




# County of Inyo Board of Supervisors

**February 20, 2024**

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:33 a.m., on February 20, 2024, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Matt Kingsley, presiding, Scott Marcellin, Matt Kingsley, Jeff Griffiths, Jennifer Roeser and Trina Orrill. Also present: County Administrator Nate Greenberg, Assistant County Counsel John-Carl Vallejo, and Assistant Clerk of the Board Darcy Ellis.

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| <i>Closed Session</i>           | The Chairperson asked for public comment related to closed session items and there was no one wishing to speak.   |
| <i>Public Comment</i>           |   |
| <i>Closed Session</i>           | Chairperson Roeser recessed open session at 8:36 a.m. to convene in closed session with all Board members present to discuss the following item(s): No. 2 <b>Conference with County's Labor Negotiators – Pursuant to Government Code §54957.6</b> – 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 Nate Greenberg, Assistant County Administrator Sue Dishion, Deputy Personnel Director Keri Oney, County Counsel John-Carl Vallejo, Assistant County Counsel Christy Milovich, Senior Budget Analyst Denelle Carrington, Anna Scott, Amanda Phillips, and Jack Hughes; No. 3 <b>Conference with Legal Counsel – Existing Litigation – Pursuant to Government Code §54956.9(d)(1)</b> – Name of case: <i>Inyo v. Wolverine/Inyo, LLC et. al.</i> (Case No. 23UC70164); and No. 4 <b>Public Employment – Pursuant to Government Code §54957</b> – Title: Assistant County Administrator. |
| <i>Open Session</i>             | Chairperson Kingsley recessed closed session and reconvened the meeting in open session at 10:11 a.m. with all Board members present.   |
| <i>Pledge of Allegiance</i>     | County Counsel Vallejo led the Pledge of Allegiance.  |
| <i>Memorial Adjournment</i>     | Chairperson Kingsley took a moment before the regular agenda to recognize the recent loss of County employee David Miller.<br><br>Agriculture Commissioner Nate Reade approached the Board to express kind words about Miller and said, "He was a great employee, was with us for 17 years, our point person for weights and measures. He was reliable, hard-working, fair, thoughtful, and ethical in his work and those traits were a reflection of who he was as a person."<br><br>Kingsley requested that the meeting be adjourned in memory of David Miller.   |
| <i>Report on Closed Session</i> | County Counsel Vallejo reported that the Board met under Item Nos. 2 through 4 and that no action was taken during closed session required to be reported. Vallejo said the Board would reconvene in closed session later in the meeting to further discuss those items.  |
| <i>Public Comment</i>           | Chairperson Kingsley asked for public comment related to items not calendared on the agenda and public comment was received from Lauralyn Hundley, Brian Tillemans, who provided copies of a petition to the Board, Jennifer Duncan with Friends of the Eastern California Museum, who provided a newsletter to the Board, Lynne Greer, and Sharon White.   |

<i>County Department Reports</i>	Sheriff Rennie thanked community members and Board members for their support during the ongoing homicide investigation and said that the department is making progress on the case. Rennie also mentioned that the department recently held a swearing-in ceremony for the promotion of Correctional Sergeants.
<i>CAO – CA Debt Limit Committee Assignment</i>	Moved by Supervisor Marcellin and seconded by Supervisor Griffiths to: A) Approve a letter to the California Debt Limit Allocation Committee, requesting the assignment of Inyo County's anticipated 2024 allocation of private activity bonds to Golden State Finance Authority in order to participate in GSFA's affordable housing programs, and authorize the County Administrator to sign; and B) Authorize the County Administrator to sign the Housing Element Certification Form. Motion carried unanimously.
<i>CAO-Personnel – Evergreen Solutions, LLC Contract</i>	Moved by Supervisor Marcellin and seconded by Supervisor Griffiths to approve the contract between the County of Inyo and Evergreen Solutions, LLC for the provision of a Classification and Compensation Study in an amount up to and not to exceed \$107,500 for the period of February 20, 2024, through February 3, 2025, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>CAO-Information Services – American Business Machines Copier/Printer Lease Agreement</i>	Moved by Supervisor Marcellin and seconded by Supervisor Griffiths to approve a new lease agreement with American Business Machines under a pre-negotiated State contract in order to continue the servicing and replacement of copiers and printers throughout County offices at a leasing cost not to exceed \$245,000 per year for a term of 5 years and authorize the Chief Information Officer to sign said agreement. Motion carried unanimously.
<i>County Counsel – Gibbs Giden et al. LLC Contract Amendment No. 1</i>	Moved by Supervisor Marcellin and seconded by Supervisor Griffiths to approve Amendment No. 1 to the Agreement between the County of Inyo and Gibbs Giden Locher Turner Senet & Wittbrodt LLP, increasing the contract to an amount not to exceed \$431,050, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>HHS-Behavioral Health – GHC of Anberry LLC/Atwater Nursing and Rehab Center Contract</i>	Moved by Supervisor Marcellin and seconded by Supervisor Griffiths to: A) Declare GHC of Anberry, LLC dba Anberry Nursing & Rehabilitation Center of Atwater, CA, a sole-source provider of Mental Health Services; and B) Ratify and approve the agreement between the County of Inyo and GHC of Anberry, LLC dba Anberry Nursing & Rehabilitation Center of Atwater, CA for the provision of Mental Health Services in an amount not to exceed \$96,900 for the period of November 22, 2023 through June 30, 2024, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>HHS-Behavioral Health – GHC of Upland SNF/ Heritage Park Nursing Center Contract</i>	Moved by Supervisor Marcellin and seconded by Supervisor Griffiths to: A) Declare GHC of Upland SNF, LLC dba Heritage Park Nursing Center of Upland, CA, a sole-source provider of Mental Health Services; and B) Ratify and approve the agreement between the County of Inyo and GHC of Upland SNF, LLC dba Heritage Park Nursing Center of Upland, CA for the provision of Mental Health Services in an amount not to exceed \$83,160 for the period of November 13, 2023 through June 30, 2024, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>CAO-Motor Pool – New Patrol Vehicles Equipment Install Blanket P.O.</i>	Moved by Supervisor Marcellin and seconded by Supervisor Griffiths to authorize the issuance of a blanket purchase order in an amount not to exceed \$200,000 payable to National Auto Fleet Group of Watsonville, CA for the installation of law enforcement equipment in the new patrol units for the Sheriff's Department. Motion carried unanimously.
<i>Public Works- Recycling &amp; Waste Management – Tire Amnesty Events</i>	Moved by Supervisor Marcellin and seconded by Supervisor Griffiths to: A) Waive all gate and disposal fees associated with the Tire Amnesty Events; and B) Authorize payment from Recycling Waste Management to American Refuse, our tire hauler, for pickup for these events only, in addition to their existing contract for tire hauling for waste management. Motion carried unanimously.

*Public Works –  
County Service Area  
No. 2 (Bishop Creek  
Sewer)  
Advisory Committee  
Appointment*

Moved by Supervisor Marcellin and seconded by Supervisor Griffiths to appoint Steven Leach to the County Service Area No. 2 (Bishop Creek Sewer) Advisory Committee to serve the remainder of the term ending December 1, 2024. Motion carried unanimously.

*Public Works –  
Bay City Electric Works  
Generator  
Maintenance Service  
Contract*

Moved by Supervisor Marcellin and seconded by Supervisor Griffiths to ratify and approve the agreement between the County of Inyo and Bay City Electric Works of Livermore, CA for the provision of bi-annual generator maintenance in an amount not to exceed \$85,702.68 for the period of January 22, 2024, through January 22, 2027, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

*Public Works –  
Independence  
Courthouse HVAC  
Project Contract Award*

Board members asked for clarification on proposed budget amendments, the budgets being used, and the sources of funding for the project. They also expressed gratitude that the project is moving forward.

Moved by supervisor Griffiths and seconded by Supervisor Orrill to:

- A) Approve the bid received from Bishop Heating and Air and authorize Public Works to enter into an agreement to carry out the Independence Courthouse HVAC project as more fully described below;
- B) Amend the Fiscal Year 2023-2024 Deferred Maintenance Budget (011501) as follows: decrease estimated revenue in Operating Transfers In (4998) by \$675,159 and decrease appropriation in Professional Services (5265) by \$67,629 and decrease appropriation in Structures and Improvements (5640) by \$607,530 (*4/5ths vote required*);
- C) Amend the Fiscal Year 2023-2024 CAO-ACO Budget (010201) as follows: increase appropriation in Operating Transfers Out (5801) by \$100,000 (*4/5ths vote required*);
- D) Amend the Fiscal Year 2023-2024 American Rescue Plan Act - 2021 Budget (650200) as follows: increase appropriation in Operating Transfers Out (5801) by \$1,900,000 (*4/5ths vote required*);
- E) Amend the Fiscal Year 2023-2024 Public Works Courthouse Rehabilitation Deferred Maintenance Budget (011502) as follows: increase estimated revenue in Operating Transfers In (4998) by \$2,675,159 and increase appropriation in Structures and Improvements (5640) by \$67,629 and increase appropriation in Construction in Progress (5700) by \$2,607,530 (*4/5ths vote required*); and
- F) Ratify and approve the contract between the County of Inyo and Bishop Heating and Air Conditioning Inc. of Bishop, CA for the provision of HVAC System replacement in an amount not to exceed \$2,391,380 for the period of February 6, 2024, through December 31, 2024, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained.

Motion carried unanimously.

*Sheriff –  
Esmeralda County  
Sheriff's Office  
Donation to Inyo/  
Trained K-9*

Sheriff Rennie and Sergeant Noonan provided background information on the recent donation of a K-9 from Esmeralda County Sheriff's Office and introduced K-9 Enwer and his new handler Deputy Lloyd to the Board.

Moved by Supervisor Roeser and seconded by Supervisor Orrill to accept a donation of Enwer, a German Shepherd dog trained in drug detection and apprehension, from the Esmeralda County Sheriff's Office. Motion carried unanimously.

*CAO –  
Fiscal Year 2023-2024  
Mid-Year Financial  
Review*

Moved by Supervisor Roeser and seconded by Supervisor Orrill to:

- A) Accept the Fiscal Year 2023-2024 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; and
- C) Direct staff to continue the emphasis on revenue attainment and expense savings in order to maximize year-end Fund Balances.

Motion carried unanimously.

<i>CAO – Tilson Technology/Broadband Strategic Plan Overview</i>	The Board received a presentation from Shelley Westall Principal Consultant with Tilson Technology and contractor for Golden State Finance Authority, on the Inyo County Broadband Planning and Feasibility Study.  Regional Broadband Coordinator Scott Armstrong followed up this presentation with additional information, including a review of the study’s contents.
<i>CAO-Personnel – Assistant County Clerk- Recorder/Personal Services Contract</i>	Moved by Supervisor Roeser and seconded by Supervisor Marcellin to: <ul style="list-style-type: none"> <li>A) Approve the contract between the County of Inyo and Caroline Nott for the provision of personal services as the Assistant County Clerk-Recorder at Range 84, Step C, \$8,332 per month effective February 29, 2024, and authorize the Chairperson to sign;</li> <li>B) Approve the Job Description for the Assistant County Clerk-Recorder; and</li> <li>C) Direct staff to update the publicly available pay schedule accordingly.</li> </ul> Motion carried unanimously.
<i>Recess/Reconvene</i>	Chairperson Kingsley recessed the regular Board meeting to reconvene in Closed Session at 12:13 p.m. and reconvened in Open Session at 1:16 p.m. with all Board members present.
<i>Report on Closed Session</i>	County Counsel Vallejo reported that the Board met under Item Nos. 2 through 4 and that no action was taken during closed session required to be reported.
<i>Planning Department – Appeal No. 2023-04</i>	Chairperson Kingsley introduced Appeal No. 2023-04.  Assistant County Counsel Grace Weitz introduced all parties involved and summarized Appeal No. 2023-04 of the November 15, 2023, Planning Commission decision, regarding the Short-Term Rental Permit 2021-06/Collins. Weitz requested that the Board uphold the November 17, 2023, Planning Commission Order After Hearing and deny the appellants request to reinstate the Hosted Short Term Rental Permit No. 2021-06/Collins.  Appellants Marcia Binnendyk and Steve Schuster addressed the Board individually sharing their concerns regarding lack of disclosures and alleged inaccuracies in investigative documents and requested reconsideration of the revocation of the permit tied to their recently purchased property.  County Counsel Vallejo cited evidence within the investigative material where disclosures were provided, signed, and acknowledged by appellant Schuster. Assistant County Counsel Weitz explained that there was additional evidence suggesting Mr. Schuster had experience and familiarity with real estate practices, yet the decision to move forward and proceed with the purchase of the property was made.  Planning Director Cathreen Richards provided information regarding communications between the Planning Department and Jenifer Castaneda, the Real Estate Broker involved in the sale of the property and County Counsel Vallejo said that correspondence had been submitted to the Board by Broker Castaneda in favor of the appellants.  Public comment was provided by Sharon White.  Moved by Supervisor Roeser and seconded by Supervisor Orrill to uphold the November 17, 2023, Planning Commission Order After Hearing and deny Mr. Schuster’s request to reinstate the Hosted Short Term Rental Permit No. 2021-06/Collins. Motion carried unanimously.
<i>Public Comment</i>	Chairperson Kingsley asked for public comment related to items not calendared on the agenda and public comment was received from Randy Short.
<i>Board Member &amp; Staff Reports</i>	CAO Greenberg said he attended meetings for the Inyo/Los Angeles Standing Committee, Buttermilk Stakeholder Planning, preparation for the Strategic Planning Workshop, and staff support gatherings in honor of David Miller and spoke with Bishop Field Officer for the Bureau of Land Management Sherri Lisius.

Supervisor Griffiths said he attended the Standing Committee Meeting, a retirement party for Marty Evans, and a Civics class at Cerro Coso College.

Supervisor Kingsley said he has attended meetings with constituents.

Supervisor Orrill said she attended the swearing-in ceremony for Inyo County Sheriff's Corporals, a Drug Court graduation, and meetings for the Eastern Sierra Transit Authority Board, and the Behavioral Health Advisory Board.

Supervisor Marcellin said he attended Drug Court Graduation and meetings for the Rural County Representatives of California, Owens Valley Groundwater Association, and the Northern Inyo Airport Advisory Commission, as well as the National Association of Counties Conference in Washington, D.C.

Supervisor Roeser said she attended the NACo Conference and met with Congressman Kiley and Senator Butler.

Supervisor Kingsley reminded attendees that there will be no Board meeting next week, there will be a Strategic Planning meeting this Thursday, and the next Board meeting will be March 5.

*Adjournment*

The Chairperson adjourned the meeting at 2:38 p.m. in memory of David Miller, 17-year County employee, to 9:00 a.m. Thursday, February 22, 2024, in the County Administrative Center in Independence.



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Chairperson, Inyo County Board of Supervisors

Attest: *NATE GREENBERG*  
*Clerk of the Board*

by:   
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*Darcy Ellis, Assistant*