

# MINUTES



# County of Inyo Board of Supervisors

May 17, 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 May 17, 2022 in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present per California Assembly Bill 361: Chairperson Dan Totheroh, presiding, Jeff Griffiths, Matt Kingsley (remote) and Jennifer Roeser. Also present: County Administrator Leslie Chapman, Assistant Clerk of the Board Darcy Ellis, and County Counsel John-Carl Vallejo. Absent: Rick Pucci

- Public Comment* The Chairperson asked for public comment related to Closed Session items and no one requested to speak.
- Closed Session* Chairperson Totheroh recessed open session at 8:31 a.m. to convene in closed session with all Board members in attendance except Supervisor Pucci, who was absent, 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: *Inyo County v. Wilder Barton Inc.* (Case No. SICVCV 19-64071); 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 – County Administrator Leslie Chapman, Assistant County Administrator Sue Dishion, Deputy Personnel Director Keri Oney, County Counsel John-Carl Vallejo, Health and Human Services Director Marilyn Mann, and Chief Probation Officer Jeff Thomson; and No. 4 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9** – *County of Inyo v. Los Angeles Department of Water and Power*, Inyo County Superior Court Case No. SICVCV 18-62064 (Eminent Domain-Independence); Case No. SICVCV 18-62065 (Eminent Domain-Lone Pine); and Case No. 18-62067 (Eminent Domain-Bishop).
- Open Session* Chairperson Totheroh recessed closed session and reconvened the meeting in open session at 10:10 a.m. with all Board members present except Supervisor Pucci.
- Pledge of Allegiance* Supervisor Roeser 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* Chairperson Totheroh asked for public comment on items not calendared on the agenda.  
Public comment was made by Troy Patton, Linda Huntley, Wes French, and Xiang Mei Zhang.
- County Department Reports* Veteran Service Officer Gordon Greene gave a report on the townhall meetings last week with representatives from the VA’s Veterans Integrated Service Networks.
- Proclamation – EMS Providers of the Year* HHS Director Marilyn Mann read aloud a proclamation honoring Inyo County’s EMS system as the EMS Provider of the Year. Public comment was made by Eddie Davis and Fran Hunt. Moved by Supervisor Roeser and seconded by Supervisor Griffiths to approve a

proclamation declaring the week of May 15 through May 21, 2022 as EMS Week and recognizing Emergency Medical System (EMS) providers as 2022 EMS Providers of the Year. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*Proclamation –  
Memorial Day 2022*

Veteran Service Officer Gordon Greene read aloud a proclamation recognizing Memorial Day 2022. Public comment was made by Fran Hunt and Josh Nicholson. Moved by Supervisor Roeser and seconded by Supervisor Griffiths to approve a proclamation recognizing Memorial Day 2022. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*Proclamation – Pride  
Month 2022*

HHS Director Marilyn Mann introduced a proposed proclamation to declare June 2022 as Pride Month in Inyo County, which was the result of the non-profit Eastern Sierra Pride group working with HHS' JEDI (Justice, Equity, Diversity, and Inclusion) team. JEDI Team member Catie Grisham read the proclamation aloud. Eastern Sierra Pride President Deena Davenport-Conway said she was joyful and grateful to have reached the point in history where such a proclamation was being considered by the Board of Supervisors.

The Chairperson opened the floor to public comment, first reading aloud the "Commitment to Civility" recently approved by the Board as part of its Rules of Procedure.

Comments were made in person, in opposition to the proclamation, by: Mark Walker, Mary Matlick, Wes French, Leslie Sasuga, Tarena Ganung, Lynette McIntosh, Eddie Davis and the Bishop Ministerial Association, Warren Allsup, Michelle Mulligan, Richard Lawson, and Michael Gehringer.

Comments were made in person, in support of the proclamation, by: Taimur Ahmad, Fran Hunt, Erika Vanderveer, Steve Mobley, Wils Cain, Emma Ginchereau, Gunner Conway-Davenport, Bridget Kilgallon, Keyara Weaver, Virginia Thorson and Zackery Smith, Jeanette Donovan, Bob Harrington, Noa Lish, Darla Heil, Oneida Walders, and Cherish Hegi.

Comments were made via Zoom in opposition to the proclamation by: Cari Arnal, Lynne Greer, and Kelli Brown.

Comments were made via Zoom in support of the proclamation by: Carma Roper, an individual identifying as "Jaime," Philip Anaya, Jolie Varela, and Mary Roper.

Written comments were then read aloud by the Assistant Clerk of the Board.

Letters in opposition to the proclamation were submitted by: Grant Schumacher, Diane Jackson, Emily Lanphear, Teri Roberts-Allsup, Brenda Morris, Howard Lehwald, Robert and Sandra Winzenread, Rhonda Erickson, Vicki Michener, Joann Lijek, Debra Miller, Larry McIntosh, and Virginia Babb.

Letters in support of the proclamation were submitted by: Natalie Heiden, Jordan Rose, Kate Schober, Stan and Karen Conger, Melanie Armstrong, Nik Barbieri, Rebecca Roebig, Debborah Morales, M. Gable, Brian and Ida Adkins, Sock Hart, Rick McNeill, Erica Rotondo, D.O., Janette Bachman, Katie Kolker, Erin Gilpin, Katharine Rose Sabo, Wils Cain, Jeanette Donovan, Robert Amundson, Kalina Gardiner, Drew and Judy Wickman, Betsy and Harold McDonald, Kimberly Ohara, Selene Foster, Todd Vogel, Roger Derryberry and Mary Lou Long, Jaime Nicholson, Dana Ellis, Rita Klabacha, Margaret Marshall, Ann Strohm, Roberta Cummings, Gail Swain, Tricia, Matt and Henry Wyatt Schober, Kim Linse, Kyle Holland, Jennifer Vegvari, Jessica Johnson, Christopher Platt, Corie Cann, Christine and Richard Hanley, Wayne Linse, and Delia Boyer.

The Chairperson called for a brief break.

*Recess/Reconvene*

The Chairperson recessed the meeting at 1:37 p.m. and reconvened the meeting at 2:03 p.m. with all Board members present except Supervisor Pucci, who was absent.

*Proclamation – Pride Month 2022 (Continued)*

Following a brief recess, the Board began deliberations.

Supervisor Griffiths said he doesn't see the proclamation as raising one group above others. He said recognizing the humanity of one group of people doesn't take away the humanity of another group. He said whether the observance is for a day or a month doesn't matter to him – celebrating the County's mixed tapestry is. He added he believes it's possible to treat each other with dignity while still honoring your faith tradition. Supervisor Griffiths addressed the comments demanding he recuse himself from discussions because he is a member of Eastern Sierra Pride, asking rhetorically whether mowing the lawn at the VFW Hall means he can't support veterans. He cited the widespread support for the proclamation, and the fact that people in the LGBTQ+ community come from every walk of life and serve Inyo County in many ways. He said he wanted to support them.

Supervisor Kingsley said he was impressed with the public comment. He said everyone's views are shaped by their life experiences so it's impossible to tell another person that their view is wrong. He added that the country and himself are evolving on many issues, made possible by local grassroots efforts everywhere to address inequity. He said he was glad to have a group taking leadership to address the issue locally but looked forward to the day where such proclamations are not necessary. Supervisor Kingsley said the proclamation is recognizing people who are different, and he doesn't see that as controversial.

Chairperson Totheroh said he was struck by how well some members of the public could express their viewpoints but not understand others' viewpoints. Referring to the "Choose Freedom over Fear" signs around the County, he said he is choosing to support freedom for everyone over fear of the unknown.

Supervisor Roeser said she believes the country has come a long way from the activism of past decades, and breaking people down into identities tears communities apart rather than bring them together. She said was not a political agent, but a representative of her constituents. She demurred from commenting more, noting that it was clear the proclamation was going to pass.

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to approve a proclamation declaring June 2022 Pride Month in Inyo County. Motion carried 3-0-1, with Supervisor Pucci absent and Supervisor Roeser abstaining.

*CAO – AccompanyCo Amendment 2*

Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to: A) approve Amendment No. 2 to the contract between the County of Inyo and AccompanyCo of Palisade, CO, extending the term end date from June 30, 2022 to December 31, 2022 and increasing the amount of the contract by \$25,000 for a total amount not to exceed \$86,238, contingent upon Board approval of the Fiscal Year 2022-2023 Budget; and B) authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*Information Services – Annual Superion LLC Payment*

Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to authorize the annual payment for the agreement between Superion LLC and the County of Inyo for Cash Receipting Maintenance and OS Support Maintenance, MKSSQL Support for the ONESolution Enterprise Finance, Database Management, Micro Focus Server Maintenance and Accounting System, in an amount not exceed \$54,000.00 for the period of July 1, 2022 through June 30, 2023, contingent upon the Board's adoption of the Fiscal Year 2022-2023 Budget. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*Item Pulled*

The following item was pulled from the agenda at the request of the department:

14. **County Administrator - Personnel** - Request Board approve the Professional Services Agreement between the County of Inyo and Ralph Andersen & Associates for Executive Search Service for the County Administrative Officer, in an amount not to exceed \$32,500 and authorize the Assistant County Administrator to sign.

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| <i>County Counsel –<br/>AB 361 Findings</i>                                    | Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to: A) 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 4-0, with Supervisor Pucci absent.  |
| <i>HHS – Southern<br/>Computer Warehouse<br/>Blanket P.O.</i>                  | Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve purchases from Southern Computer Warehouse during Fiscal Year 2021-2022 in the amount of \$12,057.10, including a blanket purchase order in the amount of \$11,500 for the remainder of the fiscal year. Motion carried unanimously 4-0, with Supervisor Pucci absent.   |
| <i>HHS –<br/>Lamar Companies<br/>Sole-Source Contract</i>                      | Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to: A) declare The Lamar Companies (a.k.a. Lamar) of Lancaster, CA a sole-source provider of billboard advertising; B) approve the contract between the County of Inyo and Lamar of Lancaster, CA for the provision of one vinyl panel billboard for the Tobacco/Nicotine Prevention and Cessation Program in an amount not to exceed \$24,298.00 for the period of June 9, 2022 through June 30, 2023, contingent upon budget approval; and C) authorize the HHS Director to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Pucci absent.                          |
| <i>HHS-Behavioral Health<br/>– Crestwood Contract</i>                          | Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve the contract between the County of Inyo and Crestwood Behavioral Health, Inc. of Sacramento, California for the provision of residential placement for adults in a locked facility or an enhanced board and care in an amount not to exceed \$25,000 for the period of July 1, 2022 through June 30, 2023, contingent upon the Board's approval of the Fiscal Year 2022-2023 Budget, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Pucci absent.   |
| <i>HHS-Social Services –<br/>WIOA JPA</i>                                      | Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve the Joint Powers Agreement (JPA) between the counties of Kern, Inyo, and Mono (KIM) to specify their responsibilities under the Workforce Investment Opportunity Act to be operated in the Workforce Development Area; and B) authorize the HHS Director to sign the JPA. Motion carried unanimously 4-0, with Supervisor Pucci absent.  |
| <i>Public Works –<br/>Hunt Propane Contract</i>                                | Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to: A) declare Hunt Propane of Bishop, CA the successful bidder for the provision of liquefied propane gas; and B) approve the contract between the County of Inyo and Hunt Propane of Bishop, CA for the provision of Liquefied Propane Gas for designated County facilities in an amount not to exceed \$750,000 for propane, maintenance and service for the period of July 1, 2022 through June 30, 2025, 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 4-0, with Supervisor Pucci absent. |
| <i>Public Works –<br/>Brady Industries P.O.</i>                                | Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to authorize issuance of a blanket purchase order in an amount not to exceed \$20,000, payable to Brady Industries of California of San Diego, CA for janitorial supplies throughout the County. Motion carried unanimously 4-0, with Supervisor Pucci absent.  |
| <i>Public Works – Diaz<br/>Lake Water System<br/>Project Plans &amp; Specs</i> | Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve the plans and specifications for the Diaz Lake Water System Project and authorize the Public Works Director to advertise the project. Motion carried unanimously 4-0, with Supervisor Pucci absent.  |
| <i>Public Works –<br/>Lone Pine HHS<br/>HVAC Contract</i>                      | Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to: A) award the contract for the Lone Pine HHS HVAC Project to Mojave Desert Heating and Cooling of Bishop, CA as the successful bidder; B) approve the construction contract between the County of Inyo and Mojave Desert Heating and Cooling of Bishop, CA in the amount of \$24,000, 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 4-0, with Supervisor Pucci absent.

*PW-Recycling & Waste Management – Bishop Waste Chem Toilet Amendment 1*

Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to:

- A) approve Amendment No 1 to the contract between the County of Inyo and Bishop Waste Disposal to:
  - 1. add additional chemical toilet services to the Bishop Sunland Landfill;
  - 2. increase the not-to-exceed amount from \$47,720 to \$54,905 contingent upon the Board's approval of future budgets; and
- B) authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained.

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

*Treasurer-Tax Collector – TOT Presentation*

The Board heard a presentation regarding the Inyo County Transient Occupancy Tax (TOT), Inyo County Code Section 3.20 et seq. Treasurer-Tax Collector Alisha McMurtrie presented proposed amendments and changes, noting that she will be embarking on intensive public outreach between now and late August in the event of a ballot measure being approved to raise the TOT.

Public comment was made by Jaque Hickman, Laura Hundley, Pravin Joshi, Doug Thompson, Kal Bhakta, Spencer McNeal, Travis Powell, Mike Reynolds, Courtney McNeal, and Kelli Brown.

The Board expressed support of McMurtrie's options, and also asked for more information on TBIDs and short-term rentals.

*County Department Reports*

Chief Probation Officer Jeff Thomson provided an update on the Governor's May Budget Revise and its implications for the probation field.

*CAO – Third Quarter Budget Review*

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to:

- A) Accept the Fiscal Year 2021-2022 Third Quarter Financial Report as presented;
- B) Approve the specific budget action items and recommendations discussed in the report and represented in Attachments A & B and authorize the Auditor-Controller to make the budget amendments as listed in Attachments A & B (*4/5ths vote required*);
- C) Authorize the County Administrator and Auditor-Controller to make any additional year-end adjustments, as may be necessary within each fund (*4/5ths vote required*);
- D) Approve the Preliminary Fiscal Year 2022-2023 Budget Calendar (Attachment C) with regard to the proposed dates for the Budget Hearings and adoption of the Final Budget; and
- E) Direct the County Administrator and Auditor-Controller to prepare a modified rollover budget for the start of the Fiscal Year 2022-2023 and present it for approval on June 7th, or June 14, 2022.

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

*HHS-Social Services – Deputy Director Aging & Social Services Contract*

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to approve the contract between the County of Inyo and Darcia Blackdeer-Lent for the provision of professional services as the Health and Human Services Deputy Director Aging and Social Services at Range 88, Step D, \$8,807 per month, effective May 26, 2022. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*Clerk of the Board – Approval of Minutes*

Moved by Supervisor Roeser and seconded by Supervisor Griffiths to approve the minutes of the regular Board of Supervisors meeting of May 10, 2022. Motion carried unanimously 4-0, with Supervisor Pucci absent.

*Public Comment*

Chairperson Totheroh asked for public comment on items not calendared on the agenda and no comments were heard.

*Board Member and Staff Reports*

Supervisor Griffiths said he attended an Inyo Associates meeting at the Bishop VFW last night.

County Counsel Vallejo provided an update on the Indian Wells Valley Groundwater Authority.

CAO Chapman polled the Board about agendizing a report on the status of short-term rentals in June and received consensus to agendize it.

*Adjournment*

Chairperson Totheroh adjourned the meeting at 5 p.m., to 8:30 a.m. Tuesday, June 7, 2022, 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*