

DAVID ALLAN
1st District

PATRICIA CULLINS
2nd District

KATHIE RHOADS
3rd District

JAMES WILLS
4th District

GERI BYRNE
5th District



TIFFANY A. MARTINEZ
DEPUTY CLERK OF THE
BOARD OF SUPERVISORS

204 S. COURT STREET
ALTURAS, CALIFORNIA 96101

(530) 233-6201
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June 14, 2016

10:00 AM Call to Order

Attendee Name	Title	Status	Arrived
David Allan	Supervisor District I	Absent	
Patricia Cullins	Supervisor District II	Present	10:00 AM
Kathie Rhoads	Supervisor District III	Present	10:00 AM
James Wills	Supervisor District IV	Present	10:00 AM
Geri Byrne	Supervisor District V	Present	10:00 AM
Margaret Long	County Counsel	Present	10:10 AM
Tiffany Martinez	Deputy Clerk of the Board	Present	10:00 AM
Chester Robertson	Chief Administration Officer	Present	11:16 AM

Pledge of Allegiance

Moment of Prayer

Prayer provided by Pastor Ken.

Public Comment

Supervisor Rhoads recognized Flag Day.

Approval or Additions/Deletions to Agenda

a. Motion to approve the agenda as presented

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

Correspondence

Supervisor Rhoads entered into the record a thank you from the Library and their staff regarding the Centennial Celebration.

Supervisor Rhoads entered into the record a letter from USFS District Ranger of the Warner Mountain Range, Tim Davis, regarding the South Fork of the Pit River.

Letter to Governor Brown from the County of Lassen

Thank you letter from the Library

Department Head Reports

Director of Public Health, Karen Stockton, reported they received the documents for the IGT contracts and the net gain to the County is \$192,000. Director Stockton provided and update on the "No Place Like Home" initiative.

Road Commissioner, Mitch Crosby, provided an update on the County Road 1 project.

1. Consent Agenda Items:

Supervisor Byrne asked to pull item 1.a. for discussion.

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

a. Item Pulled from Consent

- 1.b. CONSIDERATION/ACTION: Respectfully requesting permission for Kelly Crosby, Director of Social Services and BOS Chair to sign the FY 2016/17 contract for training services with UC Davis Extension. (Social Services)**
- 1.c. CONSIDERATION/ACTION: Request approval and authorization for the Chair to sign a contract between Modoc County Behavioral Health and Native American Mental Health Services, effective June 1, 2016. (Behavioral Health)**
- 1.d. CONSIDERATION/ACTION: Request approval and authorization for Behavioral Health Director, Karen Stockton and the Chair of the Board to sign a contract between Modoc County Behavioral Health and Willow Glen Care Center not to exceed the maximum sum of \$75,000, effective July 1, 2016 through June 30, 2017. (Behavioral Health)**
- 1.e. CONSIDERATION/ACTION: Requesting Board authorization to sign Memorandum of Understanding between Modoc County Office of Education (MCOE) and Modoc County Probation Department (Probation), effective July 1, 2016 through June 30, 2017. (Probation)**

- 1.f. **CONSIDERATION/ACTION: Requesting Board authorization to sign agreement with Siskiyou County for detention of Juveniles in their hall, effective July 1, 2016 through June 30, 2017. (Probation)**
- 1.g. **CONSIDERATION/ACTION: Requesting Board authorization to sign agreement with Lassen County for detention of Juveniles in their hall, effective July 1, 2016 through June 30, 2017. (Probation)**
- 1.h. **CONSIDERATION/ACTION: Requesting appointment of Robert Fisher to fill the vacancy of the "At Large" position to the Groundwater Resources Advisory Committee, effective June 1, 2016. (Board of Supervisors)**
- 1.i. **CONSIDERATION/ACTION: Requesting approval of the May 24, 2016 Board of Supervisors meeting minutes. (Clerk of the Board)**

2. Discussion/Information:

- 2.a. **DISCUSSION/INFORMATION: Update regarding Juniper Acres and the South Fork of the Pit River area. (Board of Supervisors)**

Supervisor Rhoads reads into the record the letter from USFS District Ranger of the Warner Mountain Range, Tim Davis, updating the Board on the Juniper Acres project.

Letter from District Ranger Tim Davis

3. Consideration/Action:

- 3.a. **CONSIDERATION/ACTION: Requesting approval of a beer and wine permit for the Adin Community Park to hold the Adin Summer Festival on July 2, 2016. (Clerk of the Board)**

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

Moved to 6.a. Behavioral Health Items

4. PUBLIC HEARING - 10:30 A.M.

4.a. PUBLIC HEARING: Chavez-Rezone (RZ2016-08) Assessor Parcel Number 022-040-39 (Planning)

Associate Planner, Lori Galvin, provided a background on the proposed rezone. Associate Planner Galvin stated the parcel is currently zoned commercial and the general plan is urban. The proposed buyer is requesting the parcel be rezoned to rural town as the parcel is nonconforming under the commercial zone.

Supervisor Cullins asked if there was any objections at the planning commission meeting.

Associate Planner Galvin stated there were no objections.

Proponents:

None

Opponents:

None

There being no further public comment, the public hearing was closed at 10:33 a.m.

5. Planning Department Items:

5.a. CONSIDERATION/ACTION: Introduction and approval to waive the first reading of an Ordinance amending the zoning maps under Chapter 18 Section 18.18.070 for project #RZ 2016-08. (Planning)

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

5.b. CONSIDERATION/ACTION: Second reading and approval of an Ordinance amending the zoning maps under Chapter 18 Section 18.18.070 for project #RZ 2012-04, Assessor Parcel Number 022-550-31. (Planning)

Motion by Supervisors Cullins, seconded by Supervisor Wills to waive the second reading and approve of an Ordinance amending the zoning maps under Chapter 18 Section 18.18.070 for project #RZ 2012-04, Assessor Parcel Number 022-550-31. Ordinance #236-142

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

Ordinance 236-142

Moved to 7.a. CalWORKS Items

6. Behavioral Health Items:

- 6.a. CONSIDERATION/ACTION: Respectfully requesting approval to award bid and authorize the purchase of one 2017 Chevrolet Equinox AWD LT from Carsten Motors, in the amount of \$26,756.88 per County Code. (Behavioral Health)**

Director of Health Services, Karen Stockton, provided a background on the purchase and stated the bid was selected using local preference per County Code.

Motion by Supervisor Wills, seconded by Supervisor Cullins award bid and authorize the purchase of one 2016 Chevrolet Equinox AWD LT from Carsten Motors, in the amount of \$26,756.88 per County Code.

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

- 6.b. CONSIDERATION/ACTION: Request authorization for Karen Stockton, Director of Health Services, and the Chair of the Board to sign Grant Agreement #16-10130 for the Nutrition Education and Obesity Prevention Program, effective October 1, 2016 through September 30, 2019. (Public Health)**

Formerly item 1.a. pulled from the consent agenda for discussion by Supervisor Byrne.

Item was discussed and voted on following the Consent Agenda approval.

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

10:17 a.m. Motion to recess until 10:30 a.m. and reconvene at item 4.a. Public Hearing.

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

7. CalWORKs Items:

Motion to postpone items 7.a. and 7.b. until a representative of the department is present.

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

Moved to 8.a. Emergency Services Items

- 7.a. CONSIDERATION/ACTION: Request permission to advertise and hire one Employment Specialist Range 170: Step A-F; \$2,277- \$2,907, with ability to hire Step A-F if applicants have exceptional abilities and skills. (CalWORKs)**

Director of CalWORKs, Diane Fogle, provided a background on the job position.

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

7.b. CONSIDERATION/ACTION: Request permission to promote Jackie Froeming Employment Specialist Range 170: Step E; \$2,714 to Range 170: Step F; \$2,907, effective July 1, 2016. (CalWORKs)

Director of CalWORKs, Diane Fogle, provided an update on the promotion.

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

Moved to item 9.a. Resource Analyst Items

8. Emergency Services Items:

8.a. CONSIDERATION/ACTION: Requesting approval of the updated Emergency Operations Plan Pesticide Drift Annex. (Office of Emergency Services)

Office of Emergency Services Deputy Director, AJ McQuarrie, provided a background on the Annex Revisions.

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

8.b. CONSIDERATION/ACTION: Requesting approval of a Governing Body Resolution required to apply for the Emergency Management Performance Grant and Homeland Security Grant Program. (Office of Emergency Services)

Office of Emergency Services Deputy Director , AJ McQuarrie, provided an update on the governing body Resolution. Deputy Director McQuarrie provided a background on what the funds have been used for.

Supervisor Wills asked if there was a list of projects which the funds are being used for.

Deputy Director McQuarrie reported the Homeland Security grant funds are typically used for the "Gang of Five" which consists of the City Police Chief, Sheriff, Health Services, County Fire Chief, and City Fire Chief. McQuarrie stated the departments submit projects which would fall within the grant guidelines for possible funding.

Supervisor Wills stated he would like to know how much funding is being received and where the money will be used.

Deputy Director McQuarrie stated the EMPG funding will be \$126,000. She stated the homeland security grant funding amount will not be available until applied for, but the amount will go through the budget process.

Supervisor Wills asked Deputy Director McQuarrie to provide a report on where the funds are being spent once they are received.

Deputy Director McQuarrie stated she did provide a report of last year funding projects.

Supervisor Wills asked if the Board will receive a copy of these contracts.

Deputy Director McQuarrie stated the Board did receive a copy of last years contracts through the budget process.

Supervisor Wills requested to have the contracts come back to the Board at a regular meeting so the Board can review the contracts and have a copy on file at the Clerk of the Board's office.

Supervisor Byrne stated that she understands this is done every year, but the Board has instituted a policy that the Chair of the Board signs all contracts for the County of Modoc. Supervisor Bryne reinforced the need for consistency of the policy throughout all departments.

Deputy Director McQuarrie provided a background on the parties who sign the contracts.

County Counsel Long provided clarification to Deputy Director McQuarrie stating the Board is stipulating all contracts signed on this matter be routed back through the Board of Supervisors for approval as to form and content. Long clarified the Board is not requesting to take over the project. She stated the project will remain with the Sheriff's department, but all contracts regarding the project must be presented for approval and signature by the Chair of the Board.

Motion by Supervisor Byrne, seconded by Supervisor Cullins to approve of a Governing Body Resolution, required to apply for the Emergency Management Performance Grant and Homeland Security Grant Program, with the stipulation to have all future contracts regarding the Emergency Management Performance and Homeland Security grant program presented for approval and signature by the Chair of the Board of Supervisors prior to signature by other parties.

Deputy Director McQuarrie asked for clarification on the process.

County Counsel Long clarified the Board approved the Resolution as written with the stipulation that all future contracts must come before the Board for approval and signature by the Chair, before they are sent out for signature by other parties, to ensure they are on file at the Clerk of the Board's office.

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

Resolution 2016-17

Returned to 7.a. CalWORKs items.

9. Resource Analyst Items:

9.a. CONSIDERATION/ACTION: Requesting approval to draft letters to the Regional Foresters of Region 5 and Region 6, opposing relaxing the prohibition of importing federal logs into the Lakeview Federal Sustained Yield Unit and authorize the Chair to sign. (Natural Resources)

Resource Analyst, Sean Curtis, provided a background on the letter.

Supervisor Byrne asked if a local bidder does not place a bid will the Forest Supervisor open the bid up to other areas.

Curtis stated Supervisor Byrne is correct. Curtis stated this is the same process they complete in the Big Valley unit, even though there is no local processing facility, they offer local preference first and 30 days after they open to outside bidders.

Supervisor Byrne asked if both Regional Forest Supervisors have to agree or does just one make the decision to open the area for additional bidders.

Curtis stated Supervisor Byrne is correct, only one Regional Forest Supervisor makes the decision to open the bidding as it is their unit of coverage. Curtis stated he is hopeful that a conversation is conducted between the Regional Forest Supervisors before the bid is opened to outside bidders.

Supervisor Wills stated there has been no conversation.

Curtis stated Supervisor Wills is correct and provided a background on how this issue came to his attention.

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

9.b. CONSIDERATION/ACTION: Request the Board of Supervisors adopt the Territory Management Plan Implementation as County policy regarding the management of wild horses on the Modoc National Forest. (Natural Resources)

Resource Analyst, Sean Curtis, provided a background on the Territory Management Plan Implementation Policy.

Supervisor Byrne asked if this was a fluid policy and will be open to change in the future.

Curtis stated this policy is open to change as needed and he feels the USFS is reluctant to commit due to funding. He stated they need to commit and then work on the funding.

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

10. County Counsel Items:

10.a. CONSIDERATION/ACTION: Requesting approval to waive the first reading and set public hearing and second reading for an Ordinance repealing Section 2.60, Vehicle Use Policy, of the Modoc County Code. (County Counsel)

County Counsel Long stated 10.a. and 10.b. are related items. Long stated every year the County Joint Powers Authority Trindel Insurance provides the County with a list of policies which they are required to update. Long reported that failure to update these policies will result in a loss of funding. She reported the deadline for completion is June 17, 2016. Long reported currently the Vehicle Use Policy is in the Modoc County Code, and this is not the appropriate location to have a policy of this nature. Long stated it is appropriate to have as a policy of the Board which directs their employees. Long stated having the policy removed from the code and added as a policy of the Board provides the ability to change or update the policy as needed, without going through an Ordinance amendment. County Counsel Long reported due

to the short notice, a public hearing was unable to be noticed in the paper and therefore the request is to hold the public hearing at the next Board meeting.

Supervisor Wills asked for confirmation that there is no legal issue by having the public hearing at the second reading.

County Counsel reported the action is legal and clarified that the public hearing could be waived all together. Long stated the public hearing is a requirement of a policy adopted by the Board of Supervisors for how they structure their meetings, specifically in that policy is states, the Board can waive those requirements at any time.

Supervisor Wills asked if the Vehicle Use Policy will be reviewed in the future.

County Counsel Long provided a timeline for the process on updating the Vehicle Use Policy.

Motion by Supervisor Wills, seconded by Supervisor Byrne to waive the first reading and set the public hearing and second reading of an Ordinance repealing Section 2.60, Vehicle Use Policy, of the Modoc County Code for June 28, 2016.

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

10.b. CONSIDERATION/ACTION: Requesting approval to adopt a new Modoc County Vehicle Policy. (County Counsel)

County Counsel reported on the policy which will replace the county code requesting to be repealed in item 10.a. Long reported this is a standard vehicle policy with some additional recommendations from Trindel Insurance. County Counsel Long thanked the union representatives for responding in a timely fashion. Long reported both union representatives provided changes to the policy. Long reported she is seeking approval of the policy as written to meet the deadline but will be bring it back to the Board with the recommended changes after meeting with the union representatives for fine tuning within 45 days.

County Counsel Long recommended to the Board to e-mail her with any questions, suggestions or changes to the policy before final approval. Long once again stated the policy will not go into effect today as the code remains in effect for 30 days after the repeal of the County Code is approved.

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

11. Administrative Services Items:

11.a. CONSIDERATION/ACTION: Requesting approval to adopt an updated Modoc County Injury Illness, Prevention Program and Code of Safe Practices (I.I.P.P), effective June 15, 2016. (Administrative Services)

County Administrative Officer, Chester Robertson, provided a background on the Modoc County Injury, Illness, Prevention Program and Code of Safe Practices (I.I.P.P).

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

11.b. CONSIDERATION/ACTION: Authorization to transfer two fuel pumps located at Modoc County Museum to the Modoc County Historical Society. (Administrative Services)

County Administrative Officer, Chester Robertson, provided a background on the transfer of the fuel pumps.

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

12. Board of Supervisors Items:

12.a. CONSIDERATION/ACTION: Approval of a budget modification increasing expenditures General Fund 001; Board of Supervisors Unit 1010; in the amount of \$5,000. (Clerk of the Board)

County Administrative Officer, Chester Robertson, reported on the additional cost due to pension reform and invoices received regarding GASB 68.

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

13. Comments/Reports:

a. Public Comments

Modoc County Museum volunteer, Dixie Server, provided an update on the projects being completed on the Museum. Server stated the proceeds from the pumps will go to purchase shelving. Server reported the funds for the improvement came from Lavelle Dollarhide's estate who resided in Cedarville. She reported once the projects are complete there will be a open house.

b. Administrative Services Report

CAO Robertson reported on the following; employee health benefits issues, CCP Committee meeting related to a Justice Assistance grant update and budget preparations, budget preparation sheets, Pit River Levée clearance and vegetation removal has begun, and thanked the Board and Road Department for years of making hard decisions which has made the current road projects possible.

At the request of Supervisor Rhoads, Robertson updated the Board on the location of the vegetation removal.

Supervisor Wills thanked the Road Department on all their progress.

c. Department Head Reports

Deputy Clerk of the Board, Tiffany Martinez, reported on the following; policy for tracking contracts for final retention, Ordinance and Resolution indexing, file indexing update, County Code update, updating of the Clerk of the Board records and retention policy, and update on the new supervisor packet.

d. Board of Supervisors Reports

Supervisor Wills reported on the following; attended two wild horse meetings, meeting in Redding with CalTrans on the Canby Intersection County Road 82 & 83, and a Modoc County Transportation Commission meeting.

Supervisor Byrne reported on the following; wild horse coordination meeting, Lassen Modoc Flood Control District Ad Hoc committee meeting and reported on the possible discussion of dissolution of the District, worked the election, will be attending the first meeting of the Southern Cascades Community Services District, RCRC, Groundwater meeting and signed up to attend the NACO Conference.

Supervisor Cullins reported on the following; Modoc County Senior Citizen board meeting, Community Corrections Partnership meeting where they are working on a job description for the Juvenile Justice Coordinator versus the CCP Coordinator to broaden the job description, First 5 Commission meeting, Library Advisory Board meeting, and a PSA2 meeting in Yreka.

Supervisors Rhoads reported on the following; Modoc County Transportation Commission meeting, public meeting on wild horse meeting, and a Cal Fire webinar on tree mortality.

Supervisor Rhoads read the closed session items into the record.

11:45 a.m. Motion to go into Closed Session.

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

14. Closed Session:

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

Staff report given

14.b. CLOSED SESSION: Conference with Legal Counsel – Anticipated Litigation under Government Code Section 54956.9(b) – two cases. (County Counsel)

Direction given

14.c. CLOSED SESSION: Closed Session Pursuant to CA Government Code 54957; Performance Evaluation; Title: Agriculture Commissioner (Administrative Services)

Evaluation complete.

3:31 p.m. The Board meeting reconvenes in open session with Supervisor Cullins, Rhoads, Wills and Byrne present.

Supervisor Rhoads reported on the Closed Session items.

Motion to Adjourn

Motion to Adjourn the June 14, 2016 meeting.

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

ADJOURNMENT

The meeting was adjourned at 3:33 PM

No further business to come before the Board at this time, the meeting was adjourned to meet in regular session Tuesday, June 28, 2016 at 10:00 a.m.

Tiffany A. Martinez
Deputy Clerk of the Board

Kathie Rhoads
Chair, Modoc County Board of Supervisors