

# MINUTES



# County of Inyo Board of Supervisors

**February 16, 2021**

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 February 16, 2021, 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 Jeff Griffiths, presiding, Dan Totheroh, Rick Pucci, Jennifer Roeser, and Matt Kingsley. Also present: County Administrative Officer Clint Quilter, Assistant Clerk of the Board Darcy Ellis, and County Counsel Marshall Rudolph.

*Public Comment*

Chairperson Griffiths 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 via Zoom.

*Closed Session*

Chairperson Griffiths recessed open session at 8:31 a.m. to convene in closed session with all Board members present to discuss the following item(s): No. 2 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to potential litigation pursuant to paragraph (2) of subdivision (d) of Government Code §54956.9: one potential case. Facts and circumstances: Claim for Damages filed by Jeffrey Hollowell; No. 3 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9: one potential case; No. 4 **PUBLIC EMPLOYMENT – Pursuant to Government Code §54957** – Title: Veterans Service Officer; No. 5 **PUBLIC EMPLOYMENT – Pursuant to Government Code §54957** – Title: Director of Child Support Services; and No. 6 **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 Griffiths recessed closed session and reconvened the meeting in open session at 10:06 a.m. with all Board members present.

*Pledge of Allegiance*

Supervisor Griffiths led the Pledge of Allegiance.

*Report on Closed Session*

County Counsel Rudolph reported that with regard to Item 4, the Board took action by unanimous vote with all members present to appoint Gordon Greene the Inyo County Veterans Service Office. Mr. Greene will report to CAO Quilter, who was previously designated by the Board. Mr. Rudolph added that the Board will be returning to closed session later in the day to continue discussions of Items 5 & 6.

*Public Comment*

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

Via Zoom, Bob Olin introduced himself as part of the New California Movement and read a letter concerning what he called unfair mandates pushed on all Californians by Governor Gavin

Newsom in relation to COVID-19, causing damage to small businesses, schools, and the economy. He said the County has no legal responsibility to uphold those mandates, and Public Health and the Board are responsible for the harm being caused by implementing unenforceable mandates.

*County Department Reports*

The Chairperson opened the floor to County Department Reports but there was nobody wishing to address the Board.

*Proclamation – Bleeding Disorders Awareness Month*

Chairperson Griffiths read aloud proclamation declaring March 2021 as Bleeding Disorders Awareness Month in Inyo County. Michelle Kim, executive director of the Hemophilia Foundation of Southern California, spoke on the issue of rare blood disorders and need for increased awareness among the public. Kim also introduced local resident Stacy Yarcho, whose son, Raymond, has hemophilia. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve the proclamation declaring March 2021 as Bleeding Disorders Awareness Month in Inyo County. Motion carried unanimously.

*COVID-19 Staff Update*

The Board heard staff's weekly update on the status of COVID-19 cases locally, as well as state and national trends. Staff also updated the Board on the distribution on vaccines and ongoing testing. HHS Director Marilyn Mann reported there were 1,193 cases as of Friday. She said Inyo County is expected to receive 1,000 Pfizer vaccines this week and staff is finalizing plans to hold a mass vaccination clinic.

Deputy HHS Director-Public Health Anna Scott said staff continues to work with local vaccine providers in addition to planning the clinic at the fairgrounds this weekend.

Public Health Officer Dr. Richard Johnson said he is very encouraged about the vaccine distribution which is possibly adding to the herd immunity that is developing in the community. He cautioned, however, that now is not the time for people to let their guards down.

Tamara Cohn of Independence sought clarification on getting registered for the clinic.

*Clerk-Recorder – Dominion Voting Systems Payment*

Moved by Supervisor Roeser and seconded by Supervisor Pucci to approve payment to Dominion Voting Systems in the amount of \$15,578.88 for annual ImageCast Software License Maintenance and Support Fee and Extended Warranty Fee. Motion carried unanimously.

*Planning – Appeal 2020-01 (Cimino/Gleason)*

Chairperson Griffiths announced at the start of the agenda item that although the Board of Supervisors selected him to represent the County on the IMACA Board of Directors, he is not representing IMACA. He also noted that, in addition to the hundreds of comments – pro and con – included in the agenda packet, the Assistant Clerk of the Board has received upwards of 75 comments since the agenda was published. He said all comment letters will be added to the record. Planning Director Cathreen Richards reviewed the safe parking project and its approval by Conditional Use Permit at the January 22, 2020 Planning Commission meeting, noting that it is now supported by the Bishop School District because of changes made to the security plan, which the Sheriff and Police Chief also approve of as long as the school district and IMACA are in agreement.

Larry Emerson of IMACA described the updated security plan in more detail. He clarified that the trial project is not an encampment; it's a safe place where people living out of their cars can park at night. He said these individuals will have access to food, clothing, showers, restrooms, and additional resources offered in the community. He added that IMACA wants to be good neighbors on the project with the School Farm. He said homeless people are not anonymous and hoped the community could be compassionate and provide a place for families, veterans, and other homeless individuals to park safely at night.

Pastor Eddie Davis of the Nazarene Church, which was the only location willing to host the parking project, addressed the project from a "pastoral point of view," noting that people are living in their cars all over the community and this project will provide safe overnight parking as well as resources for those who want to better their lives. He added that the church has been a good neighbor to the School Farm for years and, along with IMACA, will do its best to address all concerns raised. He said the church doesn't have to host the project forever but wants to help get it started.

The Board discussed numerous issues, such as the fencing along the property, what types of outreach is planned for participants, what other programs IMACA currently operates to provide housing throughout the community, what types of individuals will be expected, and what law enforcement thinks about the idea.

Mr. Emerson explained the project is for “all types” of homeless individuals. He said last year’s Point-in-Time Count revealed 60% of the local homeless population was living out of vehicles; 9 of those were fleeing domestic violence, 8 of them were veterans, and there were 13 families with children. He stressed that IMACA’s goal is to provide permanent housing, and the safe parking project is one piece of the puzzle. Mr. Emerson said IMACA served 310 homeless individuals last year; of those, 40% went into permanent housing, 40% went into other settings but got off the streets, 16% went back to the streets, and 3% went into institutional settings. He noted that IMACA works closely with and knows a lot of the local homeless population and will have a good sense of any potential issues during the vetting process for safe parking.

Sheriff Hollowell clarified that IMACA has gone out of its way to make sure all of law enforcement’s concerns have been in addressed in the safe parking plan. He added that there are a lot of concerns in the community but there is a lot of good with the program and he is willing to work with IMACA .

The Chairperson called on the appellant to address the Board. Scott Cimino reiterated his concerns from his written appeal, mainly that although the project has merit, the location is unacceptable because of the proximity to the School Farm where students come and go at all hours of the day and night to tend to their animals. He said an experimental program trying to aid homeless people living out of their cars seems irresponsible and unnecessary if it puts student safety in jeopardy. He also took exception to a lack of communication with the Farm and school district prior to the project going to the Planning Commission, and with the description of the land surrounding the church as “vacant,” which he believed was misleading.

Chairperson Griffiths asked Mr. Cimino if any changes to the project and security plan could address his concerns, or if he is just opposed the project no matter what. Mr. Cimino said he is opposed to the location, but thinks on-site security would help. Chairperson Griffiths and Supervisor Totheroh noted that the security plan calls for a trained staff member to be on-site the entire time, registering clients and patrolling hourly. Chairperson Griffiths added that when you look at a map of the Owens Valley, all free land is owned by LADWP, for which Mr. Cimino works in its real estate division. He said it would help to have a proactive partner in LADWP for finding another location.

The Chairperson opened the public hearing at 12:41 p.m. regarding Appeal No. 2020-01 (Cimino/Gleason) of Conditional Use Permit 2019-18/IMACA. The following individuals spoke to the Board:

- Joe Buffington, Agriculture Teacher at Bishop High School – He said he doesn’t want to have to restrict or alter his students’ learning or educational opportunities because of safety concerns with the homeless parking so close. He said IMACA should have been a good neighbor by coming to him at the start to discuss the project. He also suggested perhaps IMACA could use its funding to purchase land near Benton, and clients could drive there from Bishop.
- David Camphouse – He reminded the Board and those watching the meeting of what it says in the Bible: “The King will reply, ‘Truly I tell you, whatever you did for one of the least of these brothers and sisters of mine, you did for me.’”
- Cindy Freeman – She noted there are two motels also in proximity to the School Farm and wondered if there was concern about that transient activity with strangers coming and going at all hours at those locations. She said a person’s values are not determined by their poverty level.
- Jon Klusmire – He said he found it a revelation that nobody has complained about or denigrated the character of the hundreds of homeless people visiting the Methodist Church Soup Kitchen, or thrown out predictions of horrible things they’ll do, even though the kitchen is right next door to the high school and he has seen students and homeless people intermingling and peacefully interacting for many years.
- Alondra Meza – As a former 4-H and FFA student, she said the project is not in the right location and the Farm is supposed to be a safe place for students which shouldn’t be taken away.

- Ann Strohm – She noted that the homeless population already exists in Inyo and this project will not add to the problem but rather ensure people can sleep safely at night. She wondered about the concern for the safety of the homeless children, noting that poverty is not a moral failing. She pointed out that the people to be served by the project are willing to go through a rigorous registration just to be able to sleep.
- Harold McDonald, on behalf of Inyo 350 Board – He said the safety of our children is everyone's top priority but he feels the fears being expressed are unfounded and fail to recognize the painstaking work IMACA and the Nazarene Church have done to make it a safe project, including adding various security measures and a rigorous registration process. He said the homeless population includes veterans, high school graduates, families, and asked the Board to let reason and compassion guide its decision.
- John Hoyt – He said he supports the safe parking project and looks forward to facing the existing homelessness problem as a community. He said the project will offer homeless individuals dignity and a good night's sleep, in a place where they are treated like human beings and can be directed toward other services. He suggested that the safety concerns involving unaccompanied minors at the School Farm in the middle of the night could be solved by the Farm not allowing unsupervised visits at night.
- Chairperson Griffiths read aloud a text he received from a recent Bishop High School graduate. She said her mother sleeps in her car and has nowhere to go after being chased off of U.S. 6, and also has trouble finding restrooms and showers.
- Leah Dutcher – She said she works for IMACA and assisted at the emergency safe parking on Main Street, so she is very familiar with the clientele in question. She called them people who just really need a safe place to sleep unbothered. She also said there is a false sense of security in letting youth go to the School Farm in the middle of the night and suggested that with the safe parking project, students will be far safer with the on-site monitors and security measures.
- Tiffany Lau – She spoke in support of the program. She said someone called it a gamble, but the project is planned for a trial run. Regarding those who complained they were unaware of the project until it was approved, she said residents have an individual responsibility to stay informed of the issues in their community. She concluded that she has yet to hear someone suggest a viable alternate location.
- Ian Bell – He applauded IMACA for its thorough security plan, and said he thinks the people who will be utilizing the project are citizens who deserve to feel safe and have a place where they can seek refuge.
- Irene Cameron – She thanked David Camphouse for his comments. She said students visiting the farm at night unsupervised seems like a liability issue to her, noting that the security measures being put in – like enhanced lighting – will make them safer. She said it breaks her heart that sometimes fear overrides compassion, and reminded the Board that these homeless individuals are high school graduates, mothers with children, and veterans.
- Jessica Tex – She said she believes the homeless population needs more assistance than a parking lot, and wondered why IMACA couldn't provide them a building. She said there are many other parking lots in town and storefronts, and youth and adults need to be able to safely access the farm to take care of their animals.
- Laurice Snyder – She said while she is in favor of helping the homeless community, she does not support this project. She said she agreed with Ms. Tex in that other locations/solutions could be sought with the \$2 million grant IMACA intends to utilize.
- Heidi Dougherty – She said she has seen the need to provide a safe place for people who have no other shelter than their vehicles. She said IMACA's security plan adds an extra layer of protection and is supported by the School District, ostensibly because they found the project safe. She said this project is a small but significant way to use compassion and suggested it is time to rethink students visiting the farm unsupervised at night.
- Callie Peek, 4-H Representative for Inyo-Mono – She said a lot of 4-H members use the School Farm and if they are unsupervised, it's only for a short time to check on their animals, which can be very unpredictable. She said the safe parking project is a wonderful idea but the location is bad. She wondered why IMACA wasn't proposing to use the old Kmart parking lot or any of the vacant buildings around town.
- April Powell, Outreach Specialist with IMACA – She said this is a much-needed program for the homeless population, most of whom are overlooked and/or hesitant to seek assistance. She said the project could help in breaking down barriers with this

population to get them the assistance they need, including a transition to permanent housing. In response to some comments that the emergency parking project in the old Kmart parking lot was barely utilized, she said this is because IMACA did a good job directing them to other resources or has gotten them into permanent housing.

- Katie Kolker, Bishop Union High School Principal – She clarified that the school district did not take a formal vote of the School Board to determine whether to support the project, but rather decided that the revised security plan did a good job addressing safety concerns. She said the district has developed a liability waiver form for students visiting the Farm after hours and if a different location were selected, the district would support that.

The Chairperson closed the public hearing at 1:44 p.m.

Planning Director Richards noted that as a condition of approval, the project will come back to the Planning Department for a review of security issues in 12 months – or earlier if the department receives enough complaints. She said the Board could change the County review to 3 months, which would align with the pilot deadline for IMACA and the Church.

The Board engaged in lengthy and detailed discussion about the project, including whether the fairgrounds could be used as an alternate site. It was noted that the fairgrounds previously denied a request for emergency sheltering of homeless people near the start of the pandemic. The Supervisors' comments are summarized as follows:

**Supervisor Pucci:**

He said this is a unique issue for him because he agrees with almost all of the comments received. He said he did disagree with the notion that underprivileged/homeless populations are an inherent threat to society. He shared his personal experience growing up in projects and eventually becoming the only person in his family to own a house. Supervisor Pucci said the question for him is how to help two groups: the safety of youth who use the farm for educational endeavors, and those who are in dire need of temporary shelter. He added that there is some NIMBYism involved in this issue but he agrees that adjacent to the School Farm is not the best location. He said talking to LADWP about alternate sites is a good idea, and also suggested maybe some other churches in the community would be willing to devote 1-2 parking spots for the pilot project. He reiterated his belief that the location was not good, and there would have to be a lot more changes to the proposal for him to support it – such as limiting the project to a three-month trial.

**Supervisor Kingsley:**

He began by saying he would defer to the three supervisors from Bishop, noting that today's discussion has gone on for three hours and he doesn't believe homelessness in Inyo County has ever been addressed to this extent before. He said he doesn't think next to the School Farm is the best place for the project, but he is leaning towards supporting it out of compassion for the clientele. He said he is counting on IMACA to make sure there are no issues going forth.

**Chairperson Griffiths:**

He said he had kids who raised animals for 4-H and he cherishes the aspect of this community where youth can independently and freely visit the farms to care for their animals. He said on the other hand, as a foster parent, he took in four boys who were living in their car with their mother, and had another foster child end up living in their car after they turned 18 and struggling to get back on their feet. Chairperson Griffiths said he has also seen people completely turn their lives around when given the opportunity and assistance, and he was inclined to make the project work. He expressed gratitude to the Nazarene Church for having it in their hearts to take the project on, and to IMACA for working to provide services in a challenging environment. He said he is not discounting the concerns of parents and other residents, and agreed on a shortened trial period and more aspects of the project being adjusted to give the public more confidence.

**Supervisor Roeser:**

She thanked the Nazarene Church for making an effort to live out the gospel, and said she heard compassion from all sides of the debate, which speaks well to the community and helps inform her decision. She said they could discuss monitoring and safety measures, but it's really a compatibility issue and she doesn't believe the project proponents can ever come up with

solutions that will make people fully confident in the proposed location. Supervisor Roeser also spoke to animal husbandry not working on a clock and the need for students to learn responsibility and independent decision-making early on. She added that she has taken in quite a few homeless people over the years and a lot of times they have cherished pets. She said dogs have no place around cattle, sheep, goats, and chickens and she would never want to deprive a homeless person of their pet. She also said there is a big difference between a monitor being at the site and a security guard, and doesn't feel the former meets the standards she is looking for. She also shared a personal story, of living with her mom in a truck and trailer as a child and being turned down for assistance. She said she is not being callous by opposing the project, she just disagrees with how best to help and doesn't feel putting the homeless people on display in "a fishbowl" in the middle of town is compassionate or dignified. She concluded that she also finds it problematic that the safe parking project is an urban-oriented solution and thinks the community needs to find rural solutions.

**Supervisor Totheroh:**

He said the safe parking project is one spoke of many in IMACA's wheel to address the homelessness problem. He said the trial period should only be for three months or less, and no dogs should be allowed. He said the security plan should only be altered with approval of the Planning Commission after consultation with law enforcement and the school district. Supervisor Totheroh said, with those changes, he moved to deny the appeal.

Larry Emerson said IMACA is taking a multi-pronged approach and certain funding streams can only be used for specific projects. He added that IMACA is working with the Inyo-Mono Continuum of Care, which also has a say in where the money is spent. He added that the site monitors will have very specific training and will be trained by someone with law enforcement training. He said he has no objections to the modifications suggested by Supervisor Totheroh, including prohibiting dogs even though it will be difficult because a lot of clients have companion animals.

*Recess/Reconvene*

The Chairperson recessed the meeting for a break at 2:59 p.m. and reconvened the meeting at 3:16 p.m. with all Board members present.

*Planning – Appeal  
2020-01  
(Cimino/Gleason)  
(Continued)*

The Chairperson polled the Board as to which way they were leaning. Supervisors Roeser, Pucci, and Kingsley said they were ready to uphold the appeal (Supervisor Kingsley said he might be dissuaded if all three Bishop supervisors supported the project), and Supervisors Griffiths and Totheroh wanted to deny the appeal with changes to make the community more comfortable.

Moved by Supervisor Roeser and seconded by Supervisor Pucci to uphold Appeal No. 2020-01 (Cimino/Gleason) of Conditional Use Permit 2019-18/IMACA. Motion carried 3-2, with Supervisors Griffiths and Totheroh voting no.

Chairperson Griffiths expressed his disappointment and said he believes it is now incumbent on the entire community to find an alternate solution, including his fellow supervisors and the appellants.

*Sheriff – OHV Grant  
Reso# 2021-17*

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve Resolution No. 2021-17, 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," and authorize the Chairperson to sign. Motion carried unanimously.

*Parks & Recreation –  
Recommended  
ESSRP Projects*

Assistant CAO Leslie Chapman conducted an Eastern Sierra Sustainable Recreation Partnership (ESSRP) Project Selection Workshop where she presented recommended projects for the Board's consideration. After discussion, the Board came to agreement that the projects should be added to the "Sustainable Recreation Project Form – Partners" and submitted to the ESSRP for additional consideration.

*County Counsel –  
Census 2020  
Redistricting  
Presentation*

The Board received a presentation from Deputy County Counsel Grace Chuchla on the redistricting process following the 2020 Census and sought direction as to whether the redistricting process will be managed by the Board or a committee. Comment was received from Clerk-Recorder-Registrar of Voter Kammi Foote, who noted redistricting might impact

individuals' decisions on whether to run for office in the June primary. It was the consensus of the Board that the Board manage the redistricting process.

*HHS-ESAAA – Mono County Contract* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to ratify and approve the contract with the County of Mono for the provision of Eastern Sierra Area Agency on Aging (ESAAA) services to Mono County eligible residents, in the amount of \$600,000 for the period of July 1, 2020 through June 30, 2021, and negotiable for a maximum of three additional fiscal year (one-year) periods, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign. Motion carried unanimously.

*CAO-Budget – Mid-Year 2020-2021 Financial Report* CAO Quilter reviewed the mid-year budget for the Board, thanking his partners on the budget team, Sr. Budget Analyst Denelle Carrington and Auditor-Controller Amy Shepherd, for their work and assistance. Moved by Supervisor Pucci and seconded by Supervisor Totheroh to: A) accept the Fiscal Year 2020-2021 Mid-Year Financial Report as presented; B) approve the specific budget action items and recommendations discussed in the report, and represented in Attachments A & B (*4/5ths vote required*); and C) direct staff to continue emphasis on revenue attainment and expense savings in order to maximize year-end Fund Balances. Motion carried unanimously.

*Public Comment* The Chairperson solicited public comment for the final public comment period.  
  
The Assistant Clerk of the Board did not receive any emailed comments and nobody requested to speak to the Board via the "hand-waving" feature on Zoom.

*Board Member and Staff Reports* Supervisor Roeser reported meeting with the Local Transportation Commission and District 9 Caltrans staff.

Chairperson Griffiths said he attended a CSAC rental assistance Zoom meeting, a CSAC Board meeting, a dispersed camping summit, and meetings of the Eastern Sierra Transit Authority and Eastern Sierra Council of Governments.

Supervisor Kingsley said he attended an RCRC meeting last week, and an OVGA public meeting last week, and will attend another one tonight.

*Closed Session* Chairperson Griffiths recessed open session at 5:09 p.m. to convene in closed session with all Board members present to continue discussion and possible action as appropriate on previously noted closed session items.

*Open Session* Chairperson Griffiths recessed closed session and reconvened the meeting in open session at 5:24 p.m. with all Board members present.

*Report on Closed Session* County Counsel Rudolph reported that no action was taken that is required to be reported.

*Adjournment* Chairperson Griffiths adjourned the meeting at 5:24 p.m. to 8:30 a.m. Tuesday, February 23, 2021 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*