

BOARD OF SUPERVISORS

August 1, 1995

The Board of Supervisors of Modoc County met in regular session this 1st day of August, 1995. The following Supervisors are present: Ben Zandstra, Joe Colt, Ron McIntyre, Ed Carver and Nancy J. Huffman. County Clerk Maxine Madison and Director of Administrative Services Mike Maxwell are also present.

Meeting called to order pursuant to law by Chairperson McIntyre. Following the flag salute the invocation is offered by Supervisor Zandstra. Chairman notes the agenda was posted on July 26, 1995.

MATTERS INITIATED BY THE PUBLIC:

No matters initiated by the public.

DEPARTMENT HEAD REPORTS:

Agricultural Commissioner Wright reports that he was called by the Agriculture Inspection Station employee last week to inspect a truck for possible fire ants. He reports that the truck was treated and they are checking vehicles entering the county closely. He reports that vehicles entering the state through Reno are being checked but at this time none have been reported.

2. ROAD COMMISSIONER/PUBLIC WORKS-SERVICE AWARDS:

a. RON CANNON 15 YEARS, b. LONNIE SPHAR 15 years, c. YVONNE GOULDEN 5 years.

Road Commissioner Pedersen recognizes three employees for dedication and longevity.

Chairman McIntyre presents Ron Cannon and Lonnie Sphar certificates for fifteen years service to Modoc County Road Department.

Chairman McIntyre presents Yvonne Goulden a certificate for her dedication and service to Modoc County Department of Public Works for the past five years.

MERIT AWARDS: BRUCE MIX, MIKE MACDONALD, JOHN WISTOS:

Director of Public Works Pedersen recognizes three persons for outstanding performance regarding the 1995 Winter Storm.

Chairman McIntyre presents Bruce Mix, Mike Macdonald and John Wistos each a Certificate of Merit for outstanding service during the 1995 Winter Storms.

3 a. REQUEST BOARD PERMISSION TO PROMOTE TWO EMPLOYEES FROM MAINTENANCE WORKER 1, 32F TO MAINTENANCE WORKER II POSITIONS AT 36F, REQUEST TO PROMOTE ONE EMPLOYEE FROM MAINTENANCE WORKER I, 32E TO MAINTENANCE WORKER II POSITION AT 36E, AND REQUEST TO PROMOTE AN EMPLOYEE FROM ENGINEERING AID II, 35F TO ENGINEERING TECHNICIAN I, 41E. (ROAD COMMISSIONER)

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Road Commissioner Pedersen requests permission to promote Rich Bowlin from Maintenance Worker I, Range 32, Step F, to Maintenance Worker II, Range 36, Step F, effective this date, August 1, 1995. He requests permission to promote Robert Clark from Maintenance Worker I, Range 32, Step F, to Maintenance Worker II, Range 36, Step F, effective August 1, 1995, each of the employees started work for the Road Department in January, 1988. He requests permission to promote Kelly Holloway from Maintenance Work I, Range 32, Step E, to Maintenance Worker II, Range 36, Step E, effective August 1, 1995. Kelly Holloway was hired to work in the Road Department March 25, 1991. He requests permission to promote John Wistos Engineering Aid II, Range 35, Step F, to Engineering Tech I, Range 41, Step E, effective August 1, 1995. John Wistos went to work for Modoc County Road Department April 1, 1989.

Motion by Supervisor Carver, seconded by Supervisor Huffman and unanimously carried, to approve the promotions as requested by Road Commissioner Pedersen, all promotions effective this date.

b. REQUEST BOARD PERMISSION TO ADVANCE M. COLT TO STEP B EFFECTIVE 7/1/95:

Road Commissioner Pedersen requests permission to advance Michael Colt, Maintenance Worker I, from Step A to Step B, effective July 1, 1995 as he has successfully completed the one year probation period required by Modoc County.

Motion by Supervisor Zandstra, seconded by Supervisor Huffman and carried, to authorize Road Commissioner to advance Michael Colt, from Step A to Step B, effective July 1, 1995 as he has successfully completed his period of probation.

AYES: Supervisors Zandstra, Carver, McIntyre, Huffman
ABSTAINS: Supervisor Colt.

3 c. UPDATE BOARD ON ANNUAL OIL BID AWARD:

Road Commissioner Pedersen updates board members on the annual oil bid award. Three bids were received from Telfer Sheldon Oil Co., \$276,950., Morgan Emultech, \$258,576.75 and Reed & Graham \$303,961.75. The bid was awarded to Morgan Emultech, Redding, CA being the lowest bid in the amount of \$258,576.75.

3 d. AUTHORIZE ROAD COMMISSIONER TO CONDUCT THE ANNUAL COUNTY SURPLUS SALE BY COLLECTING AND LISTING SURPLUS PROPERTY, SOLICITING SEALED BIDS, AND AWARDING BIDS TO THE HIGHEST BIDDER:

Road Commissioner Pedersen requests authorization to conduct the annual county surplus sale. He reviews the procedure with board members. Date of sale is set for November 20, 1995.

Motion by Supervisor Zandstra, seconded by Supervisor Colt and unanimously carried, to authorize Road Commissioner to conduct the annual county surplus sale by collecting and listing surplus property, soliciting sealed bids and awarding bids to the highest bidder.

4 a. REPORT ON JPA ENVIRONMENTAL SERVICES BOARD OF DIRECTORS AND TECHNICAL ADVISORY MEETING:

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Director of Public Works Pedersen reports on JPA Environmental Services Board of Directors and Technical Advisory board meeting in Sacramento, CA. An 800 phone number will be established for information regarding which business is recycling and hours of the business.

4 b. AMEND JOINT EXERCISE OF POWERS AGREEMENT FOR THE REGIONAL COUNCIL OF RURAL COUNTIES ENVIRONMENTAL SERVICES JPA (FORMERLY JPA SOLID WASTE); ADOPT RESOLUTION FOR JPA AMENDED AGREEMENT:

Motion by Supervisor Huffman, seconded by Supervisor Colt and unanimously carried, to adopt Resolution No. 95-45, to approve the amendments of the JPA for the Regional Council of Rural Counties Authority for Environmental Services and further authorized the Chairman of the Board to sign the Agreement as amended July 1, 1995.

4 c. AUTHORIZE THE PUBLIC WORKS DIRECTOR TO PROCEED WITH THE USED OIL OPPORTUNITY GRANT, AND TO AUTHORIZE THE PURCHASE OF FIXED ASSETS CONSISTING OF ABOVE GROUND TANKS, TO CONTAIN RECYCLED OIL, AND ALL MATERIALS RELATED TO THE PROJECT:

Director of Public Works Pedersen reports on the Used Oil Opportunity Grant. He requests authorization to purchase the above ground tanks to contain the recycled oil and the materials related to the project. The funds for the purchases are grant funds.

Motion by Supervisor Zandstra, seconded by Supervisor Huffman and unanimously carried, to authorize Public Works Director to proceed with the Used Oil Opportunity, and to authorize the purchase of fixed assets and supplies necessary for the collection centers.

4 d. BOARD APPROVAL TO ACCEPT AND PLANT A TREE DONATED BY MR. WOODWARD, IN MEMORY OF HIS WIFE:

Paula Murphy, Museum Curator presents information regarding request from Mr. Woodward to plant a tree in memory of his wife. Supervisors request that the money be earmarked for this purchase and that a plaque be placed near the tree with the information regarding the donation. Supervisors request Curator Murphy develop a plan for planting and maintaining of the tree and plaque and to provide plans for future planting of trees in the area.

Motion by Supervisor Huffman, seconded by Supervisor Colt and unanimously carried, to authorize Museum Curator to accept the donation for purchase of a tree.

4 e. REQUEST AUTHORIZATION FOR THE PUBLIC WORKS DIRECTOR TO SOLICIT REQUEST FOR PROPOSAL (RFP), AND AWARD/EXECUTE CONTRACTUAL AGREEMENT TO TRIM AND OR REMOVE TREES AT THE VETERAN'S MEMORIAL PARK, THE MUSEUM, AND THE COURTHOUSE AND DETENTION FACILITY:

Motion by Supervisor Colt, seconded by Supervisor Zandstra and unanimously carried, to authorize Public Works Director to solicit RFP, and award/execute contractual agreement to trim and or remove trees at the Veteran's Memorial Park, the Museum, the courthouse and Detention Facility.

10:13 a.m. Board in recess.

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10:25 a.m. Board meeting reconvenes with all members present.

5.a. PERSONNEL MATTER: REQUEST TO GRANT MERIT INCREASE TO REBECCA GIVAN, FROM RANGE 29, STEP A, TO RANGE 29, STEP B, AS SHE HAS COMPLETED ONE YEAR EVALUATION UPON PROMOTION, EFFECTIVE 7/1/95: (SOCIAL SERVICES)

Social Services Director Belarde requests authorization to grant a merit increase to Rebecca Givan as she has completed one year evaluation upon promotion.

Motion by Supervisor Zandstra, seconded by Supervisor Huffman and unanimously carried, to authorize Director of Social Services to grant Rebecca Givan a Merit Increase from Range 29, Step A, to Range 29, Step B, as she has completed one year evaluation upon promotion, effective date 7/1/95.

5 b. REQUEST TO PROMOTE MARIE HERRERA FROM ELIGIBILITY WORKER I TO ELIGIBILITY WORKER II AS SHE HAS COMPLETED 6 MONTHS AS ELIGIBILITY WORKER I, PROMOTION WILL BE FROM RANGE 21, STEP D, TO RANGE 25, STEP D, WHICH ALLOWS FOR 5% MANDATED INCREASE: (SOCIAL SERVICES)

Social Services Director Belarde requests permission to promote Marie Herrera from Eligibility Worker I to Eligibility Worker II as allowed by Merit Systems after successfully completing 6 months as Eligibility Worker I.

Motion by Supervisor Colt, seconded by Supervisor Huffman and unanimously carried, to authorize Director of Social Services to promote Marie Herrera from the position of Eligibility Worker I, to Eligibility Worker II, Range 25, Step D, effective this date.

6 a. REPORT ON THE 1995-96 ASSESSMENT ROLL TOTALS: (ASSESSOR JOHNSON)

Assessor Johnson reports that overall the local assessment roll totals increased by 2.94%. Approximately 907 parcels changed ownership causing a reappraisal and approximately 289 parcels experienced completed new construction. She reports by area the percentages for unsecured and secured tax roll totals for 1995/96.

6 b. REPORT ON PROPOSITION 90: (ASSESSOR JOHNSON)

Assessor Johnson presents Proposition 90 analysis. She reports that the County Share of Tax Loss is \$5,049. through 3/1/95. Modoc County is the only small county that enacted the provisions of proposition 90.

8. CONSENT AGENDA ITEMS:

a. APPROVAL OF PESTICIDE CONTRACT NO. 95-0025 WITH STATE OF CALIFORNIA (AGRICULTURAL COMMISSIONER)

b. APPOINTMENT OF MEMBER TO MODOC COUNTY'S COALITION FOR WORK FORCE.

c. CONTRACT APPROVAL FOR FY 1995/96 BETWEEN MODOC COUNTY ALCOHOL & DRUG SERVICES & MODOC INDIAN HEALTH PROJECT CONTRACT NO. 95-06 AD.

d. APPROVAL OF BOARD MINUTES 6/20, 7/5 & 7/18 MEETINGS.

Motion by Supervisor Colt, seconded by Supervisor Carver and unanimously carried, to authorize the Chairman or Clerk to sign all documents approved on the consent agenda.

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9 a. CONSIDERATION/APPOINTMENT: BOARD MEMBERS AREA II DEVELOPMENTAL DISABILITIES BOARD:

Motion by Supervisor Huffman, seconded by Supervisor Colt and unanimously carried, to appoint April White and Alice Lybarger as members of the Area II Developmental Disabilities Board.

b. CONSIDERATION/APPOINTMENT: BOARD MEMBERS (2) AND ALTERNATE PSA ii AREA AGENCY ON AGING (RESULTING FROM NEW JPA):

Motion by Supervisor Colt, seconded by Supervisor Huffman and unanimously carried, to appoint Supervisor Carver, Melvin L. "Andy" Anderson as members of PSA II Area Agency on Aging delegates and Supervisor Huffman as alternate delegate representing Modoc County.

DEPARTMENT HEAD REPORTS:

No Department Head reports at this time.

ADMINISTRATIVE SERVICES DIRECTOR REPORT:

Director of Administrative Services Maxwell reports that he has received a request for contract to graze cattle on Tom Lee Meadows. The individual making the request has contracted to graze the property in the past and is familiar with the number of cattle it will graze without a problem. Board members discuss the matter and have no objection to Director Maxwell proceeding with the contract.

Director Maxwell reports that he met with the City Public Works Director and the new City Mayor to discuss areas of mutual concern between the City and County. A joint meeting with City Council and Board members is discussed as a way of opening better communication between the entities.

Director Maxwell reports on the state budget.

12:00 p.m. NOON RECESS.

1:30 p.m. Board meeting reconvenes with all members present as heretofore.

BOARD OF SUPERVISORS REPORTS:

Supervisor Zandstra reports that he met with Senator Leslie. He reports that the Surprise Valley Groundwater District is going forward. He reports on the computer Internet at the library and that a representative from Citizens Utilities will attend the board meeting September 15, 1995 to discuss the matter with board members. He reports on the Fee Reservoir boat ramp project. Director of Administrative Services Maxwell to work with Supervisor Zandstra to advertise the public hearing on the project.

Supervisor Huffman reports on the CMS Governing Board meeting in Sacramento. She reports that the SPA II Joint Powers Agreement was signed in Redding, CA yesterday, the 31st of July, 1995. The county representatives from Shasta, Modoc, Trinity, Siskiyou and Lassen were present for the signing.

She discusses correspondence received from David Misso regarding a fee being charged to pass through the Lava Beds into Medicine Lake road. She will investigate the matter and report to the board at the next meeting.

Supervisor Colt reports on the LAFCO meeting and that Chip Massie is chairman, Nancy Huffman is Vice-Chairman. He suggests that a letter be written to the Road Department commending them on the good job on laying asphalt on county roads. He discusses County Road 56 and notes that Fitch Gravel paid for the work on County Road 57 to bring it up to county standards.

Supervisor Carver reports that he attended the PSA II Joint Powers Agreement five county signing of agreement meeting in Redding, CA.

Supervisor McIntyre reports that he and Supervisor Zandstra met with Senator Leslie. He discusses the letter sent regarding the East Lassen Management Plan. A response to the letter was received yesterday, July 31, 1995. The matter will be referred to Rich Burns, Bureau of Land Management.

7. INTRODUCTION & 1ST READING OF PROPOSED AMENDMENT TO NUISANCE ORDINANCE:

Proposed ordinance introduced Amending Chapter 1.16 of the Modoc County Code, Nuisance Ordinance. Reading of proposed ordinance waived. Reading and adoption set for the August 15, board meeting.

2:30 p.m. Supervisor Carver absent. Board meeting convenes in closed session.

11. CLOSED SESSION: G.C. 54956.9 ADVISE FROM LEGAL COUNSEL RE: POTENTIAL LITIGATION JIMMY AND DIANE FERGUSON.

b. CLOSED SESSION: G.C. 54957.6 INSTRUCTIONS TO COUNTY LABOR NEGOTIATOR:

c. CLOSED SESSION: G.C. 54957 PERSONNEL - PUBLIC DEFENDER.


3:35 p.m. Board meeting reconvenes in open session.

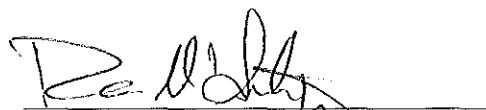
Chairman McIntyre announces that Director of Administrative Services Maxwell was directed to proceed with settlement of the Ferguson Matter.

No action taken on remaining closed session items.

There being no further business to come before the board at this time the meeting is adjourned. Regular meeting of the board is scheduled for Tuesday, August 15, 1995 at 9:00 a.m.

3:40 p.m. Meeting adjourned.


Maxine Madison, Clerk


Ron McIntyre, Chairman