

DAVID ALLAN
1st District

GERI BYRNE
2nd District

JAMES WILLS
3rd District

KATHIE RHOADS
4th District

PATRICIA CULLINS
5th District



TIFFANY A. MARTINEZ
DEPUTY CLERK OF THE
BOARD OF SUPERVISORS

204 S. COURT STREET
ALTURAS, CALIFORNIA 96101

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March 22, 2016

10:00 AM Call to Order

Attendee Name	Title	Status	Arrived
David Allan	Supervisor District I	Present	10:12 AM
Geri Byrne	Supervisor District V	Present	10:00 AM
James Wills	Supervisor District IV	Absent	
Kathie Rhoads	Supervisor District III	Present	10:00 AM
Patricia Cullins	Supervisor District II	Present	10:00 AM
Chester Robertson	Chief Administration Officer	Present	10:00 AM
Margaret Long	County Counsel	Present	10:00 AM
Tiffany Martinez	Deputy Clerk of the Board	Present	10:00 AM

**Pledge of Allegiance
Moment of Prayer**

Public Comment

Commander of American Legion Post 163, Jesse Lauderdale, requested the Board attend the September 11th luncheon and awards.

Manager of the Surprise Valley Farmers Market, Leah Larsen, provided an update on the market which will change locations to downtown Cedarville on Bonner Street and Main. She stated this is the only certified Farmers Market in Modoc County and the first market of the season will be held on Saturday, June 25th.

Approval or Additions/Deletions to Agenda

Motion to approve the agenda as amended

County Counsel Long requested to add an emergency closed session Item: Pending Litigation, Government Code 5456.9 - Case Name: People v. Rhoades. Long stated the reason for this emergency item was she received it after the posting of the agenda and requires action prior to the next Board of Supervisor meeting.

Supervisor Cullins requested to have all Social Services items reference agenda number 10 not 11.

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

Correspondence

Supervisor Rhoads submitted a letter from Kan We Help regarding a Brown Act complainant for the Lassen County Board of Supervisors which references the joint meeting between Lassen and Modoc County held in Adin.

CAO Robertson received correspondence from Lassen County Board of Supervisors to change the boundaries for the groundwater basin.

Department Head Reports

CalWorks Program Manager, Diane Fogle, updated the board on AB86. She stated she is coordinating with local schools and groups to implement the new program. Fogle stated there will be a GED testing facility located in Alturas.

Supervisor Allan enters the room at 10:12 a.m.

Behavioral Health Director, Karen Stockton, reported on the IGT process.

1. Consent Agenda Items:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	David Allan, Supervisor District I
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

- 1.a. CONSIDERATION/ACTION: Request authorization for Karen Stockton, Director of Health Services, to sign Agreement 15-10908 with CDPH, Office of Aids. (Public Health)
- 1.b. CONSIDERATION/ACTION: Request authorization for Karen Stockton to sign the Amendment to Standard Agreement #14-10520-A02 with a term of July 1, 2014 to June 30, 2017. (Public Health)
- 1.c. CONSIDERATION/ACTION: Request authorization for Karen Stockton, Director of Health Services to sign IGT Letter of Intent. (Public Health)

- 1.d. **CONSIDERATION/ACTION:** Requesting Board of Supervisors approval and Chair signature on a contract with the California Dept. Of Food and Agriculture, Dept. Of Measurement Standards in the amount of \$900 for the term of July 1, 2016 through June 30, 2017. (Agriculture)
- 1.e. **CONSIDERATION/ACTION:** Requesting approval of the October 27, 2015 Board of Supervisors minutes. (Clerk of the Board)
- 1.f. **CONSIDERATION/ACTION:** Requesting approval of the November 24, 2015 Board of Supervisors minutes. (Clerk of the Board)

2. Agriculture Items:

- 2.a. **CONSIDERATION/ACTION: Requesting Board of Supervisors to approve funding for project proposals from the Modoc County Grazing Advisory Group. (Taylor Grazing)**

Cheryl Kunert reported on the three projects which have been applied for by the Sand Creek Grazing Association.

Supervisor Allan asked what type of projects have been requested in the past.

Kunert reported there have been several which include: water troughs, windmills, solar panels and fencing.

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

3. Behavioral Health Items:

- 3.a. **CONSIDERATION/ACTION: Requesting the Board of Supervisors Chair and Director Stockton to sign the Substance Use contract between Modoc County Behavioral Health and Community Recovery Resources for the term of February 1, 2016 through June 30, 2017. (Behavioral Health)**

Behavioral Health Director, Karen Stockton, provided a background on the agreement.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Allan, Supervisor District I
SECONDER:	Geri Byrne, Supervisor District V
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

3.b. CONSIDERATION/ACTION: Requesting Board of Supervisors approval of the 5 Year Agreement between Modoc County Behavioral Health & Relias Learning in the amount of \$21,500 effective April 1, 2016 through March 31, 2021. (Behavioral Health)

Behavioral Health Director, Karen Stockton and CH Clinician/Supervisor, Michael Traverso provided a background on the distance education program.

Supervisor Cullins asked if it will significantly reduce the travel expense.

Director Stockton stated she felt it would drastically reduce the travel expense funds.

Supervisor Allan asked where Relias Learning is located.

Director Stockton stated they are located on the east coast and reported all training is held online.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	David Allan, Supervisor District I
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

4. Information & Technology Items:

4.a. CONSIDERATION/ACTION: Requesting Board of Supervisors approval and Chair signature on GreatAmerica 5-yr. Lease Agreement No. 1134678 for the Public WiFi project in the amount of \$26,581. (Information Technology)

CAO Robertson provided background for the contract on behalf of Information and Technology Director, Jerry Cook.

Supervisor Cullins asked for clarification on the contract.

CAO Robertson provided clarification on the financing terms with Great America Financing.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patricia Cullins, Supervisor District II
SECONDER:	David Allan, Supervisor District I
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

Motion for a 5 minute recess.

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

PUBLIC HEARING

5. Planning Department Items:

5.a. PUBLIC HEARING: Public Hearing for Commercial Marijuana Uses-Zoning Ordinance Amendment. (Planning)

The public hearing was opened at 10:30 a.m.

Planning Director, Kim Hunter, provided a staff report on the proposed ordinance amendment and historical background on medical marijuana. She stated the proposed ordinance will add another chapter to the zoning code, as proposed, banning commercial activities related to the cultivation, processing and dispensary uses in the unincorporated portions of Modoc County. She stated the proposed ordinance is for commercial use only.

Supervisor Allan asked if fifteen plants would be deemed commercial.

Director Hunter stated that it could be considered a violation.

County Counsel Long responded that it is not the number of plants in the commercial grow ordinance, it is about the use of growing marijuana for profit as a commercial operation.

Proponents:

None.

Opponents:

Damian Roberts stated there are other people in the county growing crops for profit. He stated this is a nuisance ordinance which he feels cannot be done by law. He stated there can be a tax imposed on marijuana to help the community. He stated that he feels this will bring employment opportunities to the County.

Mike Conrad stated he is a medical marijuana patient and he is looking for some mechanism in the County where he can access medical marijuana. He stated he just came back from Oregon where marijuana is legal and they have strict laws. He encouraged the board to research Oregon's medical marijuana laws. He also stated there should be a tax on commercial use and the medical marijuana issues should be resolved before they move forward with a commercial use.

May Bass stated marijuana is California's largest crop and this is the opportunity to regulate and tax marijuana. She stated they have the right to farm as this is an agricultural commodity. She asked for consideration to form a working group to come up with an ordinance which can meet everyone needs.

James Timothy Bass goes on record as being opposed to the proposed ordinance.

The public hearing was closed at 10:47 a.m.

5.b. CONSIDERATION/ACTION: First Reading for Proposed Zoning Ordinance Amendment Commercial Marijuana Uses (Planning)

Planning Director, Kim Hunter stated there was a very well attended meeting by the Planning Commission to review this ordinance. Hunter stated a working group could be formed and taxes could be discussed in the future. She stated she attended a planning director conference where several counties were surveyed on marijuana commercial use and taxation. She stated her recommendation is to implement a ban at this time. Director Hunter thanked the audience for their comments.

Supervisor Allan stated he feels this proposed ordinance is almost a wasted endeavor due to future legislation.

Director Hunter stated she respectfully disagrees due to having no indication of what future legislation will be passed.

Supervisor Byrne stated Colorado law legalized marijuana but gives the authority for counties to set their own individual decisions.

Supervisor Byrne asked if it would take a 2/3 majority vote to implement a tax on marijuana.

Director Hunter replied it would require a 2/3 majority vote due to Prop 218. She reported there is currently a collective ordinance in Modoc County.

Supervisor Cullins stated she agrees with the comments. She stated there is a need for a working group, but an ordinance needs to be in place.

County Counsel Long advised the Board to make a motion to waive the first reading and set the second reading of the proposed ordinance.

Motion by Supervisor Byrne, seconded by Supervisor Allan to waive the first reading and set the second reading of the proposed zoning ordinance amendment for commercial uses.

May Bass stated there is \$10 million allocation provided in the medical marijuana law to begin the program. She stated she wants regulation and to be productive members of the community. She would like to see the formation of a working group as soon as possible. Bass stated she think there can be middle ground found.

Damian Roberts stated there is no infrastructure needed. He stated he has spoken with the Ag Commissioner to get further details on what he would need to get a certified scale. He stated he does not think you can outright ban marijuana. He feels that it will be very expensive to ban marijuana.

Mike Conrad stated he feels the Board should put it to the County for a 2/3 vote. He stated it should be put it in the people's hands.

Supervisor Byrne asked County Counsel to answer legal questions presented by the public.

County Counsel Long stated the proposed question is how you can ban something with a nuisance ordinance that is legal under the law. Long referenced two cases in Riverside and Tehama County which specifically state, when you are dealing with marijuana, you are looking at an issue of a nuisance. Long stated you are not looking at the product but how it affects the people in the community; the health, welfare and safety. She stated this law allows, as a County, to place nuisance ordinances to protect the health, welfare and safety of the people. Long provided several examples of nuisance ordinances and stated these have been tested in the courts.

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	David Allan, Supervisor District I
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

6. Sheriff/Coroner Items:

6.a. CONSIDERATION/ACTION: Request approval of resolution setting daily inmate rate minimum and maximum as per recommended by the CCP committee. (Sheriff's Office)

Sergeant, Julie Winkle, reported on March 3, 2016 Community Corrections Partnership committee meeting which made a recommendation to set the daily rate of minimum of \$78 per day, per inmate; to a maximum of \$100 per day, per inmate. She stated there will be a report quarterly on the number of inmates.

Supervisor Cullins asked for current statistics of inmates.

Sergeant Winkle stated there have been five from January 1 to present.

Supervisor Allan asked who sets the rate.

Sergeant Winkle stated it was set by the state standards. Deputy Director, AJ McQuarrie, stated they do a sampling over a quarter and compared it to their budget so they can get an average daily rate.

Supervisor Cullins asked about verbiage in the resolution.

Deputy Director McQuarrie provided background on the verbiage and stated that there has never been a daily inmate rate set within the County. She stated it was a recommendation by the CCP committee for the Board to set a daily rate.

Supervisor Allan asked about the difference in cost per month.

Sergeant Winkle responded that it changes per month due to the number of days in the month and level of medical bills.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	David Allan, Supervisor District I
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

7. Emergency Services Items:

7.a. DISCUSSION/INFORMATION: Review of the 2016 Local Hazard Mitigation Plan. (Office of Emergency Services)

Deputy Director, AJ McQuarrie, provided background on the Local Hazard Mitigation Plan and requested the Board provide any corrections or revisions by the 7th of April. She stated the timeline for the plan will be submit to FEMA in July and have a FEMA approved Local Hazard Mitigation Plan by October of 2016.

8. Modoc County Transportation Commission:

8.a. CONSIDERATION/ACTION: Requesting approval of a resolution for the Functions and Duties of the Modoc County Transportation Commission. (Modoc County Transportation Commission)

Modoc County Transportation Commission Executive Director, Debbie Pedersen, provided background on establishing a separate public agency for Modoc County Transportation Commission.

Supervisor Cullins asked why CalPERS changed their mind on the status of the agency.

CAO Robertson stated there has been a call to investigate all joint powers authorities and separate agencies due to pension reform. He stated CalPERS is focusing on the larger organizations and MCTC was one of the agencies which received a reversal.

Pedersen stated the reversal was decided in November. She stated the MCTC Commission meeting surveyed the employees. She stated the employees were in favor of moving to a separate public agency.

CAO Robertson advised the Board in the event the agency's application is not accepted as a sole agency and MCTC wishes to remain with the County the resolution will need to be rescinded.

Pedersen stated she received some examples from CalPERS legal advisors which helped to form the proposed resolution. She stated in the event that CalPERS denies their request, MCTC has other options which are possible.

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

8.b. CONSIDERATION/ACTION: Requesting approval of a resolution for the Functions and Duties of the Modoc Transportation Agency. (Modoc County Transportation Commission)

Modoc County Transportation Commission Executive Director, Debbie Pedersen, provided background on the Modoc Transportation Agency and the legal advice to keep the agencies separate.

Supervisor Cullins asked for clarification on the difference between MCTC and MTA.

Pedersen provided clarification on the agencies.

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

9. Public Works:

9.1. CONSIDERATION/ACTION: Board of Supervisors approval of the First Amendment to the Refuse Collection Agreement between USA Waste of California, Inc. dba Alturas Disposal and the County of Modoc effective April 1, 2106. (Public Works)

CAO Robertson provided an Exhibit B which reflects the most recent rates. Robertson provided a background on the agreement and the state requirements. He provided a background on the language in the agreement.

Supervisor Byrne stated she has several people in her district that are not being served by Waste Management. She asked for a response she could provide to her constituents.

Operations Manager for Waste Management, Kyle Weber, provided the coverage of the commercial service area. He stated the service does not services the Day area. He stated there is nothing, at this time, they can do to service the people in Day.

Supervisor Byrne asked if this is a one year renewal and does it have to go out for bid.

CAO Robertson stated there are several other agencies interested but there must be a diligent effort to meet the state objective. Robertson provided a background on the cost benefit to meet the recycle objective.

Supervisor Byrne stated in addition to the waiver on the recyclable's, there is a goal of a 100% of the organic matter and asked if there is a waiver for this objective.

CAO Robertson stated there is an option for this and provided a background on how the process works from the State to the County. He stated there is new legislation in process which will affect the rate structure.

Weber stated they are willing to work with the County.

A member of the public stated he feels Waste Management does a wonderful job.

RESULT:	APPROVED [3 TO 0]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Patricia Cullins, Supervisor District II
AYES:	Byrne, Rhoads, Cullins
ABSTAIN:	Allan
ABSENT:	Wills

10. Social Services Items:

- 10.a. CONSIDERATION/ACTION: Request authorization to add to the Personnel Allocation List one Administrative Assistant position; Range 203: Step A-F; \$2,684 - \$3,425. (Social Services)**

Director of Social Services, Kelly Crosby, provided background on the proposed job position.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	David Allan, Supervisor District I
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

- 10.b. CONSIDERATION/ACTION: If (11.a.) is approved, authorization to advertise and fill the Administrative Position as promotional only with the ability to hire Step A-F in order for the employee to receive at least a 5% increase. (Social Services)**

Item was amended to reference (10.a.)

Director of Social Services, Kelly Crosby provided background on the proposed job position.

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Patricia Cullins, Supervisor District II
SECONDER:	Geri Byrne, Supervisor District V
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

- 10.c. CONSIDERATION/ACTION: If (11.a.) & (11.b.) are approved, move the vacant position left by the promotion to open, not filled on the Allocation List. (Social Services)**

Item was amended to reference (10.a. & 10.b.)

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Patricia Cullins, Supervisor District II
SECONDER:	Geri Byrne, Supervisor District V
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

- 10.d. CONSIDERATION/ACTION: Requesting authorization to move from open to allocated on the Personnel Allocation List the System Support Analyst position; Range 182: Step A-F; \$2,418 - \$3,086. (Social Services)**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Allan, Supervisor District I
SECONDER:	Geri Byrne, Supervisor District V
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

10.e. CONSIDERATION/ACTION: If (11.d.) is approved, authorization to advertise and fill the System Support Analyst position as promotional only with the ability to hire Step A-F in order for the employee to receive at least a 5% increase. (Social Services)

Item was amended to reference (10.d.)

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Patricia Cullins, Supervisor District II
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

10.f. CONSIDERATION/ACTION: If (11.d.) & (11.e.) are approved, move the vacant position left by the promotion to open, not filled, on the Allocation List. (Social Services)

Item was amended to reference (10.d. & 10.e.)

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Patricia Cullins, Supervisor District II
SECONDER:	Geri Byrne, Supervisor District V
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

10.g. CONSIDERATION/ACTION: Requesting authorization to move from open to allocated on the Personnel Allocation List the Social Worker III position; Range 227: Step A-F; \$3,026 - \$3,862. (Social Services)

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

10.h. CONSIDERATION/ACTION: If (11.g.) is approved, authorization to advertise and fill the Social Worker III position as promotional only with the ability to hire Step A-F in order for the employee to receive at least a 5% increase. (Social Services)

Item was amended to reference (10.g.)

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	David Allan, Supervisor District I
SECONDER:	Patricia Cullins, Supervisor District II
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

- 10.i. CONSIDERATION/ACTION: If (11.g.) & (11.h.) are approved, move the vacant position left by the promotion to open, not filled on the Allocation List. (Social Services)**

Item was amended to reference (10.g. & 10.h.)

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Patricia Cullins, Supervisor District II
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

- 10.j. CONSIDERATION/ACTION: Requesting authorization to add to the Personnel Allocation List an Eligibility Worker III position; Range 180: Step A-F; \$2,394 - \$3,057. (Social Services)**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patricia Cullins, Supervisor District II
SECONDER:	David Allan, Supervisor District I
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

- 10.k. CONSIDERATION/ACTION: If (11.j.) is approved, authorization to advertise and fill the Eligibility Worker III position as promotional only with the ability to hire Step A-F in order for the employee to receive at least a 5% increase. (Social Services)**

Item was amended to reference (10.j.)

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Patricia Cullins, Supervisor District II
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

- 10.l. CONSIDERATION/ACTION: If (11.j.) & (11.k.) are approved, move the vacant position left by the promotion to open, not filled, on the Allocation List. (Social Services)**

Item was amended to reference (10.j. & 10.k.)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Allan, Supervisor District I
SECONDER:	Patricia Cullins, Supervisor District II
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

10.m. CONSIDERATION/ACTION: Requesting permission to start Office Assistant II; Step-A-F, effective March 8, 2016 (date of hire). (Social Services)

Director of Social Services, Kelly Crosby, stated this employee who previously worked at Social Services and has the experience to merit the step and range.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patricia Cullins, Supervisor District II
SECONDER:	David Allan, Supervisor District I
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

11. Administrative Services Items:

11.a. CONSIDERATION/ACTION: Board of Supervisors approval of a budget modification Fund 001; General; Unit 4210; Veterans Services; increasing Revenue by \$37,519 and increasing Expenditures by \$4,631. (Administrative Services)

CAO Robertson provided a background on the budget modification. He stated this is not anticipated to be an annual revenue and cost.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	David Allan, Supervisor District I
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

11.b. CONSIDERATION/ACTION: Board of Supervisors approval of a budget modification to increase expenditures Fund 001; General; Unit 4040; Indigent Defense by \$20,050. (Administrative Services)

CAO Robertson provided background on the budget modification. Robertson stated there has been one case which has been 42% of the budget. He anticipates a subsequent budget modification in the future.

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

11.c. DISCUSSION/INFORMATION: Review of the draft Modoc District Fair Maintenance and Operations Plan. (Administrative Services)

CAO Robertson provided a background on the Modoc District Fair operations plan. Robertson stated the County was asked to participate along with the Office of Emergency Services and Buildings and Ground. Robertson stated the goal is to get a master agreement for the underlying land lease and the operations plan would be an attachment to the lease. He stated the liability is the largest issue. He reported the impact to the budget will be \$4,000 to \$5,000 to support the fair with staff for buildings and grounds maintenance.

Motion to recess for lunch until 1:15 p.m.

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

The meeting reconvened at 1:15 p.m.

12. Comments/Reports:

Public Comment

None.

Department Head Reports

Natural Resources, Sean Curtis, provided an update on his visit to Washington D.C. which dealt with secure rural schools, wild horses and the radar site. Curtis reported that it was recommended during several meetings to contact BLM on the wild horse issue to seek permission to use the BLM holding facility. He reported they were able to meet with BLM and obtain confirmation of possible facility use as an option for the gather of the USFS horses. He stated the gather of 200 head of horses is schedule for September 6-15, 2016 off of private land.

Chief Probation Officer, Leo Fernandez, reported that effective October 31, 2016 will be his last day as Chief Probation Officer. He stated he will be working with Administration and the Judges to begin the recruitment process.

Administrative Services Report

CAO Robertson reported on the following; contracts dealing with mine inspections, mid-year budget review with the Sheriff Department, Federal PILT, Victim Witness possible budget modification, Information Technology projects, Auditor informed departments that period 13 will close at an earlier date, Forest Reserve Account /Fire Safe Council future budget modification, pre-inspection for the migrant housing, there has been an increase in public records act requests, meetings with the Modoc District Fair, and an Accela program update from the Deputy Clerk of the Board.

Board of Supervisors Reports

Supervisor Allan reported he attended a LAFCo meeting and a NorCal EMS.

Supervisor Cullins reported she attended an Executive Leadership Conference, Senior Disaster Preparedness Group and a PSA 2 meeting.

Supervisor Byrne meet with Congressman LaMalfa in Tulelake where they discussed the airport and water issues. She reported she attended a conference call dealing with the Udall Foundation and airport issue. She stated they are trying to get further representation on the committee. Supervisor Byrne reported the NACO conference will be in California and would like have a representative from Modoc County attend. She also reported on RCRC upcoming issues.

Supervisor Rhoads reported she attended the meeting with Congressman LaMalfa in Alturas and a budget review session.

Chair Rhoads read the closed session items into the record.

Motion to adjourn into Closed Session at 1:56 p.m.

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

13. Closed Session:

13.a. CLOSED SESSION: Closed Session: Pursuant to CA Government Code 54957; Performance Evaluation; Title: Chief Probation Officer. (Administrative Services)

Evaluation Complete

13.b. CLOSED SESSION: Closed Session: retirement - Government Code 54957 to consider recommendations from staff regarding the following disability retirement application; Member: Michael Klassen, Type Sought: Disability Retirement. (Administrative Services)

No reportable action.

13.c CLOSED SESSION: Pending Litigation, Government Code 5456.9 - Case Name: People v. Rhoades (County Counsel)

Direction given.

14. Administrative Services Items:

14.a. CONSIDERATION/ACTION: Board of Supervisors approval of a resolution regarding Disability Retirement: Klassen. (Administrative Services)

CAO Robertson provided a background on the request and stated they have six months to make a determination. He stated the staff recommendation is, due to lack of medical evidence, it is recommended to deny the industrial disability retirement application of Klassen.

Motion by Supervisor Cullins, seconded by Supervisor Bryne to approve of a resolution denying the industrial disability retirement application: Klassen.

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Patricia Cullins, Supervisor District II
SECONDER:	Geri Byrne, Supervisor District V
AYES:	Allan, Byrne, Rhoads, Cullins
ABSENT:	Wills

ADJOURNMENT

The meeting was adjourned at 3:39 PM

Motion to Adjourn

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