

MINUTES



County of Inyo Board of Supervisors

March 19, 2024

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:32 a.m., on March 19, 2024, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Matt Kingsley, presiding, Scott Marcellin, Jennifer Roeser and Trina Orrill. Also present: County Administrator Nate Greenberg, County Counsel John-Carl Vallejo, and Assistant Clerk of the Board Darcy Ellis. Absent: Jeff Griffiths.

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 Kingsley recessed open session at 8:32 a.m. to convene in closed session with all Board members present except Supervisor Griffiths 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 Assistant Director of Budgets and General Services Denelle Carrington.

Open Session

Chairperson Kingsley recessed closed session and reconvened the meeting in open session at 10:04 a.m. with all Board members present.

Report on Closed Session

County Counsel Vallejo reported that the Board met under Item No. 2 and that no action was taken during closed session that is required to be reported.

Pledge of Allegiance

Supervisor Orrill led the Pledge of Allegiance.

Announcements

Chairperson Kingsley informed attendees that Supervisor Griffiths will not be physically in attendance due to an obligation to testify at a State Senate hearing; that Item No. 13 was pulled from today's agenda for discussion at a future date; and that there will be a special item presented at 11:30 a.m. to honor retiring Assistant CAO Sue Dishion. County Counsel Vallejo reported that parties to the appeal hearings scheduled for 1 p.m. have exercised their prerogative to have them heard by the full Board, and as such they would be continued/postponed.

Public Comment

The Chairperson asked for public comment related to items not calendared on the agenda and public comment was received from Lauralyn Hundley, Brian Lamb, Mary Roper, Oscar Maciel, and Gina Martinez.

The Chairperson acknowledged the Lone Pine High School History Class in attendance and thanked them for coming to observe today's proceedings.

County Department Reports

Public Works Director Mike Errante announced that Cap Aubrey was recently selected to be the new Assistant Public Works Director and provided road updates for Newman Road and Whitney Portal Road. Errante said there will be an upcoming meeting with various agencies to discuss construction plans for Whitney Portal Road.

HHS Director Anna Scott HHS announced that remote video conference capabilities with Social Security are returning to Inyo on the 3rd Wednesday of every month and provided

information on mental health resources for individuals in crisis and/or needing mental health services such as counseling.

Assistant Clerk-Recorder Caroline Nott provided elections updates and said staff will be coming back to Board on April 2 to certify the March 5 election results.

Emergency Services Manager Mikaela Torres said the department hosted a multi-agency tabletop exercise on the new Genasys emergency notification platform and that she participated in an exercise with the Federal Emergency Management Agency (FEMA) on wildfire scenarios. Torres said staff are actively working on collaborative outreach opportunities with Health and Human Services and that efforts are being made to establish a Drought Resiliency Plan. She shared the first issue of a new Emergency Services newsletter with the Board.

*HHS-
Behavioral Health –
Life Generations
Healthcare LLC
Amendment No. 2*

Moved by Supervisor Marcellin and seconded by Supervisor Orrill to approve Amendment No. 2 to the agreement between the County of Inyo and Life Generations Healthcare LLC of Santa Ana, California removing "Heritage Park Nursing Center" from the Scope of Services in the agreement, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried 4-0 with Supervisor Griffiths absent.

*HHS-ESAAA –
CA Department of
Aging/Area Plan
Amendment No. 1*

Moved by Supervisor Marcellin and seconded by Supervisor Orrill to ratify and approve Amendment No. 1 to the Standard Agreement for Contract Number AP-2324-16, between the County of Inyo and the California Department of Aging, increasing the overall allocation by \$27,777, for a total contract amount of \$1,588,363, and authorize the Health & Human Services Director to sign the Standard Agreement Amendment. Motion carried 4-0 with Supervisor Griffiths absent.

*HHS-Health &
Prevention –
Change in Authorized
Strength*

Moved by Supervisor Marcellin and seconded by Supervisor Orrill to:

- A) Change the Authorized Strength in the Health and Human Services Public Health and Prevention Division by reclassifying one (1) Health and Human Services Specialist I-IV at Range 50-60 (\$3,347 - \$5,134) to a Prevention Specialist I-III at Range 60-66 (\$4,227 - \$5,910);
- B) Approve the attached job description; and
- C) Direct staff to update the publicly available pay schedule accordingly.

Motion carried 4-0 with Supervisor Griffiths absent.

*HHS-Behavioral Health
– Mental Health Plan
Contract Amendment
No. 22-20105 A1*

Moved by Supervisor Marcellin and seconded by Supervisor Orrill to approve Amendment No. 22-20105 A1 to the Mental Health Plan (MHP) contract between the County of Inyo and the State of California's Department of Health Care Services (DHCS), for the provision of county mental health services for term July 1, 2022 to June 30, 2027, and designate the Health and Human Services Director, in her role as the County Mental Health Director, to sign the Standard Agreement and the Contractor Certification Clauses. Motion carried 4-0 with Supervisor Griffiths absent.

*CAO-Emergency
Services –
Tropical Storm Hilary
Local Emergency
Continuation*

Moved by Supervisor Marcellin and seconded by Supervisor Orrill to continue the local emergency proclaimed in response to Tropical Storm Hilary. Motion carried 4-0 with Supervisor Griffiths absent.

*Public Works –
McLaren Lane Road
Closure*

Moved by Supervisor Marcellin and seconded by Supervisor Orrill to approve the closure of McLaren Lane in Bishop, between the hours of 8:30 a.m. and 4:00 p.m. on Friday, March 22, 2024, to accommodate utility work performed by Southern California Edison. Motion carried 4-0 with Supervisor Griffiths absent.

*HHS-Fiscal –
Eastern Sierra CoC,
Inyo, and Mono County
MOU*

The agenda item was moved from the Consent Agenda to the Regular Agenda for further discussion and Health and Human Services Director Anna Scott answered Board member questions.

Moved by Supervisor Roeser and seconded by Supervisor Orrill to approve the Memorandum of Understanding (MOU) between the County of Inyo, County of Mono, and

the Eastern Sierra Continuum of Care to establish the responsibilities of each party as they relate to the Regionally Coordinated Homeless Action Plan incorporated into the application for Homeless Housing, Assistance and Prevention Round 5 (HHAP-5) funding for the period of March 26, 2024 to June 30, 2029, and authorize the Health and Human Services Director to sign, contingent upon all appropriate signatures being obtained. Motion carried 4-0 with Supervisor Griffiths absent.

Item Pulled

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

13) **Revisions to 2024 Board of Supervisors Calendar**

Clerk of the Board | Nate Greenberg

Recommended Action: Approve cancelation of the May 14, May 28, June 11, August 13, August 27, and November 26 Board of Supervisors meetings, and the addition of an April 23 Special Meeting.

*Board of Supervisors –
Fort Independence
Tribe Presentation*

Fort Independence Tribal Chairperson Carl Dahlberg and Vice Chairperson Alisa Lee updated the Board on the recent, successful transfer of the historic Mt. Whitney Fish Hatchery to the Tribe – the first transfer of its kind in the state. Dahlberg and Lee explained that it was important for the Tribe to be able to reclaim its spiritual lands, and also reported on plans to preserve, restore, and reopen the hatchery to the public. Dahlberg also noted the Tribe had entered an agreement with Friends of the Mt. Whitney Hatchery for continued maintenance operations.

Dahlberg also reported on various other projects and activities undertaken by the Tribe, including the Sacred Rock gravel pit, construction of a new travel plaza, and upgrades to the park on the Reservation.

*Treasurer-Tax
Collector –
Proposal of New
Post-Employment
Benefit Trust*

A presentation was given to the Board by the Public Agency Retirement Services (PARS) representatives on the status of the Inyo County OPEB Trust and the benefits of establishing a Pension Rate Stabilization Trust.

Moved by Supervisor Orrill and seconded by Supervisor Marcellin to direct the Treasurer-Tax Collector and Auditor-Controller to:

- A) Coordinate with PARS in amending the PARS Agreement for Administrative Services to reflect the change in Trustees from Union Bank N.A. to US Bank; and
- B) Prepare a Resolution adopting the combined Post-Employment Benefit Trust to be brought back to Board on April 2, 2024 for review and approval.

Motion carried 4-0 with Supervisor Griffiths absent.

Honoring Sue Dishion

Chairperson Kingsley introduced an item to honor Assistant County Administrative Officer Sue Dishion on the eve of her retirement after 32 years of service.

CAO Greenberg thanked the standing-room only crowd for being there to celebrate ACAO Dishion. Greenberg said that when he arrived at the County 18 months ago, one of the things he was deeply grateful for was the opportunity to work side by side with ACAO Dishion. Greenberg said, "Sue has been a mentor, she's been a coach, she's been a guidepost and above all, I think a friend and a confidant. I very much could not have stepped into this role without that support and without her by my side."

Greenberg explained the Administration's decision to establish a new award program, the Pinnacle Achievement Award, of which ACAO Dishion would be the first recipient. He clarified that the award is to be presented to select Inyo County employees who exemplify public service in a way that directly contributes to the success of the organization and furthers its goal of supporting the community.

CAAO Dishion accepted the award and thanked her family, current and previous Boards, county administrators, county counsels, and employees, including the team that she worked with in Personnel for 25 years. She said, "We've been through it all. I couldn't have done it without them. They are rock stars. I had a great team but really, the most important, not just them, is all of the employees. They are your main asset in this county. They are what make

you and us, so I just want to say thank you to all the employees.”

Chairperson Kingsley said he “feels honored to have gotten to work with Sue” and invited Board members to comment.

Supervisor Orrill: “Looking at this room is such a testament to the affection that this organization as a whole has for her and because how you make people feel is what they remember and it’s very obvious that she makes the entire staff feel valued. And so, thank you and enjoy your retirement. You will be missed.”

Supervisor Marcellin: “Thank you for sacrificing your time. I know you and Deston have both had this sacrifice and your time and efforts to raise your family, but you committed for your staff and the rest of the employees.”

Supervisor Roeser: “Thank you for your guidance, thank you for always being available, God bless you and thank you so much for all you’ve done.”

Supervisor Griffiths: “Sue is the perfect combination of sweetness and strength that has served this community for so long. I appreciate the honesty and the clarity. I could tell Sue exactly what I thought, and she certainly didn’t hesitate to tell me exactly what she thought, which was greatly appreciated. I will remember you for your competence. Whenever we had a real issue, we knew that we could call on Sue and we could get the job done. It was all underpinned by the love that you have for this county, its employees, and the people here.”

Chairperson Kingsley asked if anyone from the audience wanted to make some brief comments.

Former Inyo County CAO (and one-time Auditor-Controller) Leslie Chapman shared three challenging scenarios in ACAO Dishion’s career where employees and department heads alike experienced ACAO Dishion’s expertise and kind, caring nature. Chapman concluded by saying, “This County has had the benefit of those 32 years; you could pay her millions of dollars and you would still get more than your money’s worth and so Sue: it’s been my great pleasure. I’m happy to be here today.”

Former Inyo County Counsel Paul Bruce praised ACAO Dishion’s loyalty, integrity, and dedication to the County, its citizens, and elected officials and said, “She always strived to bring about doing what was right for all of those entities and people and that’s not an easy job.”

Former Inyo Health & Human Services Director Marilyn Mann said she was proud to serve with ACAO Dishion in various capacities and thanked her for her guidance and for having the County’s best interests at heart. Mann then proceeded to sing “Suzi-Q” before leaving the podium.

Big Pine Fire Chief Damon Carrington thanked ACAO Dishion for being consistently attentive, for her willingness to be a sounding board, and for everything she has done for his family.

Independence Civic Club representatives Nancy Masters and Mary Roper announced the club’s intention to donate two new picnic tables in honor of ACAO Dishion to be placed behind the Courthouse.

In the interest of time, Chairperson Kingsley concluded comments by saying, “I’m going to bring this full circle and tell these high school students in attendance that Sue started at the lowest level in the County 32 years ago and she’s retiring with this kind of retirement. Keep that in mind, she didn’t come in as the County Administrator or the Assistant County Administrator, she started as a clerk and so, be inspired by that.”

Recess/Reconvene

The Chairperson recessed the meeting for a break at 12:03 p.m. and reconvened the meeting at 1:18 p.m. with all Board members present except Supervisor Griffiths.

Planning Department – Continuance of Appeal

At the request of parties to the appeal exercising their option to have the hearings heard by the full Board, Appeal No. 2023-02/Barker Solar was continued to April 9 and Appeal No.

No. 2023-02/Barker
Solar & Postponement
of Appeal No. 2023-
03/Barker Solar

2023-03/Barker Solar was postponed to April 9.

*Auditor-Controller –
CalPERS Side Fund*

Auditor-Controller Amy Shepherd presented a proposal to use one-time funds to pay off almost \$2.5 million in existing pension-related debt and put away another \$1 million to help pre-fund pension cost increases, as well as redirect the annual debt payments to the same fund where the \$1 million seed money will go.

Moved by Supervisor Orrill and seconded by Supervisor Marcellin to:

- A) Direct the Auditor-Controller to pay off and retire the existing debt service, 2013 CalPERS Refunding loan agreement with Umpqua Bank;
- B) Amend the Fiscal Year 2023-2024 AC-CALPERS Refunding SF budget (010404) as follows: increase estimated revenue in (Operating Transfers In-4998) by \$3,500,000 and increase appropriation in (Principal on Notes Payable-5561) by \$2,456,000, (Interest on Notes-5553) by \$44,000, (Other Agency Contribution-5539) by \$1,000,000 and increase appropriation in LATCF budget (640299) (Operating Transfers Out-5801) by \$3,500,000 (4/5ths vote required);
- C) Fund an initial contribution of \$1,000,000 to the newly proposed Combined 115 Irrevocable Pension Trust for the purpose of pre-funding existing pension liabilities; and
- D) Direct the current fiscal year's budgeted debt service amount of a minimum of \$409,000 for the 2013 CalPERS Refunding loan to be reallocated on an annual basis to AC-CALPERS Refunding SF budget to be transferred to PARS for pre-funding of pension liabilities on an annual basis.

Motion carried 4-0 with Supervisor Griffiths absent.

*Clerk of the Board –
Bishop Rural Fire
Protection District
Board of
Commissioners
Appointment*

Assistant Clerk of the Board Darcy Ellis briefly explained that the Board had received three (3) letters of interest (from Gloriana Bailey, Tina Chinzi, and Meg Tracy) for a single vacancy on the Bishop Rural Fire Protection District Board of Commissioners. She said all candidates were extended the opportunity to provide additional information about themselves if they wished, and candidate Meg Tracy submitted additional material. Ellis also noted that the Bishop Volunteer Fire Department Association submitted a letter endorsing either Ms. Bailey or Ms. Tracy and Commission Chair Mike Holland sent a letter supporting the same two candidates just yesterday.

Moved by Supervisor Marcellin and seconded by Supervisor Kingsley to appoint Meg Tracy as Commissioner to the Bishop Rural Fire Protection Board for an unexpired four-year term ending July 1, 2027. Motion carried 3-0-1 with Supervisor Griffiths absent and Supervisor Orrill abstaining.

*County Counsel/CAO –
Rory Kalin Public
Defender Contract*

County Counsel John Vallejo explained some of the challenges facing the County in its attempt to fill the current Public Defender vacancies and the reasoning behind some restructuring.

Moved by Supervisor Orrill and seconded by Supervisor Marcellin to approve the agreement between the County of Inyo and Rory Kalin for the provision of public defender services in an amount not to exceed \$650,000 for the period of April 15, 2024, through June 30, 2027, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained.

Public comment was received from Jeremy Ibrahim.

Motion carried 4-0 with Supervisor Griffiths absent.

*Clerk of the Board –
Inyo County Fish and
Wildlife Commission
Request*

Moved by Supervisor Roeser and seconded by Supervisor Orrill to authorize a \$487.50 expenditure from the Fish and Game Budget to the Eastern Sierra Interpretive Center to cover costs associated with the design and distribution of a one-page Inyo County Fishing Regulations flyer which also includes an Inyo County Fishing map. Motion carried 4-0 with Supervisor Griffiths absent.

Public Comment

Chairperson Kingsley asked for public comment related to items not calendared on the agenda and there was no one wishing to speak.

Board Member & Staff Reports

Assistant Clerk of the Board Ellis said she took responsibility for Supervisor Griffiths being unable to remotely participate in today's meeting. She said he had every intention of participating from Sacramento, but she failed to list his meeting location on the agenda as required by the Brown Act.

CAO Greenberg reported attending the Board meetings in Death Valley, Shoshone, and Tecopa; meeting with the regional air service group; and continuing to work on labor negotiations. He also announced the next CSAC Institute meeting would be held on March 27.

Chairperson Kingsley reported on the meetings in Southeast Inyo, noting that the well-attended Tecopa meeting is a perfect indicator that communities would need and would respond well to afternoon/evening meetings around the county. He noted not everyone is able to attend Board meetings during the day and would appreciate the outreach.

Supervisor Orrill agreed with Kingsley's last comment, noting interest in her district for such meetings. She reported attending the Southeast Inyo meetings, a CSAC Board meeting, and a CSAC event in Palm Springs, and then joined Regional Broadband Coordinator Scott Armstrong and Supervisor Griffiths in testifying at a California Public Utilities Commission hearing in Indio regarding AT&T's proposal to stop land-line service in Death Valley.

Supervisor Marcellin reported visiting Death Valley, attending the Great Basin Unified Air Pollution Control District and Owens Valley Groundwater Authority board meetings, and meeting with constituents.

Supervisor Roeser reported attending the Southeast Inyo meetings and said a second annual trip would be beneficial; said she attended an RCD meeting and safety training hosted by the Aspendell fire department volunteers; and announced an Ag Advisory Board meeting for next week.

Adjournment

The Chairperson adjourned the meeting at 2:41 p.m. to 8:30 a.m. Tuesday, April 2, 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