

10:00 a.m.

The Board of Supervisors of Modoc County met in regular session this 19th day of April, 1993, there being present Supervisors John H. Schreiber, Joe Colt, Ed Carver, Ron McIntyre and Nancy J. Huffman. Deputy Clerk Cindy Jackson, Auditor Mike Tedrick and District Attorney Ruth Sorensen also present.

Meeting called to order pursuant to law by Chairman Colt. Flag salute. Chairman notes the agenda was posted April 15, 1993.

MATTERS INITIATED BY THE PUBLIC:

Don Stahl talks to the Board about whether or not Modoc County has a clean air regulation regarding wood burning stoves. Board members tell Mr. Stahl they will check into the matter.

ANNUAL EVALUATION: HEALTH INSURANCE PLAN:

Bill Golden and representatives from Butte-Glenn report to the Board on the County health insurance plan for employees. Board members are informed that the plan is in a solid financial position at this time, but that implementing the PPO, increasing the deductible, transfer the VSP into this plan and some other cost implementing items that would save the County more money.

TROUT PLANT AT NELSON RESERVOIR:

John King from the Alturas Chapter of Trout Unlimited requests that the Board send letters of support to Fish and Game, B.L.M. and Lassen County regarding planting Nelson Corral Reservoir with fingerling trout and to develop an interim plan to take effect before B.L.M.'s 1997 plan. Mr. King states that Nelson Corral Reservoir is in Lassen County but also states that it is too valuable a fishery to remain unused until 1997.

Motion by Supervisor McIntyre, seconded by Supervisor Schreiber and carried to write letters to Fish and Game, B.L.M. and Lassen County in support of planting Nelson Carral Reservoir with fingerling trout and to develop an interim plan to use the Reservoir before 1997.

AYES: Supervisor Schreiber, Colt, Carver, McIntyre and Huffman.

NOES: None. Motion carries.

ROAD DEPARTMENT ITEMS:

Road Commissioner John Fisher presents to the Board two Resolutions to be signed so the Road Department can upgrade the bridge rail on County Road 54 and upgrade existing stop signs in various areas of the County and for replacement of three bridges on County Roads 70 & 90. These resolutions will allow the Road Commissioner to sign the State Local agreements.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and carried, to adopt Resolution #93-16 regarding the upgrading of existing stop signs in various areas of the County along with replacing bridge rail on County Road 54, and Resolution #93-17 regarding the replacement of three bridges, one on County Road 90 and two on County Road 70, allowing Road Commissioner Fisher to sign the State Local agreements.
 AYES: Supervisor Schreiber, Colt, Carver, McIntyre and Huffman.
 NOES: None. Motion carries.

ALTURAS CEMETERY DISTRICT REPORT:

Strother Boyd reports to the Board about the Northern California Association of Public Cemeteries meeting which was held in February. Mr. Boyd reports on several different topics that were covered at the meeting. He also states that as pertinent information is received one of the trustees will bring it to the attention of the Board.

11:25 a.m. RECESS AS BOARD OF SUPERVISORS AND CONVENE AS AIR POLLUTION CONTROL BOARD:

Les Wright, Air Pollution Control Officer requests the reappointment of five people to the Modoc County Air Pollution Variance Hearing Board.

Motion by Supervisor Huffman, seconded by Supervisor McIntyre and carried to reappoint the following people for the terms shown: C.W. Cross, 2 years; Fran Brashears, 3 years; John Fisher, 2 years; Kurt Sorensen 3 years; Tom Espil, 3 years. All appointments begin on April 19, 1993.

Les Wright requests approval to purchase a computer system for \$9,721.00 that will be compatible with his current computer applications. Money is from a grant through the Air Resources Board. Mr. Wright requests approval to accept the proposals and authorization to spend up to \$9,721.00 of Air Pollution Grant monies.

Motion by Supervisor Huffman, seconded by Supervisor Carver and carried, approving the purchase of a computer system with Air Resources grant monies not to exceed \$9,721.00.
 AYES: Supervisors Schreiber, Colt, Carver, McIntyre and Huffman.
 NOES: None. Motion carries.

11:37 a.m. RECESS AS AIR POLLUTION CONTROL BOARD AND RECONVENE AS BOARD OF SUPERVISORS:

Motion by Supervisor McIntyre, seconded by Supervisor Carver and carried, to approve the transfer of \$1,000.00 from the contingency fund into the Agricultural fixed assets for the remainder of the purchase price of the computer system for the Agricultural Department. Les Wright states that this amount will be billed and then deposited back into the contingency fund by the end of the fiscal year.
 AYES: Supervisors Schreiber, Colt, Carver, McIntyre and Huffman.
 NOES: None. Motion carries.

11:40 a.m. RECESS AS BOARD OF SUPERVISORS AND CONVENE AS COMMUNITY FACILITIES DISTRICT #1:

Martha Hurlburt, member of the Community Facilities District #1, presents to the Board a proposal to create the position of Acting County Librarian at Range 50 Step A effective July 1, 1993 as Betty Chism is retiring as of that date and they want to appoint from within the current library staff and not advertise for the position. Supervisor Schreiber opposes the position not being advertised, he would like everybody to have a chance for the job. Supervisor Huffman would also like to see the position advertised even if only within the County, Supervisors Colt and McIntyre would also like to see the position advertised. Supervisor Carver approves of the appointment as does the employees association.

Motion by Supervisor Schreiber, seconded by Supervisor Huffman and carried, to approve the position, in principle, of Acting County Librarian in the event the position of Modoc County Librarian can't be filled by July 1, 1993.

AYES: Supervisors Schreiber, Colt, McIntyre and Huffman.

NOES: Supervisor Carver. Motion carries.

Motion by Supervisor McIntyre to advertise within the County for the position of County Librarian as job description is written today. No second, motion dies.

Motion by Supervisor Huffman, seconded by Supervisor Schreiber to advertise the position of County Librarian out of County.

AYES: Supervisors Schreiber and Huffman.

NOES: Supervisors Carver, McIntyre and Colt. Motion denied.

Due to an impasse as to how to advertise for the position of County Librarian, this part of the meeting is continued until the May 3, 1993 meeting.

District Attorney Sorensen to prepare an ordinance regarding the position of Acting County Librarian and present it to the Board at the May 3, 1993 meeting.

12:35 p.m. RECESS AS COMMUNITY FACILITIES DISTRICT #1 AND RECONVENE AS BOARD OF SUPERVISORS:

PUBLIC WORKS/COMMUNITY PROGRAM ITEMS:

a) Public Works Director Mike Maxwell requests permission for the Surprise Valley Hospital to be exempt from paying the building permit fees for an addition on the Hospital estimated at \$300,000.00. It would be an exemption for this project only.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and carried, approving the exemption for Surprise Valley Hospital on paying their building permit fees for the Hospital expansion.

AYES: Supervisors Colt, Carver, McIntyre and Huffman.

NOES: None.

ABSTAIN: Supervisor Schreiber. Motion carries.

b) Community Programs Director Mike Maxwell presents to the Board a Resolution regarding naming the Courthouse Annex addition in honor of Judge Barclay's years of service to the County and community.

Motion by Supervisor McIntyre, seconded by Supervisor Huffman and carried, adopting Resolution #93-18 naming the new Justice Court Addition to the Courthouse Annex as "the Robert A. Barclay Justice Center."
 AYES: Supervisors Schreiber, Colt, Carver, McIntyre and Huffman.
 NOES: None. Motion carries.

c) Community Programs Director Maxwell requests authorization to purchase an IBM wheelwriter 35 typewriter/work processor to replace existing Pan-axonic typewriter that died. There will be no cost to General Fund as the fixed assets were budgeted for and approved in the 1992-93 budget. Cost not to exceed \$1,250.00.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and carried, to authorize Mike Maxwell to purchase the IBM wheelwriter 35 typewriter/word processor out of fixed assets with the cost not to exceed \$1,250.00.
 AYES: Supervisors Schreiber, Colt, Carver, McIntyre and Huffman.
 NOES: None. Motion carries.

12:45 p.m. LUNCH BREAK

1:30 p.m. MEETING CONVENES IN CLOSED SESSION.

Closed session: Government Code 54956.9 Litigation.

2:30 p.m. Closed session recesses. Board meeting reconvenes in open session with all members present. Chairman Colt announces that no action was taken in closed session.

DISTRICT ATTORNEY ITEMS:

a) District Attorney Sorensen requests authorization to purchase one computer system and printer with 1/2 of total purchase price to be paid by Family Support and 1/2 being paid by asset forfeiture fund. The Modoc County Data Processing Committee has approved this system. No general fund money would be used.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and carried, to approve the purchase of a 486 SX-25 central processing unit, VGA color monitor, keyboard, network card, 2 megabytes of random access memory and one Okidata 380 printer. Auditor Tedrick authorized to transfer the sum of \$1,100.00 from asset forfeiture fund to the District Attorney's budget.

AYES: Supervisors Schreiber, Colt, Carver, McIntyre and Huffman.
 NOES: None. Motion carries.

b) District Attorney Sorensen is requesting permission to purchase a Mitsumi CD player from Comptalk, and compact disks from Bancroft-Whitney. The purpose of these items is for cases decided by the California Appellate and Supreme Courts that are now available on compact disks which do not require as much space as the books do, and it will be more economical in the long run by saving time and space. No general fund impact as the funds will come from the drug asset forfeiture fund. There is a one-time only fee for purchase of CD player along with the CD's and an annual license fee for the network disks for availability to two terminals and updates of new cases.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and carried, authorizing the District Attorney to purchase a Mitsumi CD player from Comptalk and compact disks from Bancroft-Whitney. Auditor Tedrick authorized to transfer \$1,650.00 from drug asset forfeiture to the District

Attorney's Budget for this purchase.

AYES: Supervisors Schreiber, Colt, Carver, McIntyre and Huffman.

NOES: None. Motion carries.

c) District Attorney Sorensen presents a contract between Modoc County and the 34th District Agricultural Association regarding the Cedarville Fairgrounds. D.A. Sorensen requests authorization for Chairman Colt to sign the lease agreement on behalf of the county if the State agrees to the terms of the agreement, or if the State doesn't agree then to just sign the indemnification clause.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and carried, to authorize Chairman Colt to sign the lease agreement between the County and the 34th District Agricultural Association regarding the Cedarville Fairgrounds.

AYES: Supervisors Schreiber, Colt, Carver, McIntyre and Huffman.

NOES: None. Motion carries.

DIRECTOR OF ADMINISTRATIVE SERVICES POSITION:

Chairman Colt and Mike Maxwell present a proposal for creating the position of Director of Administrative Services. The proposal is to create the position of Director of Administrative Services, combine Public Works with the Road Department and re-establish the Planning Department as its own department. Salary for Director fo Administrative Services would be \$52,000.00 per year with it being split in half between the Community Programs Department, which is not general fund money, and half from general fund. Supervisor Schreiber is opposed unless the budget is balanced. Chairman Colt states that this is all part of the plan in his budget meetings regarding prioritize and consolidate. Some members of the audience spoke in favor of the position.

Motion by Supervisor McIntyre to introduce and present the 1st reading of the Ordinance creating the position of Director of Administrative Services, seconded by Supervisor Huffman and carried to introduce the proposed Ordinance and accept the 1st reading. The 2nd reading will be held at the regular meeting on May 3, 1993, to take effect on May 17, 1993 if passed.

AYES: Supervisors Colt, Carver, McIntyre and Huffman.

NOES: Supervisor Schreiber. Motion carries.

Motion by Supervisor McIntyre to fill the position of Director of Administrative Services with Mike Maxwell fails due to a lack of second as the other Board members want to waid until position is in place before appointing anyone.

4:00 p.m. 5 minute break.

4:05 p.m. Meeting resumes will all members present.

REMOVAL OF VENDING MACHINES FROM ROTUNDA TO BACK HALLWAY:

Supervisor McIntyre requests that Public Works be directed to move the vending machines from the rotunda to the back hallway by the restrooms.

Motion by Supervisor Huffman, seconded by Supervisor Schreiber and carried, to direct Public Works to move the vending machines from the rotunda to the back hallway by the restrooms.

AYES: Supervisors Schreiber, Colt, Carver, McIntyre and Huffman.

NOES: None. Motion carries.

FEDERAL AND STATE GOVERNMENTS TO FINANCE LOCAL MANDATES:

Supervisor Colt requests support in the form of Resolutions to request the State and Federal Governments completely finance any local mandates.

Motion by Supervisor McIntyre, seconded by Supervisor Schreiber and carried, to approve Resolution #93-19 regarding Federal Mandates and Resolution #93-20 regarding State Mandates.

AYES: Supervisors Schreiber, Colt, Carver, McIntyre and Huffman.

NOES: None. Motion carries.

Supervisor Schreiber stepped out of meeting for a phone call.

EXAMINATION OF ANNUAL FINANCIAL STATEMENT:

Auditor Mike Tedrick requests permission to go out for bid for the County's annual financial statement. This would be for a two year contract. He will bring bids back to the Board for approval.

Motion by Supervisor Carver, seconded by Supervisor McIntyre and carried, authorizing Auditor Tedrick to go out for bid on the County's annual financial statement.

AYES: Supervisors Colt, Carver, McIntyre and Huffman.

NOES: None.

ABSENT: Supervisor Schreiber. Motion Carries.

CONSENT AGENDA ITEMS:

Motion by Supervisor McIntyre, seconded by Supervisor Carver and carried, to approve the following consent agenda items as presented, except for item C as Supervisor Huffman requests this be pulled for discussion.

Chairman and/or Clerk authorized to execute/sign necessary documents.

AYES: Supervisors Colt, Carver, McIntyre and Huffman.

NOES: None.

ABSENT: Supervisor Schreiber. Motion carries.

- a) Minutes of 3/15/93, 4/2/93 and 4/5/93 are approved.
- b) Resolution 93-21 designating the week of 4/18/93 as Modoc County Organ and Tissue Donor Awareness Week.
- d) Permission granted to send Building Inspector to attend 1 day meeting regarding State laws enforced by Building Departments.
- e) Resolution 93-22 accepting State Department of Economic Opportunity Contract, McKinney Homeless.
- f) Amendment to County Code Sections 2.56.630-D & 2.60.060.

- g) Rejection of Burlington Northern RR claim against County of Modoc.
- h) Approval of MOU detailing the restructuring of the Worker's Compensation Program.

CONSENT AGENDA ITEM:

Supervisor Huffman wanted this item pulled to discuss the letter of intent on the CDHS Contract.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and carried, to authorize Chairman to sign the letter of intent regarding CDHS contract.

AYES: Supervisors Colt, Carver, McIntyre and Huffman.

NOES: None.

ABSENT: Supervisor Schreiber. Motion carries.

SUPERVISOR HUFFMAN ITEMS:

a) Supervisor Huffman reports that USFS is having a meeting on May 6, 1993, in Reno regarding grazing fees and riparian rights and requests permission to attend the meeting and speak on behalf of the County. Permission to attend is granted.

b) Supervisor Huffman also reports on the Rural Economic Summit meeting that will be held June 16 & 17, 1993 in Sacramento.

DEPARTMENT HEAD ITEMS:

Auditor Tedrick reports on a meeting he attended regarding the state budget and what could happen to County budgets. Mr. Tedrick states that at this point nobody knows exactly where the State budget is regarding the deficit.

Community Programs Director Maxwell requests the Board send a letter of recommendation on behalf of Jim Goodloe, who has applied for another job and needs a recommendation from the Board of Supervisors.

BOARD APPOINTMENTS:

Supervisor Schreiber returns to the meeting after his phone call. He presents a copy of the Board minutes of 12/4/91 regarding special districts appointments in lieu of election. Supervisor Schreiber would like to see a policy of two names given for each position instead of just one name given to be appointed to fill the position. Supervisor Schreiber will bring this back at the next meeting to allow the other Supervisors time to consider a policy.

No further business to come before the Board at this time. The meeting is adjourned to meet in regular session Monday, May 3, 1993 at 10:00 a.m.

5:05 p.m. Meeting adjourned.


Cindy Jackson, Deputy Clerk


Joseph E. Colt, Chairman