

# MINUTES



# County of Inyo Board of Supervisors

## December 8, 2020

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 December 8, 2020, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present via videoconferencing per California Governor Executive Order N-25-20: Chairperson Matt Kingsley, presiding, Dan Totheroh, Jeff Griffiths, and Rick Pucci. Absent: Mark Tillemans. Also present: County Administrative Officer Clint Quilter, Assistant Clerk of the Board Darcy Ellis, and County Counsel Marshall Rudolph.

### *Public Comment*

Chairperson Kingsley asked the Assistant Clerk of the Board whether there was any public comment emailed for today's meeting for items not calendared on the agenda.

The Assistant Clerk of the Board said she had received none as of right then. Nobody requested to speak to the Board via the "hand-waving" feature on Zoom.

### *Closed Session*

Chairperson Kingsley recessed open session at 8:31 a.m. to convene in closed session with all Board members present except Supervisor Tillemans to discuss the following item(s): No. 2 **PUBLIC EMPLOYMENT – Pursuant to Government Code §54957** – Title: Assistant County Administrator; and 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 Leslie Chapman, Deputy Personnel Director Sue Dishion, County Counsel Marshall Rudolph, Health and Human Services Director Marilyn Mann, and Chief Probation Officer Jeff Thomson.

### *Open Session*

Chairperson Kingsley recessed closed session and reconvened the meeting in open session at 10:01 a.m. with all Board members present except Supervisor Tillemans.

### *Pledge of Allegiance*

Chairperson Kingsley led the Pledge of Allegiance.

### *Report on Closed Session*

County Counsel Rudolph reported that no action was taken during closed session that is required to be reported.

### *Public Comment*

Chairperson Kingsley asked if there was any public comment pending for items not calendared on the agenda.

The Assistant Clerk of the Board said she had received none as of right then. Nobody requested to speak to the Board via the "hand-waving" feature on Zoom.

### *County Department Reports*

Sheriff Hollowell advised the Board that he released a press release this morning regarding a Wireless Emergency Alert to be issued at noon statewide to inform residents about the state's Regional Stay-at-Home Order.

Chief Probation Officer Jeff Thomson provided an update on local probation operations.

### *COVID-19 Staff Update*

Staff provided the Board with an update on local and statewide COVID numbers, including a PowerPoint presentation on the State's regional Stay-at-Home Order issued in the wake of unprecedented COVID case numbers and increased hospitalizations. HHS Director Marilyn Mann said the order is meant to curb the surge on hospital ICUs, and the State projects

available ICU bed capacity will be reached by mid-December. She said an ICU bed shortage might mean local trauma patients will have to be treated locally or have their transfers to larger hospitals delayed. She discussed the continued need for residents to avoid gatherings, wear face masks and stay six feet from other people, and frequently wash their hands. HHS Deputy Director-Public Health Anna Scott said 41 new cases were added to Inyo County's total in the past week, for a total of 66 new cases since November 23. Public Health Officer Dr. James Richardson spoke on the availability of hospital beds locally and at Renown Hospital, which is getting inundated with cases. He said he suspected that over the next several days, Inyo County hospitals will not be able to easily transfer patients out to Nevada and L.A. area hospitals. Board members expressed concern and worry about the hospital bed shortage, which they said appears to be a critical situation, as well as continued impacts on local businesses. Assistant County Administrator Leslie Chapman commended HHS Assistant Director Meaghan McCamman for the great job she is doing helping to educate businesses on health guidelines. After additional discussion, the Chairperson solicited public comment.

Lynn Kruse asked whether educating businesses means sending snitches into businesses who don't announce themselves and take evidence the business owners can't immediately address. She said there should be more checks and balances between development of guidelines and enforcement. Chapman said county staff will contact a business if they receive numerous complaints of non-compliance, in an effort to educate and gain voluntary compliance. She said Public Health does then send people out to observe whether the guidelines are being followed. Chairperson Kingsley stressed that Public Health is enforcing the rules handed down from the state and is doing so in the most compassionate way possible. He said there has been no overzealous enforcement and he believes the County has taken a course of action that puts minimum restrictions on businesses while also ensuring public safety. Supervisor Griffiths said 99% of all actions taken by the County have been information and collaborative, in a non-adversarial way. He said one instance of continued non-compliance resulted in legal action, but only as a last result.

*CAO/Sheriff –  
Proposed VSO  
Ordinance*

CAO Quilter presented to the Board a proposed ordinance amending County Code with respect to the Veterans Service Officer position. He noted that on December 1, the Board approved making the position full-time and approved immediately recruitment and bring back an ordinance for approval.

The Chairperson solicited public comment. Joshua Nicholson said he doesn't feel like the government of Inyo County cares about veterans, as further evidenced by the County's failure to publicly recognize National Pearl Harbor Remembrance Day yesterday. He repeated his contention that the current VSO is not a qualifying veteran and the matter is only being addressed because of significant issues created by an empty VSO representative position. He reiterated his stance that the office needs to be independent of the Sheriff's Department and that veterans should be involved in the hiring process. Jennifer Roeser said she had the opportunity to speak with a lot of members of the public while running for Supervisors, including many veterans. She said she would have hoped there would be more engagement with veterans and can't believe nobody reached out to them. She also agreed there should have been some recognition of Pearl Harbor Day.

Chairperson Kingsley said the County is looking forward to the future and the opportunity to improve veterans services and said Roeser, when she takes office, can be a part of that process. Supervisor Pucci said there does need to be more communication between the County and veterans, thinks the Board is paving the way for that by creating a full-time VSO position, and that it's time to move forward. Moved by Supervisor Pucci and seconded by Supervisor Griffiths to: A) read title and waive further reading of a proposed ordinance titled, "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Section 2.30.050 of the Inyo County Code, Pertaining to the Qualifications, Appointment, and Compensation of the Veterans Service Officer;" and B) set enactment for 10:30 a.m. Tuesday, December 15, 2020 in the Board of Supervisors Chambers, County Administrative Center, Independence. Supervisor Griffiths added that he has had many conversations with veterans about the VSO vacancy and full-time position. Supervisor Pucci suggested that the meeting be adjourned in honor of National Pearl Harbor Remembrance Day.

*Ag Commissioner-  
Cannabis – Proposed*

Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to: A) read title and waive further reading of a proposed ordinance titled, "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Sections 5.40.090, 5.40.100, and 5.40.150 of

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| <i>Ordinance Re:<br/>Business License<br/>Changes</i>   | the Inyo County Code, Pertaining to Commercial Cannabis Business Licenses;" B) schedule enactment for 10:30 a.m. on January 5, 2020, in the Board of Supervisors Chambers, County Administrative Center, Independence; and C) discuss modification of fees and provide direction to staff regarding same. Motion carried unanimously 4-0, with Supervisor Tillemans absent.  |
| <i>Information Services<br/>– Office Tech I-III</i>   | 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 I-III exists in the Information Services budget, as certified by the Information Services 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 candidates apply; and C) approve the hiring of one (1) Office Technician Level I-III, Range 55-63 (\$3,343 - \$4,895), depending on qualifications. Motion carried unanimously 4-0, with Supervisor Tillemans absent.   |
| <i>Information Services<br/>– Network &amp;<br/>Operations Analyst<br/>III-IV</i>   | Moved by Supervisor Pucci 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) Network and Operations Analyst III or IV exists in Information Services budget, as certified by the Information Services 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) Network and Operations Analyst at Level III-IV, Range 75-79 (\$5,349 - \$7,145), depending on qualifications. Motion carried unanimously 4-0, with Supervisor Tillemans absent.   |
| <i>Ag Commissioner-<br/>Cannabis – Change<br/>in Ownership<br/>#000136</i>  | Moved by Supervisor Pucci and seconded by Supervisor Griffiths to approve a request a change in ownership for commercial cannabis business license number 000136, Inyo Cannabis Village, LLC, contingent on submission and approval of appropriate background checks. Motion carried unanimously 4-0, with Supervisor Tillemans absent.  |
| <i>Information Services<br/>– GHA Technologies<br/>P.O.</i>   | Moved by Supervisor Pucci and seconded by Supervisor Griffiths to authorize a purchase order in an amount not to exceed \$80,000, payable to GHA Technologies of Phoenix, AZ for Alcatel-Lucent core network switches with associated network modules, cables and other accessories. Motion carried unanimously 4-0, with Supervisor Tillemans absent.   |
| <i>Recycling &amp; Waste<br/>Management – Ford<br/>F250 Purchase</i>  | Moved by Supervisor Pucci and seconded by Supervisor Griffiths to: A) declare Bishop Ford of Bishop, CA the successful bidder for one (1) 2021 Ford F250 per Bid No. SW 11 2020; and B) authorize the purchase of one 2021 Ford F250 from Bishop Ford of Bishop, CA in an amount not to exceed \$30,408.24. Motion carried unanimously 4-0, with Supervisor Tillemans absent.  |
| <i>County Counsel –<br/>Bishop Area<br/>Wastewater Authority<br/>Resolution &amp; ESCSD<br/>Conflict of Interest<br/>Code</i> | Moved by Supervisor Pucci and seconded by Supervisor Griffiths to: A) approve Resolution No. 2020-04 of the Bishop Area Wastewater Authority Board of Directors to adopt a conflict of interest code; and B) receive the 2020 Local Agency Biennial Notice of Eastern Sierra Community Service District. Motion carried unanimously 4-0, with Supervisor Tillemans absent.   |
| <i>BOS-Supervisor<br/>Totheroh –<br/>Mono Co. Letter</i>  | Supervisor Totheroh presented a request for the Board to review the Tri-Valley Groundwater Management District's request to Mono County that Mono County leave the Owens Valley Groundwater Authority and provide direction to staff regarding a draft letter to Mono County for its anticipated consideration of Tri-Valley's request. The Assistant Clerk of the Board read aloud comment letters from Veronica Holmes, Eric Bissell, Christi Kruse, and the Bishop Area Climbers Coalition, all opposed to Mono County leaving the OVGA. After extensive discussion, the Board came to consensus that a letter should be sent but it should strictly emphasize Mono County's commitment to OVGA and remind the Mono Board of the potential difficulties the OVGA might have in fulfilling its commitments. Supervisor Griffiths added that the letter should come from the County Administrator so there is no confusion about the Inyo County Board's opinion versus the stance of the OVGA. |
| <i>Water Dept. – OVGA</i>   | Water Director Dr. Aaron Steinwand sought direction from the Board to the Owens Valley   |

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| <i>Rep Direction</i>  | Groundwater Authority representatives in advance of the Owens Valley Groundwater Authority meeting scheduled for December 10, 2020. He noted the OVGA would be discussing whether to send a letter to Mono County in response to the Tri-Valley Groundwater Management District's request to Mono County that it leave the OVGA. Supervisor Totheroh said he can take direction from the Supervisors' previous discussion about the County sending a letter.   |
| <i>Ag Commissioner- Cannabis – License Extension/Reso # 2020-45</i> | Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve Resolution No. 2020-45 titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California Extending the Deadline for Commercial Cannabis Business License Requirements for Commercial Cannabis Business License Numbers 000135 and 000136," and authorize the Chairperson to sign. Motion carried unanimously 4-0, with Supervisor Tillemans absent.  |
| <i>Ag Commissioner- Cannabis – License Extension/Reso # 2020-46</i> | Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve Resolution No. 2020-46 titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California Extending the Deadline for Commercial Cannabis Business License Requirements for Inyo County Commercial Cannabis Business License Numbers 000126 and 000127," and authorize the Chairperson to sign. Motion carried unanimously 4-0, with Supervisor Tillemans absent.  |
| <i>HHS-First 5 – First 5 Commission Appointments</i>                | The Board was asked to consider two Letters of Interest received for one term on the First 5 Children and Families Commission ending December 5, 2023 – from Heather Carr and Lindsey Ricci – consider two Letters of Interest received for the new position of Community Alternate term expiring December 5 – from Josie Rogers and Lindsey Ricci. Supervisor Griffiths, the Board's representative on the commission, noted that the commission recommended reappointment of Ms. Carr. He said the commission is trying to ensure it is connected to the Native American community, thus he recommended appointing Ms. Rogers to the alternate position. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to reappoint Ms. Heather Carr to a term on the First 5 Children and Families Commission ending December 5, and to appoint Ms. Josie Rogers to the new position of Community Alternate term expiring December 5. Motion carried unanimously 4-0, with Supervisor Tillemans absent. |
| <i>HHS- Health/Prevention – CDPH MOU</i>                            | Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to ratify and approve the Memorandum of Understanding between the County of Inyo and the California Department of Public Health for the provision of Emergency Medical and Health Disaster Assistance relating to COVID-19 Case Investigation and Contact Tracing beginning November 24, 2020 and in effect until terminated by either party, and authorize the HHS Director to sign. Motion carried unanimously 4-0, with Supervisor Tillemans absent.  |
| <i>HHS – CILS Contract</i>  | Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to ratify and approve the contract with California Indian Legal Services for the provision of legal services to older adults eligible for services through the Eastern Sierra Area Agency on Aging, in an amount not to exceed \$90,000 for the period July 1, 2020 through June 30, 2024, contingent upon the Board's adoption of future budgets. Motion carried unanimously 4-0, with Supervisor Tillemans absent.   |
| <i>HHS – City of Bishop Grant</i>                                   | Moved by Supervisor Griffiths and seconded by Supervisor Pucci to ratify and approve an agreement with the City of Bishop for \$5,000 of funding to support home-delivered meals for seniors in the City of Bishop for the period December 1, 2020 through June 30, 2021, and authorize the HHS Director to sign. Motion carried unanimously 4-0, with Supervisor Tillemans absent.  |
| <i>Recycling &amp; Waste Management – Landfill Changes</i>          | Assistant County Administrator Leslie Chapman asked that the following item be continued to next week's meeting:<br>Request Board approve operational changes at the Independence and Lone Pine landfills, including: <ul style="list-style-type: none"> <li>A) Adding two, forty-yard bins at the Independence landfill for household trash, and maintain the current operating hours and days;</li> <li>B) Changing Lone Pine Landfill hours to be open Thursday through Monday from 7:00 am to 3:00 pm, adding Thursday and Sunday to the current operating schedule; and</li> <li>C) Finding no subsequent or supplemental environmental review or further documentation is required pursuant to PRC 21166 and 14 CCR 15162 since the proposed operational adjustments are within the parameters of the applicable solid waste facility permits that were subject to prior CEQA review (separate negative declarations addressing each</li> </ul>  |

landfill and a CEQA addendum which addressed both landfills) and do not involve new significant environmental effects or a substantial increase in the severity of any previously identified significant effects because:

1. no substantial changes are proposed to the project; the proposed changes in daily operations are permitted in the existing SWFPs for the two landfills;
2. no substantial changes in circumstances under which the project is being undertaken have occurred; and
3. no new information that was not known at the time of the preparation of the previous CEQA documentation has become available.

*Clerk of the Board – Approval of Minutes*

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve the minutes of the regular Board of Supervisors meeting of November 17, 2020. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*Public Comment*

The Chairperson solicited public comment for the final public comment period. No additional comments had been emailed and nobody requested to speak to the Board via the “hand-waving” feature on Zoom.

*Board Member and Staff Reports*

Supervisor Totheroh reported he will have an Owens Valley Groundwater Authority meeting on Thursday and meetings of the Eastern Sierra Council of Governments and Eastern Sierra Transit Authority on Friday.

Supervisor Griffiths said he has a full week of meetings, including the ones mentioned by Supervisor Totheroh and a meeting of the Sierra Nevada Conservancy.

Chairperson Kingsley said he attended some Rural County Representatives of California meetings over Zoom. He added that it’s an important time to be available to constituents, so he is glad that he is not traveling as much and can engage with them.

*Adjournment*

Chairperson Kingsley adjourned the meeting at 12:51 p.m. in recognition of National Pearl Harbor Remembrance Day to 8:30 a.m. Tuesday, December 15, 2020 in the County Administrative Center in Independence.

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Chairperson, Inyo County Board of Supervisors

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

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