking forward to working with the entire Board this year with her a part of it.

Chairperson Griffiths said he has the 2021 committee appointments ready and asked his fellow Board members to review along with the status of some of the more obscure committees on the Board's annual list. He also said he has been having conversations with the State regarding COVID and would be meeting with the State HHS Director about the subject tomorrow.

*Adjournment*

Chairperson Griffiths adjourned the meeting at 2:30 p.m. in memory of Kerry Powell of Lone Pine and Chuck Kilpatrick of Bishop, to 8:30 a.m. Tuesday, January 12, 2021 in the County Administrative Center in Independence.

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Chairperson, Inyo County Board of Supervisors

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

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