

MINUTES



County of Inyo Board of Supervisors

January 11, 2022

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:30 a.m., on January 11, 2022 in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present via webinar per California Assembly Bill 361: Chairperson Dan Totheroh, presiding, Jeff Griffiths, Rick Pucci, Matt Kingsley, and Jennifer Roeser. Also present: County Administrator Leslie Chapman, Assistant Clerk of the Board Darcy Ellis, and County Counsel John-Carl Vallejo.

Public Comment

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

Supervisor Pucci announced he will not be seeking re-election in 2022 in favor of retirement.

Wes French said a prayer for the Board.

Closed Session

Chairperson Totheroh recessed open session at 8:35 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-TCS, BCV-18-101261-TSC, and BCV-18-0262-TSC); No. 3 **PUBLIC EMPLOYEE EVALUATION – Pursuant to Government Code §54957** – Title: County Administrative Officer; and No. 4 **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, County Counsel John-Carl Vallejo, Health and Human Services Director Marilyn Mann, and Chief Probation Officer Jeff Thomson.

Open Session

Chairperson Totheroh recessed closed session and reconvened the meeting in open session at 10 a.m. with all Board members present.

Pledge of Allegiance

Supervisor Kingsley 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.

Supervisor Roeser addressed the matter of her being scheduled to appear at a Free Eastside-sponsored town hall meeting on Sunday at Calvary Baptist Church, where Brad Dacus, president of the Pacific Justice Institute, was to be the featured speaker on the topic of religious exemptions to COVID-19 public health mandates. She said her goal was to open communication on the topic, as some of her constituents feel they are not being acknowledged or heard, and the Board's weekly COVID-19 reports don't provide an effective means of dialogue. She said she planned to give a 5-minute talk on her experience with political engagement, and although she disagrees with the Southern Poverty Law Center's labeling of the PJI as a hate group, she will not be speaking after all to avoid creating more division in the community.

Oral public comment in support of Supervisor Roeser, the PJI, and the town hall were heard from Wes French, Lynette McIntosh, "Tiffany," Cari Arnal, John Nicholson, Pastor Rick Klug, and Kelli Brown. They disputed the labeling of CPI as a hate group, called it a tactic to silence opposition to vaccines and masking, and lauded Supervisor Roeser for her willingness to listen to their opinions.

Oral public comment against Supervisor Roeser's planned appearance at the Town Hall – specifically the appearance of aligning herself, and the County by extension, to a known hate group and seemingly endorsing an event that flouts health mandates issued by the County – was heard from Steve White, Harold McDonald, Jeanette Donovan, and Jolie Varela.

Thirty-eight written comments were submitted in opposition to Supervisor Roeser's plans. Four letters, which authors Julie Tiede, Fran Hunt, Erin Shea, and Tamara Cohn, explicitly requested be read aloud, were read aloud by the Assistant Clerk of the Board.

Two written comments were received in support of Supervisor Roeser by Leslie Sasuga, which was read aloud at the request of Ms. Sasuga, and Kristin Ostly, which was not read aloud.

Two additional letters not directly related to the Town Hall by Emilee Mullen and Christina Arndal, with the former supporting the County's COVID-19 safety measures and the latter in opposition to them, were read aloud.

Board members made final comments. Supervisor Kingsley said every member of the Board is independently elected and the supervisors cannot dictate what each other do and do not do. Supervisor Pucci thanked Supervisor Roeser for her statement. Supervisor Griffiths said he stands for love, freedom, and truth, and thinks everyone needs to understand what their biases are and do better. Chairperson Totheroh said Calvary Baptist Church is free to hold whatever event it wants. He said, however, that while Board members don't give up their political freedoms – just as he reserves the right to shake his head when he hears something he doesn't agree with – they need to be careful in supporting anything that is likely to be against the state policy of the County. He said he hoped all Board members would do what they can to support and promote these policies and not undermine them.

County Department Reports

Clerk-Recorder-Registrar of Voters Danielle Sexton provided an update on election deadlines.

HHS Director Marilyn Mann gave a brief update on the COVID-19 situation in Inyo County. She also said HHS staff is currently studying the Governor's budget proposal.

Employee Service Recognition – 4th Q 2021

The Board recognized the following employees who reached service milestones during the Fourth Quarter of 2021:

- Paula Riesen, 20 years, Planning
- Michael Cuthbert, 5 years; Kyle Oney, 5 years, Sheriff's Office
- Cori Ellis, 5 years, County Counsel's Office
- Miquela Beall, 10 years, Administration
- Gina McKinzey, 10 years, HHS
- Justine Kokx, 15 years; Denver Brown, 5 years; Ashley Helms, 5 years; Sally Faircloth, 5 years; Loren Kane, 5 years; Scott Dimock, 5 years, Public Works
- Emily Lanphear, 5 years, Library
- Robert Miller, 20 years, Ag Commissioner's Office
- Chris Jeffery, 5 years, Information Services

HHS – Authorized Strength Change/Registered Dietician Nutritionist

Public comment was received from Lynn Martin who expressed concern over the adequacy of the job description. Moved by Supervisor Roeser and seconded by Supervisor Pucci to:

- A) Approve the amended Registered Dietitian Nutritionist job description; and,
- B) Change the Authorized Strength in the HHS Women, Infants, and Children (WIC), Eastern Sierra Area Agency on Aging (ESAAA), and Health programs by adding one Registered Dietitian Nutritionist at Range 74 (\$5,432 - \$6,604) and deleting one BPAR Registered Dietitian Nutritionist at Range PT74 (\$31.34 - \$38.10/hr.) depending on the recruitment; and
- C) Find that, consistent with the adopted Authorized Position Review Policy:

1. The availability of funding for the requested position exists, as certified by the Health and Human Services Director and concurred with by the County Administrator, and Auditor-Controller; and
 2. Where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment; however, an external recruitment would be more appropriate to ensure qualified applicants apply; and
- D) Approve the hiring of either one full-time Registered Dietitian Nutritionist at Range 74 (\$5,432 - \$6,604) or the hiring of one BPAR Registered Dietitian Nutritionist at Range PT74 (\$31.34 - \$38.10/hr.).

Motion carried unanimously.

Ag Commissioner-OVMAP – 3 Seasonal Field Assistants

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 the requested positions exists, as certified by the Agricultural Commissioner and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the positions and the vacancies could possibly be filled through internal recruitment, open recruitment would be more appropriate; and C) approve the hiring of three (3) seasonal Field Assistants 01, Range 050PT (\$17.85 to \$21.71 per hour), from April 1, 2022 through September 29, 2022, contingent upon the adoption of the Fiscal Year 2022-2023 Budget. Motion carried unanimously.

HHS – Assistant HHS Director

Moved by Supervisor Pucci and seconded by Supervisor Roeser to approve the contract between the County of Inyo and Anna Scott for the provision of professional services as the Health and Human Services Assistant Director at Range 92, Step E, \$10,204 per month, effective January 20, 2022. Motion carried unanimously.

HHS-Behavioral Health – Deputy Director, Behavioral Health

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to approve the contract between the County of Inyo and Kimball Pier for the provision of professional services as the Deputy Director, Behavioral Health at Range 88, Step D, \$8,807 per month, effective January 13, 2022. Motion carried unanimously.

HHS-Public Health – Permanent Registered Nurse

Moved by Supervisor Kingsley and seconded by Supervisor Roeser to change the Authorized Strength in the Health and Human Services Department by reclassifying one (1) Limited Term Registered Nurse at Range 78 (\$5,971 - \$7,255) as a full-time, permanent Registered Nurse at Range 78 (\$5,971 - \$7,255). Motion carried unanimously.

Recess/Reconvene

The Chairperson recessed the meeting at 12:30 p.m. and reconvened the meeting at 1:06 p.m. with all Board members present.

Information Services – Dell Blanket P.O.

Moved by Supervisor Roeser and seconded by Supervisor Kingsley to authorize issuance of a Blanket Purchase Order in an amount not to exceed \$45,000, payable to Dell Marketing LP for the purchase of computer technology and related equipment. Motion carried unanimously.

HHS – CWDA FY 21-22 Dues

Moved by Supervisor Roeser and seconded by Supervisor Kingsley to authorize payment to the County Welfare Director's Association (CWDA) for dues for Fiscal Year 2021-2022 in an amount not to exceed \$21,666.00. Motion carried unanimously.

HHS-Behavioral Health – Interim Alcohol & Drug Program Admin

Moved by Supervisor Roeser and seconded by Supervisor Kingsley to ratify and approve the appointment of Marilyn Mann, HHS Director, as the Interim Inyo County Alcohol and Drug Program Administrator consistent with California Health and Safety Code (HSC) Section 11800. Motion carried unanimously.

HHS – Privacy Officer Appointment

Moved by Supervisor Roeser and seconded by Supervisor Kingsley to ratify and approve the appointment of Stephanie Tanksley, Senior Program Integrity and Quality Improvement Manager, as Privacy Officer for Inyo County for purposes of the federal Health Insurance Portability and Accountability Act (HIPAA), and the authorization for the Privacy Officer to modify and/or develop required processes and procedures necessary to comply with the HIPAA requirements. Motion carried unanimously.

HHS-Public Health – CDPH WIC Contract

Moved by Supervisor Roeser and seconded by Supervisor Kingsley to approve Amendment A03 to the contract between the County of Inyo Department of Health and Human Services

<i>Amendment 3</i>	and California Department of Public Health (CDPH) for the California Women, Infants, and Children (WIC) Contract, adding \$5,000.00 to the base funding, changing the total amount to \$1,155,112.00 to better support the contractor's needs, contingent upon Board's approval of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.
<i>CAO – ARPA Funds Discussion</i>	The Board received an update regarding the American Rescue Plan Act funds allocated to Inyo County and discussed potential uses of the funding. Staff was directed to leave the ARPA money in the current fund where it resides, and to return for Board approval with opportunities multiply the funding.
<i>BOS – 2022 Committee Assignments</i>	<p>Chairperson Totheroh presented his 2022 Board of Supervisors committee assignment recommendations.</p> <p>For the purposes of Form 806 reporting, separate motions were made for the ESTA, GBUAPCD, and LAFCo assignments:</p> <ul style="list-style-type: none"> • Moved by Supervisor Pucci and Supervisor Roeser to appoint Supervisors Griffiths and Totheroh to the Eastern Sierra Transit Authority Board of Directors. Motion carried unanimously. • Moved by Supervisor Griffiths and Supervisor Pucci to appoint Supervisors Kingsley and Roeser as regular members and Supervisor Totheroh as an alternate to the Great Basin Unified Air Pollution Control District Board. Motion carried unanimously. • Moved by Supervisor Roeser and seconded by Supervisor Kingsley to appoint Supervisors Pucci and Griffiths as regular members and Supervisor Totheroh as an alternate to the Local Agency Formation Commission. <p>Moved by Supervisor Kingsley and seconded by Supervisor Roeser to approve the rest of the 2022 committee appointments as recommended by the Chair, except with Supervisor Roeser serving on the Child Support Services Regional Oversight Committee instead of Supervisor Griffiths. Motion carried unanimously.</p>
<i>Water Department – OVGA JPA Participation</i>	Water Director Dr. Aaron Steinwand requested the Board consider the County's continued participation in the Owens Valley Groundwater Authority Joint Powers Agreement. The Board expressed its desire to remain a member.
<i>Public Comment</i>	<p>The Chairperson asked for public comment on items not calendared on the agenda.</p> <p>Josh Nicholson again voiced his support of Supervisor Roeser, saying she is a good listener who has been open to all viewpoints, and was also supportive of veterans during the time the local VSO office had serious issues. He also invited Board members to attend the upcoming Bishop VFW meeting.</p> <p>Lynne Greer shared about a family tragedy in which her daughter ended up in critical condition back East and lost her unborn baby, having to endure it all by herself in the hospital because of COVID-19 protocols. She said from this point forward she will not comply with the health measures, as long as the U.S. has an open border.</p>
<i>Board Member and Staff Reports</i>	<p>The Assistant Clerk of the Board told the Board she would be distributing the list of new Board committee assignments this afternoon, and also posting it online.</p> <p>Supervisor Roeser said she attended a Great Basin Air Pollution Control District board meeting and, while at CSAC, did an informal survey of other counties to find that most have returned to the Board Room – some with health precautions in place and some without. She said at some point it's time to return to face-to-face meetings.</p> <p>Supervisor Kingsley said he attended a Great Basin board meeting and some RCRC meetings, and has another RCRC meeting tomorrow.</p> <p>Supervisor Griffiths reported attended a NACo Justice and Public Safety meeting and a meeting of the Inyo Council for the Arts Board, sat in on a meeting with the Small Business Resource Center architect, attended City Council last night, and has meetings of the IMACA and Eastern Sierra Transit Authority boards this week.</p>

County Counsel Vallejo said he was excited to have new Assistant County Counsel Christie Milovich starting this week.

CAO Chapman reminded the Board that public interviews for candidates seeking appointment to the remainder of the current Sheriff term are scheduled for 1 p.m. during a special meeting on January 19.

Chairperson Totheroh said he has an ESTA meeting this week and he too would like to return to in-person meetings, but not as long as they conflict with public health measures.

Adjournment

Chairperson Totheroh adjourned the meeting at 2:33 p.m., to 8:30 a.m. Tuesday, January 18, 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*