

MINUTES



County of Inyo Board of Supervisors

February 6, 2024

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 6, 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, County Counsel John-Carl Vallejo, and Assistant Clerk of the Board Darcy Ellis.

Closed Session Public Comment

The Chairperson asked for public comment related to closed session items and there was no one wishing to speak.

Closed Session

Chairperson Roeser recessed open session at 8:32 a.m. to convene in closed session with all Board members present to discuss the following item(s): No. 2 **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 Nate Greenberg, Assistant County Administrator Sue Dishion, Deputy Personnel Director Keri Oney, County Counsel John-Carl Vallejo, Assistant County Counsel Christy Milovich, and Senior Budget Analyst Denelle Carrington; No. 3 **Conference with Real Property Negotiators – Pursuant to paragraph (1) of subsection (b) of Government Code §54956.8** – Property: Bishop, Independence, and Lone Pine Landfills. Agency Negotiators: Nate Greenberg, John-Carl Vallejo, Greg James, Fred Aubrey. Negotiating parties: Inyo County and Los Angeles Department of Water and Power. Under negotiation: price and terms of payment; No. 4 **Conference with Legal Counsel – Existing Litigation – Pursuant to Government Code §54956.9(d)(1)** – Name of case: *Inyo v. Wolverine/Inyo, LLC et. al.* (Case No. 23UC70164); No. 5 **Public Employment – Pursuant to Government Code §54957** – Title: Public Defender; and No. 6 **Public Employment – Pursuant to Government Code §54957** – Title: Assistant County Administrator.

Open Session

Chairperson Kingsley recessed closed session and reconvened the meeting in open session at 10:11 a.m. with all Board members present.

Report on Closed Session

County Counsel Vallejo reported that no action was taken that was required to be reported, but the Board would need to reconvene in Closed Session later in the meeting to continue discussions.

Pledge of Allegiance

Supervisor Griffiths led the Pledge of Allegiance.

Public Comment

Chairperson Kingsley asked for public comment related to items not calendared on the agenda and public comment was received from Lauralyn Hundley and Sharon White.

County Department Reports

Public Works Deputy Director-Roads Shannon Platt provided an update on repairs to Whitney Portal Road and other byways damaged during last year's storms.

Treasurer-Tax Collector Alisha McMurtrie announced that the online auction of tax-defaulted property opened January 20 and will close on February 29, the same day as the live auction.

Child Support Services Director Amy Weurdig updated the Board on the Child Support hotline being out of service statewide, with no estimated date of reinstatement. She said

Information Services helped set up the temporary number of (760) 614-1818. Clerk-Recorder-Registrar of Voters Danielle Sexton gave an update on the upcoming election.

Item Pulled

Chairperson Kingsley announced the following item was being pulled from the agenda for consideration at a future date:

14. Copier-Printer Lease Agreement under State Contract between the County and ABM

County Administrator - Information Services | Nate Greenberg

Recommended Action: 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.

*Clerk of the Board –
Approval of Minutes*

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to approve the minutes from the regular Board of Supervisors meeting of January 16, 2024. Motion carried unanimously.

*Emergency Services –
Continuing Tropical
Storm Emergency*

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to continue the local emergency proclaimed in response to Tropical Storm Hilary. Motion carried unanimously.

*Museum – Rejection of
Unused Donations*

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to, pursuant to Inyo County Code Section 6.26.020, reject two donations of \$2,500, for a total of \$5,000, for the Commander's House re-roofing project and authorize the Auditor's Office to issue warrants to the two impacted contributors. Motion carried unanimously.

*Risk – Workplace
Violence Prevention
Plan*

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to approve the "Workplace Violence Prevention Plan," and authorize the Chairperson to sign. Motion carried unanimously.

*Child Support – Mono
County Lease
Agreement*

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to approve the Lease Agreement between the County of Inyo and Mono County, for the real property described as the "Tioga Room," 1290 Tavern Road, Mammoth Lakes, CA 93546 for a term of three years in an amount not to exceed \$250 per month for the period of March 1, 2024 to March 1, 2027, for a total not-to-exceed amount of \$9,000, contingent upon future budget approval, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

*HHS-Behavioral Health
– Interim Local Mental
Health Director
Appointment*

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to ratify and approve appointment of Anna Scott, HHS Director, as the Interim Local Mental Health Director and authorize the County Administrator to sign the appointment letter. Motion carried unanimously.

*HHS-Behavioral Health
– Interim Alcohol and
Drug Program
Administrator
Appointment*

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to ratify and approve the appointment of Anna Scott, HHS Director, as the Interim Inyo County Alcohol and Drug Program Administrator, consistent with California Health and Safety Code (HSC) Section 11800. Motion carried unanimously.

*HHS-First 5 –
Commission
Appointment (Scott)*

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to appoint Anna Scott, HHS Director, to a new three-year term as the Health and Human Services Commissioner on the First 5 Children and Families Commission, ending December 5, 2026. Motion carried unanimously.

HHS-Social Services –

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to appoint Darcia

| | |
|--|---|
| <i>LPS Conservator Appointment</i> | Blackdeer-Lent, HHS Deputy Director of Placement and Social Services, as the authorized LPS (Lanterman-Petris-Short) Conservator. Motion carried unanimously. |
| <i>Public Works – Surplus Vehicles, Equipment & Auction</i> | Moved by Supervisor Griffiths and seconded by Supervisor Roeser to: A) declare the vehicles and equipment listed in Attachment 1 as surplus; B) authorize the Road Department to offer the vehicles and equipment for sale utilizing the Public Surplus auction site; and C) authorize any unsold vehicles and equipment to be disposed of as scrap metal. Motion carried unanimously. |
| <i>Public Works-Parks & Rec – Tinnemaha Campground Reservation</i> | Moved by Supervisor Griffiths and seconded by Supervisor Roeser to approve a request from the Moontribe Collective to reserve all campsites at Tinnemaha Creek Campground, June 19 through June 24, 2024. Motion carried unanimously. |
| <i>Public Works – Right-of-Way Contracts</i> | Moved by Supervisor Griffiths and seconded by Supervisor Roeser to approve two (2) Right-of-Way Contracts for Temporary Easements between the County of Inyo and the California Department of Transportation in an amount not to exceed \$3,000, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously. |
| <i>Treasurer-Tax Collector – Office Tech III Step E</i> | Moved by Supervisor Griffiths and seconded by Supervisor Roeser to authorize the hiring of one (1) Office Technician III, Rance 63 (\$4,525 - \$5,507), at Step E (\$5,507). Motion carried unanimously. |
| <i>Water Dept. – 2022-23 LORP Accounting Report</i> | Moved by Supervisor Griffiths and seconded by Supervisor Roeser to approve the 2022-2023 Lower Owens River Project (LORP) Annual Accounting Report. Motion carried unanimously. |
| <i>Clerk-Recorder – Presentation on New and Pending Laws</i> | Clerk-Recorder-Registrar of Voters Danielle Sexton reviewed for the Board new and pending legislation related to every facet of her office. |
| <i>Water – Standing Committee Rep Direction</i> | Water Director Dr. Holly Alpert sought direction to the County's Standing Committee representatives in advance of the meeting of the Inyo County/Los Angeles Standing Committee scheduled for February 8, 2024, in Los Angeles. She reviewed the agenda and asked if Board members had questions or concerns. Supervisors Roeser and Orrill urged the County's reps to continue pressing the topic of vegetation overgrowth and related fire concerns. Public comment was received from Sally Manning. |
| <i>County Administrator – Administration Department Restructure</i> | <p>CAO Greenberg reviewed the item and the impetus for the proposed actions, which was essentially direction from the Board to complete more projects in a timelier fashion. He said that direction was balanced against capacity and resources and resulted in the recommendation for the department restructure.</p> <p>Supervisors recognized that staff is being asked to initiate and complete more and more projects, but Supervisor Marcellin said he was still hesitant to begin funding another position given the budget situation at the state level. Board members agreed they wanted measurable progress with the new structure.</p> <p>Moved by Supervisor Orrill and seconded by Supervisor Griffiths to:</p> <ul style="list-style-type: none"> A) Approve the proposed restructuring of the Administration Department as recommended; B) Approve changes to the Authorized Strength in the County Administrative Officer Department by: <ul style="list-style-type: none"> 1. Adding one (1) Deputy County Administrator at Range 88 (\$8,232-\$10,003) or Senior Deputy County Administrator at Range 92 (\$9,079-\$11,036), depending on qualifications and scope of duties/responsibilities, and deleting one (1) Assistant County Administrative Officer at Range 160 (\$11,553-\$14,043); and 2. Adding one (1) Assistant Director of Budget and General Services at Range |

92 (\$9,079-\$11,036) and deleting one (1) Senior Budget Analyst at Range 88 (\$8,232-\$10,003); and

- C) Approve the job descriptions for the Deputy/Senior Deputy County Administrator and Assistant Director of Budget and General Services;
- D) Approve the contract between the County of Inyo and Meaghan McCamman for provision of personal services as Deputy County Administrator at Range 88, Step E, \$10,003 per month, effective February 15, 2024, and authorize the County Administrator to sign;
- E) Approve the contract between the County of Inyo and Denelle Carrington for provision of personal services as Assistant Director of Budget and General Services at Range 92, Step E, \$11,036 per month, effective February 15, 2024, and authorize the County Administrator to sign;
- F) Direct staff to update the publicly available pay schedule accordingly; and
- G) Approve Resolution No. 2024-05 titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Setting Certain Salary and/or Terms of Conditions of Employment for Management and Non-represented Employees Employed in the Several Offices or Institutions of the County of Inyo, Which Shall Supersede any Prior Resolution Pertaining to that Subject to the Extent They are Inconsistent," and authorize the Chairperson to sign.

Motion carried 4-1, with Supervisor Marcellin voting no.

*CAO & Public Works –
Willdan Outside
Planning Services
Contract*

Public comment was heard from Carola Gregorich. Moved by Supervisor Griffiths and seconded by Supervisor Roeser to:

- A) Approve the contract between the County of Inyo and Willdan Engineering of San Bernardino, CA for the provision of Building and Safety and Engineering Services in an amount not to exceed \$25,000 for the period of February 6, 2024 through June 30, 2024, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained;
- B) Approve Resolution No. 2024-06, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Updating the Fee Schedule for Plan Check Services Provided by the Office of Building and Safety," and authorize the Chairperson to sign; and
- C) Amend the Fiscal Year 2023-2024 County Budget as follows: increase appropriation in the Building & Safety Budget (023200), Professional Services (5265) by \$25,000 and reduce the General Fund Contingencies Budget (087100), Contingencies (5901) by \$25,000 (*4/5ths vote required*).

Motion carried unanimously.

*CAO – County-Owned
Property Workshop*

Assistant CAO Meaghan McCamman presented a review of County-owned real property inventory. Board members discussed possible options for the use of the properties located in various Inyo communities, including additional housing options. Board members heard opposition to losing valuable agriculture land to development and directed staff to bring back more information on which of the parcels are truly developable for housing and how that development could be facilitated to avoid impacts on the environment, including viewshed.

Public comment was heard from Carola Gregorich, Shelly Snoderly, Callie Peek, Yvette Rossi, Jeri Rose Roen, City of Bishop Administrator Deston Dishion, Lynne Greer, Duane M. Rossi, Butch Hambleton, Carrol Hambleton, Lloyd Wilson, Edie Trimmer, and Chasity Snoderly. Treasurer Tax-Collector Alisha McMurtrie recommended scheduling a meeting of the Inyo County Financial Advisory Committee.

Recess/Reconvene

The Chairperson recessed the meeting for a break at 2:19 p.m. and reconvened the meeting at 2:53 p.m. with all Board members present.

*Planning Department –
Appeal No. 2023-02*

County Counsel Vallejo introduced both Appeal No. 2023-02 and Appeal No. 2023-03, which are substantively the same and revolve around Renewable Energy Permits (REPs) approved for two separate photovoltaic solar facilities on contiguous land in the Trona area.

Assistant County Counsel Christy Milovich introduced all parties involved and provided an overview of the appeals and issues in question. She noted the burden of proof lay with the defendants to show the Planning Commission was wrong in its approval of the REP applications submitted by Robbie Barker.

Assistant Planner Cynthia Draper offered more detail about the Planning Department's decision to approve REP 2022-01/Barker Solar, reasons for which included the applicant going above and beyond with environmental surveys, being open to additional conditions of approval, and the proposed use being expressly allowed in the Solar Energy Development Area of the Renewable Energy General Plan Amendment. The approval was subsequently appealed to the Board of Supervisors by John Mays, Amanda Ball, Brian McNamara, Tom Kidder, and Eden Miller.

Patrick Saluri, attorney for the appellants, laid out his clients' justification for the appeal and alleged various procedural mistakes involving the approval of the permits.

Assistant County Counsel Milovich offered a rebuttal and, with regard to the procedural complaints, accused Mr. Saluri of throwing spaghetti at the wall to see what sticks. Shawn Hungerford, attorney for Robbie Barker, also offered a rebuttal in consensus with Assistant County Counsel Milovich.

Appellants Tom Kidder, Eden Miller, and John Mays addressed the Board individually, sharing their concerns about dust and air pollution as well as destroyed viewsheds and lowered property value.

Extensive discussion ensued, with Board members expressing sympathy for both sides of the argument.

After some consideration, the Board continued the Appeal Hearing to 1 p.m. Tuesday, March 19 and or as soon as possible thereafter and directed staff to send new hearing notices. The Chairperson noted the additional time might be a good opportunity for both sides to come to a compromise.

*Planning Department –
Appeal No. 2023-03/
Barker Solar*

The Board postponed the Appeal Hearing to 1 p.m. Tuesday, March 19 or as soon as possible thereafter and directed staff to send new hearing notices.

*CAO – 2024
Legislative Platform*

The Board discussed the proposed additions to the Legislative Platform and agreed to additional suggestions made by Supervisor Roeser as follows:

General Government

- **Support** legislation and other initiatives to make the National Registry of EMTs and state EMS licensing requirements less burdensome or otherwise remove obstacles that limit rural areas' ability to recruit and retain qualified EMTs and EMS professionals.

Public Works

- **Oppose** legislation or other initiatives that unduly burden Community Service Districts, water districts, and other publicly- and/or volunteer-run utilities.
- **Support** state and federal funding for local water systems facing unfunded and/or burdensome state/federal mandates.

Resources and Environment

- **Support** increased locality pay for local residents employed by the Federal government, such as the BLM and USFS.

Planning and Land Use

- **Support** funding for rural, small-scale environmental clean-up for development purposes.

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to adopt the Inyo County 2024 Federal Legislative Platform. Motion carried unanimously.

Public Comment

Chairperson Kingsley asked for public comment related to items not calendared on the agenda and public comment was received from Carola Gregorich.

*Board Member and
Staff Reports*

Board member and staff reports were skipped in the interest of time.

Closed Session

Chairperson Kingsley recessed open session at 5:40 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 Kingsley recessed closed session and reconvened the meeting in open session at 6:12 p.m. with all Board members present.

*Report on Closed
Session*

County Counsel Vallejo reported that no action was taken that is required to be reported.

Adjournment

County Counsel Vallejo adjourned the meeting at 6:12 p.m. to 8:30 a.m. Tuesday, February 20, 2024, in the County Administrative Center in Independence.



Chairperson, Inyo County Board of Supervisors

Attest: *NATE GREENBERG*
Clerk of the Board

by:



Darcy Ellis, Assistant