

MINUTES



County of Inyo Board of Supervisors

October 7, 2021

The Board of Supervisors of the County of Inyo, State of California, met in special session at the hour of 1:31 p.m., on October 7, 2021, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present via webinar per California Governor Executive Orders N-25-20 and N-08-21: Chairperson Jeff Griffiths, presiding, Dan Totheroh, Rick Pucci, Jennifer Roeser, and Matt Kingsley. Also present: County Administrator Leslie Chapman, Assistant Clerk of the Board Darcy Ellis, and County Counsel Marshall Rudolph.

Pledge

Chairperson Griffiths led the Pledge of Allegiance.

Proclamation – Indigenous Peoples’ Day 2021

Chairperson Griffiths presented a proclamation declaring October 11 Indigenous Peoples’ Day in Inyo County, revised since it was rejected on Tuesday. Assistant Clerk of the Board Ellis stated at the outset that it was her responsibility to notify the local Tribes that the proclamation would be on the October 5 agenda, and she failed to do so. She said responsibility for the oversight fell on her, and not the Board. Supervisor Pucci said he has since heard from Tribal members, and suggested that any time the Board proposes an action that affects Tribes, that staff works with them in advance. Supervisor Totheroh said Assistant Clerk of the Board Ellis was given an impossible task in revising the proclamation from Tuesday, and she did a remarkable job threading a needle he was not sure had an eye in it. Supervisor Roeser said it wasn’t fair to put Assistant Clerk of the Board Ellis in the middle of a difficult situation. Supervisor Kingsley said a process/policy needs to be put in place for bringing proclamations to the Board. Supervisor Roeser said she was perplexed by the proclamation being presented today, as she was under the impression she and Chairperson Griffiths would be drafting a revision together. She said she did draft her own and emailed it to the Chair but has yet to receive a response. Supervisor Roeser said she has constituents who still don’t care for the language in the Indigenous Peoples’ Day proclamation, and revisited her position that the County should be celebrating California Native American Day because it is a State-sanctioned holiday.

Chairperson Griffiths responded that when Supervisor Roeser sent her draft – which was exclusively about California Native American Day – it was an hour before the agenda publication deadline and he was in meetings all morning. CAO Chapman added that the timing was difficult, but she believes the Board feedback from the last meeting was incorporated into the new draft as best as possible. Chairperson Griffiths took exception to the notion that the County can only recognize holidays sanctioned by the State or Federal government, noting that the Board routinely adopts proclamations recognizing non-holidays such as Domestic Violence Awareness Month. He also said he disagreed with the claim that there is anything divisive in either draft of the proclamation, nor anything denigrating any other people or race. Supervisor Roeser said she objected to the statement in the proclamation related to the “war of extermination” directed by California’s first governor in 1851. She said the proclamation points out Europeans and also seems to indicate the mistreatment of Native Americans is still going on. She also said that if the proclamation is meant to be anything other than virtue signaling it should mention important issues like missing and murdered Indigenous women, housing shortages on reservations, etc.

The Chairperson opened the floor to public comment. Speakers, most of whom identified as members of local Tribes, included Paul Huetter, Jacklyn Bryan, Maya Jamal Kasberg, Mike Godbe, an individual who identified herself as “Clair,” Noe Barrell, Kathy Bancroft, Esther Hampton, Danelle Gutierrez, the entire Bishop Tribal Council, Teri Red Owl, Samantha Stone, Jesse Archer, and Anthony Ottau. They made similar comments, including about being hurt and offended that the small gesture put forward by the first proclamation on Tuesday was

rejected and has to come to a second vote, while every other county proclamation is approved as routine; that the proclamation cited historical fact and refusing to recognize it is further injury and insult, and impedes the healing of local Native Americans who continue to suffer from generational and cultural trauma; withholding and/or ignoring history – however ugly it is – is what’s proving to be divisive; the notion that anything about the first proclamation is divisive is absurd; it’s perplexing that Supervisor Roeser finds the acknowledgement of history and what Native Americans have been through offensive; calling the proclamation “virtue signaling” is offensive and inappropriate; and the Board should approve the proclamation with the original language presented Tuesday.

The Assistant Clerk of the Board read excerpts from a small sampling of the more than 100 comment letters received – all of which were in support of the original proclamation and expressed disappointment and anger over what they characterized as unnecessary and surprising pushback against an effort to recognize Indigenous Peoples’ Day and the true Native American experience.

Supervisor Roeser said she was not offended by the language in the proclamation, but she and some her constituents found and still find the language divisive. She said she supported approving the proclamation as a symbolic gesture. Supervisors Kingsley and Pucci supported approving the proclamation as originally presented. Supervisor Totheroh also supported approval of the original proclamation, but only with the word “Southern” removed from the phrase “Southern Paiute,” as recommended by Bishop Tribal Chairperson Tillford Denver. The entire Board agreed it is good policy and worth the effort to work with the Tribes in advance of such proposed agenda items in the future. Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve the proclamation declaring October 11 as Indigenous Peoples’ Day, as originally written except for the small correction noted. Motion carried unanimously. Chairperson Griffiths commended everyone for dealing with a difficult situation with respect.

- Closed Session* Chairperson Griffiths recessed open session at 3:41 p.m. to convene in closed session with all Board members present to discuss the following item(s): No. 2 **PUBLIC EMPLOYMENT – Pursuant to Government Code §54957** – Title: County Counsel.
- Open Session* Chairperson Griffiths recessed closed session and reconvened the meeting in open session at 4:36 p.m. with all Board members present.
- Report on Closed Session* County Counsel Rudolph reported that no action was taken in closed session that is required to be reported.
- Adjournment* Chairperson Griffiths adjourned the meeting at 4:36 p.m. to 8:30 a.m. Tuesday, October 12, 2021 in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

Attest: *LESLIE CHAPMAN*
Clerk of the Board

by: _____
Darcy Ellis, Assistant

