

# MINUTES



# County of Inyo Board of Supervisors

**February 12, 2019**

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:32 a.m., on February 12, 2019, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Rick Pucci, presiding, Dan Tothoroh, Jeff Griffiths, and Mark Tillemans. Absent: Matt Kingsley.

*Public Comment* Chairperson Pucci asked for public comment during the first public comment period and there was no-one wishing to address the Board.

*Closed Session* Chairperson Pucci recessed open session at 8:32 a.m. to convene in closed session with all Board members present except Supervisor Kingsley to discuss the following items: No. 2 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to potential litigation pursuant to (2) of subdivision (d) of Government Code §54956.9 (*one case*); 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 – Administrative Officer Clint Quilter, Assistant County Administrator Rick Benson, Deputy Personnel Director Sue Dishion, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo; and No. 4 **PUBLIC EMPLOYMENT [Pursuant to Government Code §54957]** – Title: Public Works Director.

*Open Session* Chairperson Pucci recessed closed session and reconvened the meeting in open session at 10:01 a.m. with all Board members present except Supervisor Kingsley, who was absent.

*Pledge* Supervisor Tillemans led the Pledge of Allegiance.

*Report on Closed Session* County Counsel Rudolph reported that, with regard to agenda item #4, by unanimous vote of all members present (Supervisor Kingsley was absent), the Board took action to appoint Acting Public Works Director Mike Errante as Public Works Director. County Counsel Rudolph said the effective date of the promotion and other terms will be set forth in a contract to be brought forth at a future board meeting.

*Public Comment* Chairperson Pucci asked for public comment during the second public comment period and there was no-one wishing to address the Board.

*County Department Reports* Chairperson Pucci opened the floor to County Department Reports and there was no-one wishing to address the Board.

*Introductions* HHS Director Marilyn Mann introduced to the Board Sue Park, new IHSS Registered Nurse, and Chief Probation Officer Jeff Thomson introduced Jaclyn Sharer, new Legal Secretary I.

*Memorial Adjournment* Chairperson Pucci announced that today's meeting would be adjourned in memory of Jim Tatum, longtime Bishop residents, former Tri-County Fairgrounds CEO, Inyo County Deputy Public Works Director, and Bishop City Administrator.

Supervisor Griffiths said he had the pleasure of working with Mr. Tatum for many years, on volunteer projects at the fairgrounds, and during his tenures with the County and City of Bishop. Supervisor Griffiths said he showed immense dedication to and put in a lot of hard work for the community, which has suffered a great loss.

CAO Quilter said he never enjoyed working with anybody more than he did with Mr. Tatum as Deputy Public Works Director. He said Mr. Tatum brought so much to the County and community in his short time in the position and will really be missed.

*HHS-ESAAA/IC-  
GOLD –  
Office Tech III*

HHS Director Marilyn Mann distributed to the Board copies of the Inyo County HHS 2018 Success Stories report. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Office Technician III exists in a non-General Fund budget, 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; C) approve the hiring of one (1) Office Technician III, Range 63 (\$3,867 - \$4,705); and D) if an internal candidate is hired into the position, authorize HHS to backfill the resulting vacancy. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*HHS-ESAAA/IC-  
GOLD –  
APAR PSA I-II*

Moved by Supervisor Totheroh and seconded by Supervisor Tillemans for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of ESAAA, Social Services, and IC-GOLD funding for one (1) A-PAR Program Services Assistant (PSA) I-II exists, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller; B) where due to the part-time nature of the position it is unlikely that it could be filled by an internal candidate, an open recruitment is more appropriate to ensure qualified candidates apply; and C) approve the hiring of one (1) A-PAR PSA, either at Level I, Range 39PT (\$11.93 - \$14.48/hr.) or Level II, Range 42PT (\$12.75 - \$15.52/hr.), depending upon qualifications. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*HHS-Behavioral  
Health – HHS  
Specialist IV*

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) HHS Specialist IV exists in the Behavioral Health budget (no County General Funds), 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) full-time HHS Specialist IV, Range 60 (\$3,612 - \$4,387). Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*HHS-Social Services  
– Office Clerk II*

Moved by Supervisor Tillemans and seconded by Supervisor Griffiths for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Office Clerk II exists in a non-General Fund budget, 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 Clerk II, Range 50 (\$2,860 - \$3,478). Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*HHS – MHSA  
Coordinator  
Classification/Hire*

Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to:

- A) Establish a Mental Health Services Act (MHSA) Coordinator classification and approve the proposed job description for the MHSA Coordinator at three levels: MHSA Coordinator I at Range 76 (\$5,264 - \$6,400), MHSA Coordinator II at Range 78 (\$5,518 - \$6,705) and Licensed MHSA Coordinator at Range 82 (\$6,076 - \$7,378);
- B) Delete one (1) Human Services Supervisor for the Behavioral Health Division at Range 70; and
- C) Find that, consistent with the adopted Authorized Position Review Policy:
  - 1. The availability of funding for the requested position exists in the Mental Health budget (no County General Funds), as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller; and
  - 2. 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 for the specialized position; and
  - 3. Approve the hiring of one (1) full-time MHSA Coordinator at a Level I, Range

76 (\$5,264 - \$6,400), Level II, Range 78 (\$5,518 - \$6,705) or Licensed MHSA Coordinator, Range 82 (\$6,076 - \$7,378), depending upon qualifications.  
Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*HHS-ESAAA/IC-GOLD – Assistant Human Services Supervisor Position/Hire*

Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to:

- A) Approve an Assistant Human Services Supervisor position on a pilot basis, beginning January 1, 2018 through June 30, 2021 and beyond, contingent upon funding, and;
- B) Approve the Assistant Human Services Supervisor job description;
- C) Change the authorized strength in the Health & Human Services ESAAA/IC-GOLD programs by:
  - 1. Deleting one (1) B-PAR PSA II at Range 42PT (\$12.75 - \$15.52/hr.)
  - 2. Adding one (1) B-PAR Assistant Human Services Supervisor at Range 65PT (\$21.72 - \$26.41/hr.); and
- D) Find that, consistent with the adopted Authorized Position Review Policy:
  - 1. The availability of funding for the requested position exists, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller;
  - 2. 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
  - 3. Approve the hiring of one (1) B-PAR Assistant Human Services Supervisor, Range 65PT (\$21.72 - \$26.41/hr.).

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

*HHS-Social Services – Add Program Manager*

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to:

- A) Change the authorized strength in the HHS Aging and Social Services Division by:
  - 1. Deleting one (1) Human Services Supervisor at Range 70 (\$4,569 - \$5,557)
  - 2. Deleting one (1) Integrated Case Worker I at Range 60 (\$3,612 - \$4,387)
  - 3. Adding one (1) Program Manager at Range 74 (\$5,021- \$6,103); and
- B) Find that, consistent with the adopted Authorized Position Review Policy:
  - 1. The availability of funding for one (1) Program Manager exists, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller;
  - 2. 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;
  - 3. Approve the hiring of one (1) Program Manager at Range 74 (\$5,021- \$6,103); and
  - 4. If an internal candidate is hired into the Program Manager position, authorize HHS to backfill the resulting vacancy.

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

*CAO – 2019 Legislative Platform and Priorities*

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the "Inyo County, CA 2019 Legislative Platform and Priorities" document. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*Info Services – Tech Refresh Desktop and Laptop Purchases*

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to authorize, pursuant to the Technology Refresh Initiative, the purchase of 10 Dell desktop computers with associated peripherals from CDW-G for \$8,789 and 40 HP laptop computers with associated peripherals from Southern Computer Warehouse for \$41,857, for a combined total of \$50,646. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*Probation – American Security Group Sole-Source Contract*

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to: A) declare American Security Group a sole-source provider of security system maintenance; B) approve the contract between the County of Inyo and American Security Group in an amount not to exceed \$23,490 for the period of July 1, 2019 to June 30, 2020, with an option to renew a second and third year, contingent upon the adoption of future fiscal year budgets; and C) authorize the Chairperson to sign. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*Public Works – Indy Library Flooring*

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the plans and specifications for the Independence Library Flooring Project, and authorize the Public Works Director to advertise and bid the project. Motion carried unanimously 4-0, with Supervisor

*Plans & Specs*

Kingsley absent.

*Sheriff – OHV  
Grant/Reso #  
2019-06*

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve Resolution No. 2019-06 titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Authorizing the Submittal of the State of California, Department of Parks and Recreation, Off-Highway Vehicle Grant Application." Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*Clerk of the Board –  
Approval of Minutes*

The Assistant Clerk of the Board distributed to the Board corrections to the top of page 4 of the December 18, 2018 minutes (to reference Supervisor Totheroh as the motion-maker) and the second item on page 2 of the January 15, 2019 minutes (to reference Supervisors Kingsley and Griffiths by title and last name). Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to approve the minutes of the regular Board of Supervisors meetings of December 4, 2018, December 11, 2018, December 18, 2018, January 8, 2019, and January 15, 2019, with the noted corrections. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*Recusal*

Supervisor Tillemans announced at 10:29 a.m. he would be recusing himself from the remainder of the meeting.

*Board Member and  
Staff Reports*

Supervisor Totheroh reported attending a meeting of the Eastern Sierra Council of Governments.

Supervisor Griffiths also reported attending the ESCOG meeting, and noted that significant efforts have been made by administrators of the member agencies in developing a possible Joint Powers Authority for consideration and approval by the respective governing bodies. He also reported on the City Council meeting and items of interest discussed there, as well as a meeting with the Laws Museum Board of Directors, the sold-out Rotary International Feast and the annual Poetry Out Loud Competition.

Chairperson Pucci reported attending, sadly, the funerals of two very fine Inyo County residents over the weekend: Jim Tatum and Virginia McLeod.

CAO Quilter reported attending the ESCOG meeting and concurred with Supervisor Griffiths on the progress made with regard to the JPA. He said he also met with Mammoth Mountain representatives about flight forecasts and also noted that the employee engagement program will soon be moving forward.

The Assistant Clerk of the Board noted that three notices of vacancy would be published Thursday for recruitments for vacancies on the Child Care Planning Council, Eastern Sierra Area Agency on Aging, and Northern Inyo Airport Advisory Committee.

*Public Comment*

Chairperson Pucci offered another opportunity for public comment.

HHS Director Marilyn Mann reported that CSAC's video on the HHS and Probation departments' Juvenile Service Redesign program is now available on YouTube. She also provided an update on HHS' Continuum of Care efforts, noting that 18 homes are approved to serve as "resource families" for local youth.

Earl Wilson of Lone Pine informed the Board of an open forum on water being hosted by the Integrated Regional Water Management Program and Eastern Kern County RCD Wednesday, February 20 at the Inyokern Town Hall.

*Recess/Reconvene*

Chairperson Pucci recessed the meeting for a break at 10:46 a.m. and reconvened the meeting at 11 a.m. with all members present except Supervisors Kingsley and Tillemans, who were absent.

*Ag Commissioner –  
Zone 5C  
Microbusiness  
Cannabis License*

Brent Calloway of the Ag Commissioner's Office presented for Board approval the final commercial cannabis license application from the first round, a microbusiness application in Zone 5C, for which one microbusiness license was allotted. He said two applications were received for Zone 5C but one was determined to be incomplete during the review process. Staff waited to come before the Board until an appeal of that decision was resolved. The Chairperson opened the public hearing at 11:04 a.m. and, with no-one wishing to address the

Board, closed the public hearing at 11:04 a.m. Moved by Supervisor Griffiths and seconded by Supervisor Tothoroh to: A) conditionally approve the commercial cannabis license for the microbusiness classification in Zone 5C from Chief Farms LLC which exceeded the exceeded the 80% minimum threshold as set forth in Inyo County code section 5.40.090(H); and B) authorize issuance of the license contingent on the applicant paying the fees established, and applicant obtaining all applicable permits and licenses required by the County and the State of California including payment of all required fees and taxes. Motion carried unanimously 3-0, with Supervisors Kingsley and Tillemans absent.

*Planning – Enact  
Ordinance 1239  
(Jellison Zone  
Reclassification)*

Associate Planner Ryan Smith-Standridge presented for Board approval an ordinance to authorize a zone reclassification of a .53-acre parcel in the Dixon Lane area of Bishop to eliminate spot-zoning so there is consistency with surrounding properties and current and future uses, including short-term vacation rentals which the homeowner hopes to operate. She said the zoning would be consistent with the General Plan and is exempt from CEQA.

There was brief discussion about the history of the zoning.

Chairperson Pucci opened the public hearing at 11:10 a.m.

Earl Wilson of Lone Pine asked whether the property owner is local or from out of town, saying he believes there is an increase in people from out of the area buying Owens Valley homes for the income from vacation rentals.

Mr. Wilson was informed that the property owners are long-time local residents.

The Chairperson closed the public hearing at 11:11 a.m.

After additional comments from the Chairperson about the inconsistency of spot-zoning, Chairperson Pucci re-opened the public hearing at 11:12 a.m. so Mr. Wilson could further weigh in.

Mr. Wilson said non-resident short-term rentals are a problem because they remove available housing from the county footprint. He said he has been hearing complaints about it from several people and wanted to bring it to the Board's attention.

The Chairperson closed the public hearing again at 11:13 a.m.

Moved by Supervisor Tothoroh and seconded by Supervisor Griffiths to: A) certify that the provisions of the California Environmental Quality Act have been met and make certain findings with respect to and approving Zone Reclassification No. 2018-10/Jellison; and B) waive the first reading of and enact and ordinance titled, "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2018-10/Jellison and Amending the Zoning Map of the County of Inyo by Rezoning a 0.35-Acre Parcel Located at 2476 & 2478 Dixon Lane (APN 010-081-40) in the Unincorporated Community of Bishop from Multiple Residential (R-2) to Single Residence or Mobilehome Combined (RMH)." Motion carried unanimously 3-0, with Supervisors Kingsley and Tillemans absent.

*Public Comment*

Chairperson Pucci asked for public comment during the final public comment period and there was no-one wishing to address the Board.

*Adjournment*

Chairperson Pucci adjourned the meeting in memory of Jim Tatum at 11:14 a.m. to 8:30 a.m. Tuesday, February 19, 2019 in the County Administrative Center in Independence.

---

Chairperson, Inyo County Board of Supervisors

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

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