

DAVID ALLAN  
1<sup>st</sup> District

GERI BYRNE  
2<sup>nd</sup> District

JAMES WILLS  
3<sup>rd</sup> District

KATHIE RHOADS  
4<sup>th</sup> District

PATRICIA CULLINS  
5<sup>th</sup> District



TIFFANY A. MARTINEZ  
DEPUTY CLERK OF THE  
BOARD OF SUPERVISORS

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**March 8, 2016**

**10:00 AM Call to Order**

Attendee Name	Title	Status	Arrived
David Allen	Supervisor District I	Absent	
Geri Byrne	Supervisor District V	Present	10:00 AM
James Wills	Supervisor District IV	Present	10:00 AM
Kathie Rhoads	Supervisor District III	Present	10:00 AM
Patricia Cullins	Supervisor District II	Present	10:00 AM
Margaret Long	County Counsel	Present	10:00 AM
Chester Robertson	Chief Administration Officer	Present	10:00 AM
Tiffany Martinez	Deputy Clerk of the Board	Present	10:00 AM

**Pledge of Allegiance  
Moment of Prayer**

**Public Comment**

Modoc Fire Safe Council Director, Stacy Hafen thanked the Board of Supervisors for the \$10,000 from the Title 3 funds. Hafen provided an update on the Community Wildfire Protection Plan. Hafen then reported on the NorCal-Neva RCD Council funds and current projects. Hafen stated the RCD has been approached to house the funds for the Modoc Heritage Foundation until they are able to establish their Non-Profit 501 (c) (3) status.

**Approval or Additions/Deletions to Agenda**

**a. Motion to approve the agenda as amended**

Supervisor Cullins requested to have item 1a moved to section 3b.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	James Wills, Supervisor District IV
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

## Correspondence

Letter from USDA on the juniper reduction project provided by Supervisor Rhoads.

## Department Head Reports

Deputy Director of OES, AJ McQuarrie, and Sheriff, Mike Poindexter, provided a update on the Office of Emergency Services.

### 1. Consent Agenda Items:

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

- 1.a. **1032 has been moved to Probation Items**
  
- 1.b. **CONSIDERATION/ACTION: Requesting Board authorization to sign contract between Sarah Denison and Modoc County Probation Department, effective March 1, 2016 to provide co-facilitating ARC services with Steven Torre. (Probation)**
  
- 1.c. **CONSIDERATION/ACTION: Requesting Chair of the Board, Clerk of the Board, County Counsel and Director Stockton to sign the second amendment to the contract agreement between Lassen County Health and Social Services and Modoc County Behavioral Health to extend the contract for FY 15/16. (Behavioral Health)**
  
- 1.d. **CONSIDERATION/ACTION: Requesting Board of Supervisors approval to authorize Director Stockton to sign the on-going Multi-Year Contract Amendment between Modoc County Health Services & Department of Health Care Services (Agreement #14-90072, Amendment #A02) Substance Use Disorder Services for FY 2014-15 through FY 2016-17. (Alcohol & Drug)**

### 2. Board of Supervisors Items:

- 2.a. **DISCUSSION/INFORMATION: Discussion information regarding the K-9 Association by Paul Armstrong and John Oates. (Board of Supervisors)**

Paul Armstrong and John Oates provided a background on the K-9 program and asked for support. They requested the Board of Supervisors approve to fund the 5% stipend, FICA, overtime and PERS for the fiscal year. The total cost would be \$9,500.

Supervisor Wills stated the Board of Supervisors were never approached by the Sheriff's office to pay for this service. Supervisor Wills reported Sheriff Poindexter had stated the K-9 program would be paid for with donations.

Supervisor Wills reported on the funds that are currently used to support the program.

Supervisor Byrne stated the Board of Supervisors does support the K-9 program. Supervisor Byrne stated due to the existing budget constraints she feels she could not support the extra cost to fund the requested items.

John Oates reported the K-9 program has been a good deterrent to possible incidents due to the presence of the dogs.

Supervisor Wills stated he is very supportive of the K-9 program and thanks the community for their support.

Supervisor Cullins clarified the amount for the safety unit and stated the Board will research if there are additional funds in the budget which could possibly be used for the K-9 program.

Armstrong stated he would like to see the program grow due to the increase in crime and drugs in the community.

CAO Robertson provided clarification on the K-9 budget.

Supervisor Wills stated officer safety is always a priority. Supervisor Wills asked for better reporting from the Sheriff's office to help the Board make more informed decisions.

Oates stated they will compile the information requested from the Board and report back.

**2.b. CONSIDERATION/ACTION: Board approval of a Proclamation commemorating March 2016 as American Red Cross Month in Modoc County. (Board of Supervisors)**

Supervisor Rhoads read the proclamation into the record.

Lou Miller received the proclamation on behalf of the American Red Cross. Miller provided a handout to the Board detailing the ability to volunteer.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**3. Probation Items:**

**3.a. CONSIDERATION/ACTION: Requesting Board authorization to sign agreement between SCRAM of California and Modoc County Probation Department effective April 1, 2016. (Probation)**

Chief of Probation, Elias Fernandez provided a background on Secure Continuous Remote Alcohol Monitoring (SCRAM).

Supervisor Wills requested the cost to terminate the current contract.

Fernandez stated there will not be a cancellation fee.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**3.b. CONSIDERATION/ACTION: Requesting Board authorization to sign agreement between Noble Software Group, LLC and Modoc County Probation Department with an effective date of April 1, 2016 to April 1, 2019. (Probation)**

Chief of Probation, Elias Fernandez reported on the Noble Software and provided a background on the contract. Fernandez stated the majority of the northern counties have switched from Assessments.com to Noble Software.

Supervisor Cullins asked how many counties are using Noble Software.

Fernandez reported there are 10 to 15 counties currently using the system.

Supervisor Cullins asked about the cost and what it covers.

Fernandez reported the amount covers training and monthly fee to access. Fernandez stated the Noble Software System is much more user friendly.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**4. Sheriff's Items:**

**4.a. CONSIDERATION/ACTION: Respectfully Request Board approval to allow buyout above capped amount (240 hours, 5 yr employee accrual maximum). (Sheriff's Office)**

Deputy Director of Emergency Services, AJ McQuarrie and Sheriff Poindexter provided a background on the buyout for Undersheriff Richardson.

Supervisor Byrne asked for recommendation from Deputy Director McQuarrie, Sheriff Poindexter, County Counsel Long and CAO Robertson.

Deputy Director McQuarrie recommended to pay the amount as their budget will support the cost.

Sheriff Poindexter recommended to pay the amount.

CAO Robertson recommended to pay the amount due to having an employee, who in good faith, relied on the County to track the amount.

Supervisor Wills asked what the effects will be due to the payout.

CAO Robertson provided clarification on the process.

Deputy Director McQuarrie stated the comp and sick time has been paid, additional amount is on hold at the Auditors office until Board approval of this item.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Patricia Cullins, Supervisor District II
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**4.b. CONSIDERATION/ACTION: Approval of a budget modification decreasing expenditures General Fund 001; Dispatch Unit 2115; in the amount of \$10,000. (Sheriff's Office)**

Deputy Director McQuarrie and Sheriff Poindexter provided a background on the budget modification.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**4.c. CONSIDERATION/ACTION: Approval of a budget modification decreasing expenditures General Fund 001; Jail Unit 2210; in the amount of \$31,000. (Sheriff's Office)**

Deputy Director McQuarrie and Sheriff Poindexter provided a background on the budget modification.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Patricia Cullins, Supervisor District II
<b>SECONDER:</b>	Geri Byrne, Supervisor District V
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**4.d. CONSIDERATION/ACTION: Approval of a budget modification decreasing expenditures General Fund 001; Sheriff Unit 2110; in the amount of \$28,000 and increasing expenditures of \$69,000. (Sheriff's Office)**

Deputy Director McQuarrie and Sheriff Poindexter provided a background on the budget modification.

Supervisor Byrne asked for clarification on the budget modification.

Deputy Director McQuarrie provided clarification.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Patricia Cullins, Supervisor District II
<b>SECONDER:</b>	Geri Byrne, Supervisor District V
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**5. Road Department Items:**

**5.a. DISCUSSION/INFORMATION: Update on the Tulalake Airport stakeholder engagement process. (Road/Airport)**

Commissioner of the Road Department, Mitch Crosby reported on grants from the FAA and the stakeholder meetings. He provided a report to the Board titled Situation Assessment Summary Report. Commissioner Crosby highlighted page six, Sources of Conflict. Crosby stated there will be five stakeholder meetings. The first meeting will

be held in Tulelake. He also stated moving forward there will be a limit of one representative per stakeholder group.

Supervisor Cullins asked if Supervisor Byrne will be able to attend as the representative for the Board.

Director Crosby stated he is the only County representative which will be allowed to attend. He also stated the public will not be permitted to attend.

Supervisor Byrne stated she should be able to attend as the County is paying for this process.

Supervisor Wills stated he also felt the public should be able to attend.

Commissioner Crosby stated they are working as a collaboration to bring all of the groups together. He asked that they share any concerns so he can be well informed to represent the County.

Supervisor Byrne stated there is distrust in the community and holding closed meetings will not help the process.

Commissioner Crosby stated this is just the starting point to determine the entire details.

Supervisor Byrne stated there are 40 acres which is enough room for all parties to work together. She stated she will not agree to anything which will infringe on the airport business who provides services for the safety of the community.

Supervisor Wills stated Crosby can take the concerns of the Board back to the stakeholder meetings.

CAO Robertson asked about a statement on page 10 of the report as possible expansion.

Commissioner Crosby responded that he was asked to clarify how the transfer occurred to be under the control of the County.

Supervisor Byrne stated that the deed stipulates if it does not continue as an airport the ground reverts to the Federal government. She stated this may be the reason they are making the process so difficult and expensive.

Steve Jacques stated the process is moving in a more positive direction.

**5.b. CONSIDERATION/ACTION: Requesting approval and authorization for Chairman to sign a letter of support for the Modoc Trail Project. (Road/Airport)**

Steve Jacques provided background on the trail and issues with the Union Pacific railroad.

Supervisor Wills asked about sending the letter to Lake Union Railroad.

Jacques stated they will not work with the County so there is no need to send the letter to Lake Union Railroad.

CAO Robertson provided additional information on the relationship with the railroad.

Supervisor Wills stated they should contact the company in Lakeview and remind them of the working relationship in the County.

Supervisor Cullins supported stronger language to be used in the letter.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Patricia Cullins, Supervisor District II
<b>SECONDER:</b>	Geri Byrne, Supervisor District V
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**Motion for a 10 minute recess**

Motion for a 10 minute recess at 11:30 a.m.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**The meeting reconvened at 11:40 a.m.**

**6. Behavioral Health Items:**

- 6.a. CONSIDERATION/ACTION: Requesting Board of Supervisor's authorization to advertise for and hire a Behavioral Health Administrative Assistant, Range 203 (\$2,684-\$3,425), Steps A-F, depending on experience and qualifications, four to six weeks before the resignation of the current employee who fills the position. (Behavioral Health)**

BH Clinician/Supervisor, Michael Traverso provided a background on the proposed Administrative Assistant position.



<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**7. Social Services Items:**

**7.a. DISCUSSION/INFORMATION: Report on Social Services Budget, Staffing, and Department Issues. (Social Services)**

Director of Social Services, Kelly Crosby introduced the staff in Social Services; Laura Shinn, Patty Shirk and Carole McCulley. Director Crosby presented on the following; Fiscal Data, Administrative Duties in the Fiscal Division, Fiscal/Administration department staffing needs, Social Workers CPS activities, Clients served by CPS, Evaluation Out Rate, Number of Children in Placement, Adult Protective Services 2015, In Home Support Services, Public Guardian, Child Protective Services (CPS) staffing needs, Information Technology and System Support, Information and Technology Department staffing needs, Age of the Population served by program, Eligibility Department Staffing needs and the cost and benefits of the change.

Director Crosby responded to questions on the cost.

Supervisor Cullins stated 300 cases is too many for one social worker to complete without errors and causes a lot of pressure on the staff.

**7.b. CONSIDERATION/ACTION: Requesting permission for the Director of Social Services to sign the contract between Lexipol and Modoc County. (Social Services)**

Director of Social Services, Kelly Crosby, provided a background on the Lexipol contract.

Supervisor Wills asked if they could use the existing contract at the Sheriff's office.

CAO Robertson provided background and clarification as to why separate systems may be needed.

Supervisor Wills stated he would like to add onto the Sheriff's Department Lexipol contract.

Recommended to staff to check with the Sheriff's office and report back after lunch.

Returned to this item at 1:45 p.m.

Director Crosby reported she reviewed the Lexipol program at the Sheriff's department and it is too specific to have the departments combined. She reported this is a department specific contract.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**7.c. CONSIDERATION/ACTION: Respectfully requesting permission to enter into and sign a contract with TEACH, Inc. for Foster Care Recruitment and Retention. (Social Services)**

Director Crosby provided a background on the TEACH contract.

<b>RESULT:</b>	<b>APPROVED [3 TO 0]</b>
<b>MOVER:</b>	James Wills, Supervisor District IV
<b>SECONDER:</b>	Geri Byrne, Supervisor District V
<b>AYES:</b>	Byrne, Wills, Rhoads
<b>ABSTAIN:</b>	Cullins
<b>ABSENT:</b>	Allan

**8. Assessor Items:**

**8.a. CONSIDERATION/ACTION: Request authorization to enter into a contract with an independent contractor for the 2016-17 Williamson Act. (Assessor)**

Assessor Cheri Budmark provided background on the contract.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**Motion to recess for lunch and reconvene at 1:30 p.m.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	James Wills, Supervisor District IV
<b>SECONDER:</b>	Geri Byrne, Supervisor District V
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

The meeting reconvened at 1:30 p.m.

**9. Information & Technology Items:**

**9.a. CONSIDERATION/ACTION: Approval of a budget modification increasing expenditures General Fund 001; Information Technology Unit 1660, in the amount of \$25,400. (Information Technology)**

Information Technology Director, Jerry Cook, provided details on the budget modification. Director Cook reported on the need for public Wi-Fi. He reported there will be 20 access points for the Wi-Fi system. Cook stated the public Wi-Fi will act as a backup for Frontier when the service goes down.

Supervisor Wills asked if the funding from Probation will go away if not used.

Director Cook stated the funding is not guaranteed.

Supervisor Wills asked about recurring cost and can it be shared by other departments.

Director Cook stated the cost will be shared by other departments and there will be a monthly fee.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan

**10. Comments/Reports:**

**Public Comment**

None.

**Administrative Services Report**

CAO Robertson reported on the following; County support for a project to plant seedlings, training for new staff, Pit River Levée update and OES possible funding.

Supervisor Byrne reported on the possibility of Syrian refugees being placed in the migrant housing camp.

CAO Robertson stated he does not have any information to regarding Syrian refugees. Robertson stated the new camp would not be able to house refugees but the old camp would qualify.

## Department Head Reports

None.

## Board of Supervisors Reports

Supervisor Cullins attended the Lassen Modoc Flood Control meeting, Senior Center meeting, webinar training in San Jose, and reported on the California State Fair booth.

Supervisor Byrne attended the Preseason Fire Exploratory session, attended Fall River Big Valley Cattlemen's Association meeting, budget meeting, Groundwater Resources Advisory Committee meeting, calls from public about concerns of pot grows in Adin, will attend RCRC next week, and TID will hold a meeting on Monday, March 14th.

Supervisor Wills - no report

Supervisor Rhoads - Budget meeting, LAFCO, and joint meeting in Adin and will attend Congressman LaMalfa's visit to Alturas.

### **11. Closed Session Items:**

#### **11.a. CLOSED SESSION: Ca Government Code Section 54956.95(b): Claim #TIBL-484023; Claimant: Maria Mariscal. (Administrative Services)**

Direction given to staff

#### **11.b. CLOSED SESSION: Pursuant to Government Code 54956.9: Pending Litigation. Case Name: Tule Lake Committee v. Modoc County (CU 14104). (County Counsel)**

Direction given to staff.

#### **11.c. CLOSED SESSION: Anticipated Litigation [Government Code 54956.9 (d)(2) - Number of cases (1) (County Counsel)**

No reportable action.

## **ADJOURNMENT**

The meeting was adjourned at 3:09 PM

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	James Wills, Supervisor District IV
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Byrne, Wills, Rhoads, Cullins
<b>ABSENT:</b>	Allan