

MINUTES



County of Inyo Board of Supervisors

September 14, 2021

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 September 14, 2021, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present via webinar per California Governor Executive Orders N-25-20 and N-08-21: Chairperson Jeff Griffiths, presiding, Dan Tothoroh, Rick Pucci, Jennifer Roeser, and Matt Kingsley. Also present: County Administrator Leslie Chapman, 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 had received any written comment and nobody requested to speak to the Board via the "hand-raising" feature on Zoom.

Closed Session

Chairperson Griffiths 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 LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9** – Names of cases: *LADWP v. Inyo County et al.* (CA 5th District Court of Appeal Case No. F081389) and *Inyo County v. LADWP* (Kern County Sup. Ct. Case Nos. BCV-18-101260-TSC, BCV-18-101261-TSC, and BCV-18-101262-TSC); No. 3 **PUBLIC EMPLOYMENT – Pursuant to Government Code §54957** – Title: County Counsel; No. 4 **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 – 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 10:03 a.m. with all Board members present.

Pledge of Allegiance

Chairperson Griffiths led the Pledge of Allegiance.

Report on Closed Session

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

Public Comment

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

Josh Nicholson of Bishop attempted to address the Board via Zoom but was met with connectivity issues. He was called upon to provide his comment later in the meeting when his issues were resolved. Mr. Nicholson thanked the Board for the continuing Zoom opportunities to allow for more public involvement, but suggested there would be even more public engagement if the Board meetings were held in the evening. He asked the Board to consider moving its meetings to the evening.

County Department Reports

Sheriff Hollowell gave a quick update regarding both the District Attorney's Office and FBI clearing deputies of any criminal activity in the July 24 use-of-force incident on the Bishop

Reservation.

COVID-19 Staff Update

HHS Director Marilyn Mann updated the Board on current vaccination numbers. HHS Deputy Director-Public Health Anna Scott reported there is information going around misrepresenting the Vaccine Adverse Event Reporting System (VAERS), and said the number of reports in the system cannot be taken as fact that the vaccine caused those reactions.

Public Health Officer Dr. Richardson reiterated that Public Health's goal has been to control the disease, prevent death, and prevent surges on hospitals. He said local hospitals are having trouble finding beds at larger, out-of-area hospitals for non-COVID related illnesses and severe injuries. He also addressed alternative treatment options, such as Hydroxychloroquine and Ivermectin. He said a year-long double-blinded study failed to find any evidence of the former's usefulness against COVID, while the latter is still under clinical trials and can result in overdose if improperly used. He said the vaccines are safe and there is currently nothing better at controlling the disease. Dr. Richardson added that he wouldn't be recommending the vaccine if it wasn't safe, and unfortunately the issue has been politicized from the beginning. He said 75 million doses have been given in the U.S., and no significant issues have been seen. He also noted that the vaccine doesn't mean you won't get the virus, but it greatly improves your chances of survival. He said there have been breakthrough cases but they are minor, while the majority of cases are in unvaccinated individuals, who are 11 times more likely to be hospitalized. He added that an unvaccinated worker from the recent Tri-County Fair had to be flown out on a ventilator.

Wes French of Bishop said he agreed the VAERS system does not mean all of the reactions reported can definitively be traced to the vaccine, however he then cited those numbers as part of a case against the safety of the vaccine. He reiterated his position shared at other meetings that there are effective therapeutic treatments that are being suppressed by the CDC, and also said it would be good to have a local reporting system on vaccine reactions.

Tiffany Lau of Bishop asked what kind of early treatments are being implemented locally. Justin Mulbay cited an August 11 article in the New England Journal of Medicine reporting on blood clots traced to the vaccine, and said it's inaccurate to say there is no chance of dying from the virus if you're vaccinated. Dr. Richardson said most breakthrough cases can be treated at home, and the blood clots have only been traced to viral vector vaccines like Astral Zeneca, which is not available in the U.S. He said there has been approximately one case of blood clots per 1 million doses of viral vector vaccines given, so the data cited by Mr. Mulbay is probably correct but not related to the vaccines used in the U.S.

Lisa Adams, a nursing supervisor at Northern Inyo Hospital, said healthcare workers do not collect information on whether a patient is vaccinated or unvaccinated, but estimated a little less than half are vaccinated. She agreed there needs to be a local database.

Personnel – Deputy Personnel Director

Moved by Supervisor Totheroh and seconded by Supervisor Roeser for the Board to:

- A) approve the modified job description for the Deputy Personnel Director;
- B) find that, consistent with the adopted Authorized Position Review Policy:
 - 1. the availability of funding for one (1) Deputy Personnel Director position exists in the General Fund, as certified by the County Administrator and concurred with by the Auditor-Controller; and
 - 2. where internal candidates may meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment is more appropriate to ensure qualified applicants apply; and
 - 3. approve the hiring of one (1) Deputy Personnel Director, Range 88 (\$7,611 - \$9,248).

Motion carried unanimously.

HHS-ESAAA – BPAR PSA I-II

Moved by Supervisor Kingsley and seconded by Supervisor Roeser for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of non-General Fund Community Mental Health funding for the position of B-Par Program Services Assistant (PSA) I or II exists, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller; B) where due to the part-time nature of this position it is unlikely that the position could be filled by internal candidates meeting the qualifications for the position, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of one B-Par PSA I at Range 42PT (\$14.87-18.07)

or II at Range 44PT (\$15.57-18.96), depending upon qualifications. Motion carried unanimously.

*HHS-ESAAA –
Aging Services
Supervisor Addition*

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to:

- A) approve the job description for the Aging Services Supervisor position;
- B) change the Authorized Strength in HHS by deleting one (1) Human Services Supervisor (Range 70) and adding one (1) Aging Services Supervisor (Range 70);
- C) find that, consistent with the adopted Authorized Position Review Policy:
 - 1. the availability of funding for one (1) Aging Services Supervisor exists in both non-General Fund budgets and a General Fund budget, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller; and
- D) approve the closed recruitment and hiring of one (1) Aging Services Supervisor at Range 70 (\$4,943 - \$6,012); and
- E) if an internal candidate is hired into the Aging Services Supervisor position, authorize HHS to backfill any and all resulting vacancies.

Motion carried unanimously.

*HHS-Social
Services –
Registered Nurse*

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Registered Nurse exists in a non-General Fund budget, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but as a State Merit System position, an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Registered Nurse at Range 78 (\$5,971 - \$7,255). Motion carried unanimously.

*Sheriff –
Deputy Sheriff*

Moved by Supervisor Kingsley and seconded by Supervisor Roeser for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for this requested position comes from the General Fund, as certified by the Sheriff and concurred with by the County Administrator and the Auditor-Controller; and B) where internal candidates may meet the qualifications for the position and the position could possibly be filled by an internal recruitment, an open recruitment is more appropriate to ensure the position is filled with the most qualified applicant; and C) approve the open recruitment and hiring of (1) Deputy Sheriff position at Range 67SA-SD (\$4,624 - \$5,763), and authorize hiring up to a Step D for a qualified lateral applicant. Motion carried unanimously.

*Sheriff – Three
Correctional Officers*

Moved by Supervisor Totheroh and seconded by Supervisor Roeser for the Board to find that, consistent with the adopted Authorized Review Policy: A) the availability of funding for three (3) Correctional Officer positions exists in the General Fund, as certified by the Sheriff and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the positions, the vacancies could possibly be filled by an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of three (3) Correctional Officers at Range 64A-D (\$4,344 - \$5,034), depending on qualifications/experience in the event a lateral/certificated is selected. Motion carried unanimously.

*Information Services
– Strictly
Technologies
Blanket P.O.*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to authorize issuance of a blanket purchase order for an amount not to exceed \$55,000, payable to Strictly Technology for the purchase of computer technology and related equipment. Motion carried unanimously.

*Personnel – CPS
HR Executive
Recruitment
Agreement*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the Agreement between the County of Inyo and CPS HR Consulting for Executive Recruitment Services for the Deputy Director Behavioral Health position, in an amount not to exceed \$25,000, and authorize the County Administrator to sign. Motion carried unanimously.

*HHS-Behavioral
Health – Bakersfield
Hospital Payment*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to authorize payment of \$8,120 to Bakersfield Behavioral Healthcare Hospital for the involuntary hospitalization of an Inyo County Medi-Cal beneficiary placed in the facility pursuant to Welfare and Institutions Code (WIC) Section 5150. Motion carried unanimously.

<i>Tax Collector – Bridgecom LLC Sole-Source Contract</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) declare Bridgecom LLC of Yorba Linda, CA a sole-source provider of Professional and Specialized Printing Solutions; B) approve the contract between the County of Inyo and Bridgecom LLC of Yorba Linda, CA for the provision of Professional and Specialized Printing Solutions in an amount not to exceed \$58,500 for the period of September 15, 2021 to November 1, 2026, contingent upon the Board’s approval of future budgets; and C) authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>Environmental Health – DDW Presentation</i>	The Board received a presentation from Sean McCarthy of the State Water Resources Control Board, Division of Drinking Water (DDW) on DDW expectations of former County-regulated water systems.
<i>CAO-Budget – FY 21-22 Final Board Approved Budget /Reso # 2021-47</i>	CAO Chapman reviewed the proposed Fiscal Year 2021-2022 Final Board Approved Budget, which includes changes to the CAO Recommended Budget that were directed by the Board on September 7 during budget hearings – specifically, how to spend the \$1,627,689 in excess Fund Balance certified by the Auditor-Controller above \$3,500,000 (for a total Fund Balance of \$5,127,689). Chapman listed the Board’s directives with regard to the excess Fund Balance: adding \$400,000 to the General Fund Contingencies Budget; adding \$500,000 to General Reserves; Adding \$200,000 to the Other Post-Employment Benefits contribution; and adding \$527,689 to the Accumulated Capital Overlay Budget. She said the changes were incorporated into the Final Board Approved Budget. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to: A) adopt the Fiscal Year 2020-2021 Budget as recommended by the County Administrator and as amended, and as directed on September 7, 2021 to be included in the Final Budget; and B) approve Resolution No. 2021-47 titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Adopting a Final Budget for Fiscal Year 2021-2022." Motion carried unanimously.
<i>County Administrator – GSCA JPA Agreement/Reso # 2021-48</i>	Moved by Supervisor Totheroh and seconded by Supervisor Pucci to adopt Resolution No. 2021-48, titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California Approving and Authorizing the Chairperson to Execute the Golden State Connect Authority Joint Exercise of Powers Agreement," and authorize the Chairperson to sign the resolution. Motion carried unanimously.
<i>Recess/Reconvene</i>	The Chairperson recessed the meeting at 11:59 a.m. so that Board members could attend the investiture ceremony of Superior Court Judge Susanne Rizo, via Zoom or in person, and reconvened the meeting at 12:36 p.m. with all Board members present except Supervisor Totheroh.
<i>HHS-Behavioral Health – Kings View Corporation Contract</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to ratify and approve the agreement between the County of Inyo and Kings View Corporation of Fresno, CA for the provision of electronic health record management information services and support in an amount not to exceed \$710,087 for the period of July 1, 2021 through June 30, 2024 (estimated to be \$231,876 in 2021-2022, \$266,481 in 2022-2023, and \$211,730 in 2023-2024), pending the Board’s approval of future budgets, and authorize the HHS Director to sign the contract and also authorize the HHS Assistant Director as the Privacy Officer to sign the HIPPA Business Association Agreement, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Totheroh temporarily absent.
<i>HHS-First 5 – Bishop Indian Head Start Grant</i>	Moved by Supervisor Roeser and seconded by Supervisor Pucci to ratify and approve the contract between the County of Inyo and Bishop Indian Head Start of Bishop, CA for the provision of First 5 Community Grant services in an amount not to exceed \$14,410.00 for the period of September 1, 2021 through June 30, 2022, contingent upon the Board’s approval of the Fiscal Year 2021-2022 Budget, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Totheroh temporarily absent.
<i>HHS-First 5 – Toiyabe Indian Health Project Grant</i>	Moved by Supervisor Kingsley and seconded by Supervisor Roeser to ratify and approve the contract between the County of Inyo and Toiyabe Indian Health Project of Lone Pine, CA for the provision of First 5 Community Grant services in an amount not to exceed \$10,781.00 for the period of September 1, 2021 through June 30, 2022, contingent upon the Board’s

approval of the Fiscal Year 2021-2022 Budget, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Totheroh temporarily absent.

*HHS-First 5 –
Southern Inyo
Healthcare District
Grant*

Moved by Supervisor Kingsley and seconded by Supervisor Roeser to ratify and approve the contract between the County of Inyo and Southern Inyo Healthcare District of Lone Pine, CA for the provision of First 5 Community Grant services in an amount not to exceed \$17,225.00 for the period of September 1, 2021 through June 30, 2022, contingent upon the Board's approval of the Fiscal Year 2021-2022 Budget, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

*HHS-First 5 –
Bishop Federal
Employees Child
Care Association
Grant*

Moved by Supervisor Roeser and seconded by Supervisor Totheroh to ratify and approve the contract between the County of Inyo and Bishop Federal Employees Child Care Association of Bishop, CA for the provision of First 5 Community Grant services in an amount not to exceed \$10,560.00 for the period of September 1, 2021 through June 30, 2022, contingent upon the Board's approval of the Fiscal Year 2021-2022 Budget, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

*HHS-Public Health
& Prevention –
COVID-19 Grant
Award/Budget
Amendment*

Moved by Supervisor Roeser and seconded by Supervisor Pucci to amend the Fiscal Year 2021-2022 Health Budget (045100) as follows: increase estimated revenue in Operating Transfer In (4498) by \$350,000 and increase appropriation in Professional Services (5265) by \$190,000 and Advertising (5263) by \$160,000 (*4/5ths vote required*); B) authorize acceptance of the COVID-19 Vaccine Financial Assistance Funding awarded April 30, 2021 to Inyo County from California GovOps for Fiscal Year 2021-2022 and Fiscal Year 2022-2023; and C) authorize the HHS Director to sign any documentation to accept and utilize the grant on behalf of the County, contingent upon the adoption of future budgets. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*HHS-Public Health
& Prevention –
MCAH Agreement*

Moved by Supervisor Roeser and seconded by Supervisor Pucci to ratify and approve the Maternal Child and Adolescent Health (MCAH) Agreement No. 202114 between the County of Inyo and California Department of Public Health in the amount of \$134,467.17 in State and Federal reimbursement for the period of July 1, 2021 through June 30, 2022, contingent upon the Board's adoption of the Fiscal Year 2021-2022 Budget, and authorize Dr. James Richardson, MCAH Director, and the Board Chairperson to sign the Agreement Funding Application (AFA) Policy Compliance and Certification. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*HHS-Public Health
& Prevention –
COVID-19 Grant
Award, Budget
Amendment, New
Position*

Moved by Supervisor Totheroh and seconded by Supervisor Roeser to:

- A) amend the Fiscal Year 2021-2022 Health Budget (045100) as follows: increase estimated revenue in State Other (4499) by \$60,000 and increase appropriation in Part Time Employee (5012) by \$48,804, Retirement & Social Security (5021) by \$4,013, Medical insurance (5031) by \$6,561 and Disability Insurance (5032) by \$622 (*4/5ths vote required*);
- B) authorize acceptance of the Inyo County – AB86-SS4A – COVID-19 Safe Schools for All Funding (awarded May 12, 2021) from the California Department of Public Health for Fiscal Year 2021-2022;
- C) authorize the HHS Director to sign any documentation to accept and utilize the grant on behalf of the County;
- D) change the authorized strength in the HHS Public Health and Prevention Division by adding two (2) bilingual term-limited BPAR COVID-19 Response Specialists at Range 60PT (\$22.55 - \$27.38) for a term-limited period ending June 30, 2023;
- E) consistent with the adopted Authorized Position Review Policy, find that due to the time-limited nature of the position it is unlikely it could be filled by an internal candidate meeting the qualifications for the position, so an open recruitment is more appropriate to ensure qualified applicants apply; and
- F) approve the hiring of two (2) term-limited BPAR COVID-19 Response Specialists at Range 60PT (\$22.55 - \$27.38/hr.), for the term-limited period ending June 30, 2023.

Motion carried unanimously 4-0, with Supervisor Kingsley absent.

*Clerk of the Board –
Approval of Minutes*

The Assistant Clerk of the Board noted that she had fixed an error on page 2 of the August 17 minutes in which the wrong name was written in place for Dr. James Richardson. Moved by Supervisor Totheroh and seconded by Supervisor Roeser to approve the minutes of the

regular Board of Supervisors meeting of August 17, 2021, as corrected, and the special meeting of August 20, 2021. Motion carried unanimously 4-0, with Supervisor Kingsley absent.

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-raising" feature on Zoom.

Board Member and Staff Reports

Supervisor Roeser reported touring Mono Lake last Friday as part of her involvement with the Great Basin Air Pollution Control District board.

Supervisor Totheroh reported attending a Behavioral Health Advisory Board meeting on meeting as well as a Zoom meeting with the State officials regarding vaccinations.

Chairperson Griffiths said he attended the same Zoom vaccination meeting, as well as the ESSRP meeting yesterday with Supervisor Roeser, last night's City Council meeting, and the memorial services for Col. Robert Waggoner and Chuck Kilpatrick. He added that Millpond Music Festival is this weekend, and he will be out of town next Tuesday.

Adjournment

Chairperson Griffiths adjourned the meeting at 1:04 p.m. to 8:30 a.m. Tuesday, September 21, 2021 in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

*Attest: LESLIE CHAPMAN
Clerk of the Board*

by: _____
Darcy Ellis, Assistant