

MINUTES



County of Inyo Board of Supervisors

April 20, 2021

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 10:01 a.m., on April 20, 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, Deputy Personnel Director Sue Dishion, and County Counsel Marshall Rudolph.

Pledge of Allegiance Supervisor Griffiths led the Pledge of Allegiance.

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

Edie Warkentine addressed the Board to urge for action and updates regarding what the County is doing to provide an alternative to the safe parking project voted down by the Board after it was unanimously approved by the Planning Commission. Several letter writers shared the same sentiment, requesting an agenda item discussion at an upcoming meeting: Derik Olson, Fran Hunt, Harold McDonald, Jean Sprague, Kristen Stipanov, Margy Marshall, Sharon Connor, and Tiffany Lau.

County Department Reports Sheriff Jeff Hollowell announced that his department will be hosting its Annual Drug Takeback Day for unwanted/unused prescription meds, at several locations around the county this weekend.

Public Works Director Mike Errante gave an update on the project to repair South Lake Road.

Planning Director Cathreen Richards announced that the 2021 Public Review Draft of the 2020-2021 Housing Element Update is available on the Planning Department website and will be presented to the Planning Commission on April 28.

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 of vaccines and ongoing testing. HHS Director Marilyn Mann reported that Inyo County COVID-19 numbers continue to decline. Deputy HHS Director-Public Health Anna Scott announced a mass vaccination clinic at the Tri-County Fair this weekend with the Pfizer vaccine being made available to anyone over the age of 16. Public Health Officer Dr. Richard Johnson urged the public to get vaccinated.

Introductions The following new employees were introduced to the Board: Marissa Silvas, Office Tech I, Auditor-Controller; Katherine Ammirati, Deputy District Attorney, D.A.'s Office; and Rebecca Carlson, Evidence Tech, Sheriff's Office.

Parks & Recreation – Bishop Waste Vault Toilet Services Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the agreement between the County of Inyo and Madera Disposal Systems Inc., dba Bishop Waste Disposal of Bishop, CA for the provision of Vault Toilet pumping services in an amount not to exceed \$49,680 for the period of July 1, 2021 through June 30, 2024, 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.

Parks & Recreation – Bishop Waste Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the agreement between the County of Inyo and Madera Disposal Systems Inc., dba Bishop Waste Disposal of

<i>Chemical Toilet Services</i>	Bishop, CA for the provision of chemical toilet services in an amount not to exceed \$30,627 for the period of July 1, 2021 through June 30, 2024, 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.
<i>Recycling & Waste Management – Holiday Closures</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to authorize the Inyo County Recycling and Waste Management Program to close the Big Pine Transfer Station, Independence Landfill, the Lone Pine Landfill and the Bishop-Sunland Landfill on the following holidays: Fourth of July 2021, Christmas Day 2021, and New Year's Day 2022. Motion carried unanimously.
<i>Recycling & Waste Management – Bishop Waste Chemical Toilet Services</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the agreement between the County of Inyo and Madera Disposal Systems Inc. dba Bishop Waste Disposal of Bishop, CA, for the provision of chemical toilet services in an amount not to exceed \$47,720 for the period of July 1, 2021 through June 30, 2026, 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.
<i>Recycling & Waste Management – American Refuse Contract</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the agreement between the County of Inyo and American Refuse Inc. of Wasco, CA for the provision of tire hauling and recycling in an amount not to exceed \$135,000 for the period of July 1, 2021 through June 30, 2024, 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.
<i>Recycling & Waste Management – CalRecycle Grants/Reso # 2021-26</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve Resolution No. 2021-26, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Authorizing Submittal of Applications for Grant Programs and Related Authorizations," in relation to CalRecycle grants, and authorize the Chairperson to sign. Motion carried unanimously.
<i>HHS-Behavioral Health – Crestwood Contract</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the contract between the County of Inyo and Crestwood Behavioral Health, Inc. for residential placement for adults in a locked facility or an enhanced board and care in the amount not to exceed \$23,000 for the period of July 1, 2021 to June 30, 2022, contingent upon the Board's adoption of the Fiscal Year 2021/2022 Budget, and authorize Chairperson to sign. Motion carried unanimously.
<i>Planning – Daniel B. Stephens Amendment 4</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve Amendment No. 4 to the contract between the County of Inyo and Daniel B. Stephens & Associates, Inc. for the provision of hydrological services to amend all sections relating to the term of the agreement to be April 25, 2017 to April 25, 2022 and amend all sections relating to the limit upon amount payable under the agreement to \$70,000, and authorize the Chairperson to sign. Motion carried unanimously.
<i>Public Works – Carroll Creek Rd. Program Easement Deed</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to accept and approve the Highway Easement Deed from the United States of America, acting through the Department of Transportation, Federal Highway Administration, for the realignment of a portion of road related to the Carroll Creek Road Bridge Replacement Project. Motion carried unanimously.
<i>HHS – Children's Memorial Day Proclamation</i>	Moved by Supervisor Totheroh and seconded by Supervisor Roeser to approve a proclamation declaring April 23, 2021 as Children's Memorial Day in Inyo County Motion carried unanimously.
<i>Information Services – CBC Fiber-Optic Lease Agreement</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the lease agreement between the County of Inyo and the California Broadband Cooperative (CBC) of Bishop, California, for the lease of 2 strands of fiber-optic network cabling between 210 Academy Avenue in Bishop and 1360 North Main Street in Bishop, in an amount not to exceed \$1,050 per month for 60 months (\$63,000), and a one-time non-recurring cost of \$77,645.25 for the installation of CBC network assets to 1360 North Main Street, 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.

*Clerk of the Board –
Approval of Minutes*

Moved by Supervisor Roeser and seconded by Supervisor Totheroh to approve the minutes of the regular Board of Supervisors meetings of April 13, 2021. Motion carried unanimously.

Recess/Reconvene

The Chairperson recessed the meeting for a break at 10:45 a.m. and reconvened the meeting at 11 a.m. with all Board members present.

*BOS – Resolution
No. 2021-27*

Chairperson Griffiths presented a resolution denouncing Resolutions 42-15, 42-16, and 43-6, which reflected the anti-Japanese sentiments of the World War II era but are now in conflict with the current positions held by the Board and the community as a whole. Supervisor Roeser said she found the matter troubling, but in the hopes the proposed action is intended to promote healing and not open old wounds, she moved that the Board rescind Resolutions 42-15, 42-16, and 43-6 (without approving the new resolution). Supervisor Totheroh seconded. County Counsel Marshall Rudolph said his office helped work on the new resolution and the word “denouncing” was specifically chosen instead of repealing or rescinding because: 1.) rescinding the older resolutions would be making it as if they never existed – problematic because they are part of the historical record and the intent of the new resolution was to acknowledge and disavow them, not erase them; and 2.) they applied to a specific era and are no longer in effect, rendering a repeal unnecessary. He said the Board may still choose to repeal or rescind for symbolic reasons. Supervisor Kingsley said he was also struggling with the matter, noting that in the context of time and place, the Board of Supervisors in 1942-43 did what it thought was right and they were good leaders who led the County well in numerous ways.

The Chairperson resumed control of the meeting, noting that he also feels deeply personally about the issue, especially in a time of reckoning and unrest in this country. He said the proposed denouncement of the older resolutions is meant to atone for a historical wrong – not shame anyone – and promote healing under the principles of love and respect, liberty and justice for all.

Chairperson Griffiths opened the discussion to public comment.

Nancy Takayama, whose parents were incarcerated at Manzanar in Inyo County, said repealing the older ordinances would be akin to saying they never existed. She said they come from a time of war and should be acknowledged and recognized as part of history and the Japanese American experience. She commended the Board for acknowledging what happened and for making new history. Supervisor Roeser said she didn’t want to sweep the older resolutions under the rug but said they need to be viewed in the context of the time. She said she would be happy to denounce Executive Order 9066. County Counsel Rudolph again clarified that a rescission is like something never happened, and a repeal is meant to stop something going forward. The former was not the intent, and the latter is unnecessary, which is why the new resolution specifically uses the word “denounce.” He added that it is the Board’s prerogative if it wants to use a word like repeal or even rescind. Ms. Takamaya said she objected to a rescission as it would disregard the impact actions like those resolutions (even if they weren’t directly aware of them) and the sentiments contained therein had on people of Japanese ancestry.

Bruce Embrey, co-chair of the Manzanar Committee and son of Manzanar co-founder Sueko Sue Kunitomi Embrey, who was incarcerated at Manzanar, congratulated the Board taking the issue on and agreed wholeheartedly that the intent is not to shame or guilt anybody. He said the Committee appreciated the Board denouncing unconstitutional “and frankly, racist” resolutions and policy. He urged the Board to not underestimate the power of an apology or the damage that was inflicted on the Japanese American community.

A comment letter was read aloud from Rob Pearce, in which he called the proposed denouncement a repugnant effort to change history and condemn any actions or thoughts that don’t fit today’s politically correct environment. He also called it repugnant that such actions can be proposed without those historic Board members having the benefit of explaining their actions or words. He also noted that those historic Board members have relatives who still live in Inyo County. He said what happened to the Japanese in America during WWII was terrible, but what happened to allied troops at the hands of the Japanese “was equal or even more

repugnant.” Chairperson Griffiths reiterated that the new resolution is not intended to shame anyone, but rather denouncing resolutions that are unconstitutional and in conflict with the nation’s values and founding principles.

Elin Ljung commended the Board for taking up the proposed action to denounce the older resolutions.

Supervisor Kingsley said it’s important to stress that the Board is denouncing resolutions – not people.

Jon Klusmire, director of Eastern California Museum, said the museum has an exhibit on Manzanar and an extensive photo archive and a lot of the responses heard from visitors viewing these old black and white images are that, “Well maybe things weren’t so bad.” He said the old resolutions show just how extensive and widespread anti-Japanese sentiment and policies were, and he found it rather shocking that the Inyo County Board of Supervisors in 1943 proposed amending the U.S. Constitution to deny people of Japanese ancestry their property and citizenship. Klusmire said he appreciated Chairperson Griffiths for bringing these older resolutions to light so they can become a permanent part of the museum’s Manzanar exhibit.

Supervisor Roeser, who withdrew her original motion, said she was hoping to bring healing. She said she has heard a lot of negative comments about the new resolution, noting there are surviving relatives of at least four of the historic Board members and she doesn’t feel repudiating those supervisors promotes healing. She said she hopes she is not similarly judged under a microscope 80 years from now. Supervisor Totheroh said the new resolution is not judging those supervisors but objecting to their actions. Supervisor Roeser suggested adding the word “rescinding” to the title of the new resolution, and objected to the following statement that she felt was a repudiation of the 1942-1943 Board members: “...the Inyo County Board of Supervisors hereby, and in the strongest possible terms, condemns the incarceration of Japanese Americans during World War II and denounces the 1942-1943 Board of Supervisors’ actions supporting and calling for the denial of Japanese Americans’ civil and human rights.” Chairperson Griffiths suggested changing it to the following: “... the Inyo County Board of Supervisors hereby, and in the strongest possible terms, condemns the incarceration of Japanese Americans during World War II and rescinds and denounces the 1942 and 1943 County of Inyo resolutions supporting and calling for the denial of Japanese Americans’ civil and human rights.”

Moved by Supervisor Roeser and seconded by Supervisor Totheroh to approve Resolution No. 2021-27, as amended. Motion carried unanimously. Supervisor Roeser said she still finds the situation very difficult and believes Resolution No. 2021-27 is missing context.

Board Member and Staff Reports

Supervisor Totheroh reported having numerous conversations with Larry Emerson of IMACA regarding the safe paring project.

Supervisor Kingsley reported a lot of interactions with constituents and the Rural County Representatives of California.

Supervisor Roeser reported that there will be Local Transportation Committee meeting this week.

Supervisor Pucci said he has had a lot of talks with constituents on various issues and projects.

Chairperson Griffiths also reported having a lot of constituent meetings and reminded the rest of the Board about the virtual California State Association of Counties Legislative Conference.

Recess/Reconvene

The Chairperson recessed the meeting at 12:25 p.m. and reconvened the meeting at 1 p.m. with all Board members present.

Environmental Health – Inyo County LPA Status

The Board received a workshop from Environmental Health Director Jerry Oser on the current standing of the Inyo County Local Primacy Agency, and the pending revocation of the Local Primacy Delegation Agreement (LPDA) between the State Water Board, Division of Drinking Water (DDW), and the Inyo County Environmental Health Department (EHD).

Adjournment

Chairperson Griffiths adjourned the meeting at 1:50 p.m. to 8:30 a.m. Tuesday, April 27, 2021 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*