

MINUTES



County of Inyo Board of Supervisors

December 21, 2021

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 9:31 a.m., on December 21, 2021, 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, and Jennifer Roeser. Also present: County Administrator Leslie Chapman, Assistant Clerk of the Board Darcy Ellis, and County Counsel John-Carl Vallejo. Absent: Matt Kingsley.

- 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 9:31 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-TSC, BCV-18-101261-TSC, and BCV-18-101262-TSC).
- 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 Pucci 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* The Chairperson asked for public comment on items not calendared on the agenda.
- Wes French said a prayer.
- Carni Arnal spoke about citizen’s civil rights and requested an audit of the Dominion voting machines used in the recent election.
- Supervisor Roeser expressed appreciation to Steve Nelson, who she said is retiring as Bishop BLM Field Office Manager.
- County Department Reports* HHS Director Marilyn Mann shared that this year’s Santa’s Toy Shop was a success with 268 gifts given to youth. She added that a South County corporation made an anonymous donation of 50 prepared meals from Seasons in Lone Pine for homebound seniors.
- GIS Analyst Mike Hay reported that an updated district look-up tool is available on the website. CAO Chapman said staff will be doing additional outreach to educate the public on the changed supervisorial districts.
- Public Works Director Mike Errante noted that Bishop Airport welcomed its first commercial flights on Sunday. He thanked the Board, Administration, and local residents for their support and commended staff for going above and beyond to make commercial air service happen.
- Chief Probation Officer Jeff Thomson updated the Board on charitable activities Probation staff has been involved in over the holiday season, including presenting more than 50

blankets to seniors in Bishop and Lone Pine.

Introductions

The following new Public Works employees were introduced to the Board: Aaron Ray Dondero, Equipment Operator Heavy; Brayan Gutierrez, Custodian; and Colton Kinzy, Equipment Operator Heavy.

COVID-19 Staff Update

HHS Director Marilyn Mann and HHS Deputy Director-Public Health & Prevention Anna Scott 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. Public comment was received from Lynette McIntosh, Robin Moxley, Wes French, Cari Arnal, Jennifer Beaudean, Kristin Ostly, Lynne Greer, and Rhonda Erickson, who expressed opposition to masking and vaccine mandates and the vaccine itself. The Assistant Clerk of the Board read aloud a letter from Christina Arnal, also opposing the mandates.

Assessor – Appraiser I

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) Appraiser I exists in the General Fund, as certified by the Assessor and concurred with by the County Administrative 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) Appraiser I, Range 68 (\$4,714 - \$5,728). Motion carried unanimously 4-0, with Supervisor Kingsley absent.

Treasurer-Tax Collector – Office Tech II or III

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) Office Technician exists in the General Fund, as certified by the Treasurer-Tax Collector 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 Technician II or III at Range 059-063 (\$3,816 - \$5,091). Motion carried unanimously 4-0, with Supervisor Kingsley absent.

CAO-Economic Development – AccompanyCo Contract Amendment 1

Moved by Supervisor Roeser and seconded by Supervisor Pucci to approve Amendment No. 1 to the contract between the County of Inyo and AccompanyCo of Palisade, CO, extending the term end date from December 31, 2021 to June 30, 2022, increasing the amount of the contract by \$15,000 for a total amount not to exceed of \$61,238, and expanding the Scope of Work to allow AccompanyCo to provide expertise and assistance in executing the Eastern Sierra Small Business Resource Center Launch Plan; and B) authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

Personnel – ESE Staffing Agreement

Moved by Supervisor Roeser and seconded by Supervisor Pucci to ratify and approve the Staffing Vendor Agreement between the County of Inyo and Sierra Employment Services, Inc. of Mammoth Lakes, CA and Inyo County for the provision of temporary employment services for the period of December 14, 2021 through June 30, 2022, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

HHS-Behavioral Health – Teleconnect Therapies Contract

Moved by Supervisor Roeser and seconded by Supervisor Pucci to approve the agreement between the County of Inyo and Teleconnect Therapies of Avalon, CA for the provision of psychotherapy via telemedicine in an amount not to exceed \$59,040 for the period of January 1, 2022 through June 30, 2022 and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

HHS-Health/Prevention – Mentor Program MOU

Moved by Supervisor Roeser and seconded by Supervisor Pucci to ratify and approve the Memorandum of Understanding between the Inyo County Health & Human Services Mentor Program and Bishop Unified School District and authorize the HHS Director to sign. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

Planning – Yucca Mountain Certification

Moved by Supervisor Roeser and seconded by Supervisor Pucci to: A) certify that \$72,877.70 in funds provided to Inyo County as an Affected Unit of Local Government (AULG) under the Nuclear Waste Policy Act, as amended, have been expended in accordance with the provisions of that Act, Public Law 97-425 and the 2010 Energy and Water Development and Related Agencies Appropriations Act (Public Law 111-85); and B) authorize the Chairperson to sign the certification and direct staff to submit it to the U.S. Department of Energy. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

Public Works – Fountainhead Contract Amendment 2

Moved by Supervisor Roeser and seconded by Supervisor Pucci to approve Amendment No. 2 to the agreement between the County of Inyo and Fountainhead Consulting Corporation of Anaheim, CA, extending the end date of the contract from December 31, 2021 to December 31, 2022 and authorize the Chairperson to sign the amendment, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

Public Works – USFS Easements/Reso # 2021-57

The agenda item was moved from the Consent Calendar to the Departmental portion of the agenda for further discussion, as a result of concerns expressed by Lynn Boulton that the proposed action is the first step in the routes being added to the mixed use system. Staff stated unequivocally that the proposed action is not related to the Adventures Trail program. Moved by Supervisor Roeser and seconded by Supervisor Pucci to approve Resolution No. 2021-57, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Accepting Easements from the U.S. Forest Service Regarding County Road and Death Valley Road," and authorize the Chairperson to sign. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

PW-Recycling & Waste Management – Areas A&B Floor Rate CPI Adjustments

Moved by Supervisor Tothoroh and seconded by Supervisor Roeser to: A) approve Consumer Price Index (CPI) adjustment of 5.3%, to the portion of the Service Fee Floor rates not associated with the tipping fees, effective January 1, 2022, in accordance with Franchise Agreements between the County of Inyo and contract waste haulers; and B) adopt the new schedule of Minimum Charges for Waste Hauling Services for Areas A & B in Inyo County as presented in Exhibit A. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

Public Works – Ordinance 1277 (Airport Parking Fees)

Moved by Supervisor Tothoroh and seconded by Supervisor Roeser to approve proposed Ordinance 1277 titled, "An Ordinance of the Board of Supervisors, County of Inyo, State of California, Repealing Certain Portions of Ordinance No. 1167 (2011) and Setting Rates for Vehicle Parking at the Bishop Airport." Motion carried unanimously 4-0, with Supervisor Kingsley absent.

Public Works – Meyer Land Surveying Contract & Budget Amendment

Moved by Supervisor Tothoroh and seconded by Supervisor Roeser to:

- A) Amend the Fiscal Year 2021-2022 Public Works Budget 011500 as follows: increase appropriation in Professional Services, Object Code 5265, by \$120,000 (4/5ths vote required);
- B) Amend the Fiscal Year 2021-2022 General Fund Contingencies Budget #087100 as follows: decrease appropriation in Contingencies, Object Code 5901, by \$120,000 (4/5ths vote required);
- C) Approve the Contract between the County of Inyo and Meyer Land Surveying of Oak Hills, CA, for on-call County Surveyor Services in an amount not to exceed \$120,000 for the period of January 1, 2022 through December 31, 2024; and
- D) Authorize the chairperson to sign the contract, contingent upon obtaining appropriate signatures.

Motion carried unanimously 4-0, with Supervisor Kingsley absent.

Public Works – FHA MOU & Budget Amendment

Moved by Supervisor Roeser and seconded by Supervisor Tothoroh to:

- A) Amend the Fiscal Year 2021-2022 State Funded Road Budget 034601 as follows:
 - 1. increase estimated revenue in Operating Transfers In Object Code 4998 by \$20,000 and
 - 2. increase appropriation in State Line Road Object Code (code # to be determined) by \$20,000 (4/5ths vote required);
- B) Amend the Fiscal Year 2021-2022 Road Budget 034600 as follows: (1) increase appropriation in Operating Transfers Out Object Code 5801 by \$20,000 (4/5ths vote required);
- C) Approve the Memorandum of Agreement and Funds Transfer Agreement between the County of Inyo and the Federal Highway Administration for the project delivery,

construction contracting, and contract administration of a California Federal Lands Access Program Grant in an amount not to exceed \$9,660,000 pending final project evaluation, with construction estimated to occur in FY 2027-2028, contingent upon the Board's approval of future budgets; and

D) Authorize the Chairperson to sign.

Motion carried unanimously 4-0, with Supervisor Kingsley absent.

Public Comment

The Chairperson asked for public comment on items not calendared on the agenda.

Josh Nicholson wished the Board a merry Christmas and thanked the supervisors for their hard work, and said hopefully 2022 won't bring so much stress.

Board Member and Staff Reports

Supervisor Roeser said she attended a meeting on the Business Resource Center and saw a draft of the business plan.

CAO Chapman said staff is very close to issuing the Business Resource Center business operating plan and marketing analysis to the Board. She added that she has a meeting with RCRC this afternoon regarding broadband Comprehensive Economic Development Strategies.

County Counsel Vallejo, Supervisor Totheroh, and Assistant Clerk of the Board Ellis wished the Board a merry Christmas and happy New Year.

Supervisor Pucci said the ceremony at the Bishop Airport Sunday to mark the first incoming commercial flights was amazing.

Chairperson Griffiths said he attended Inyo Associates last week at the fairgrounds.

Adjournment

Chairperson Griffiths adjourned the meeting at 12:05 p.m., to 8:30 a.m. Tuesday, December 21, 2021 in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

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

by: _____
Darcy Ellis, Assistant