

BOARD OF SUPERVISORS

January 21, 1991

Meeting called to order pursuant to law by Chairman John Schreiber.

PRESENT: Supervisors Schreiber, Jones, Polson and Huffman.
ABSENT: Supervisor Anderson.

Flag salute. Chairman notes the agenda was posted January 17, 1991.

MINUTES:

Auditor Tedrick informs Board members that regarding the reclassifications that were made effective January 1, 1991 that no funds were appropriated for the reclassifications or budget transfers were not authorized for the funds. County Clerk Madison advises Board members that she received \$1954.39 from Family Support and unbudgeted election reimbursement that will be deposited in salaries budget item in the County Clerk budget. Transfers within the budget will need to be made in order to cover the increased salaries. Auditor Tedrick directed to prepare a budget review for the next board meeting. No action taken on the matter pending report of Auditor Tedrick.

MATTERS INITIATED BY THE PUBLIC:

No matters initiated by the Public.

PERSONNEL OFFICER:

Supervisor Schreiber presents a proposal for a Personnel Officer. He suggests that Mental Health Director be appointed County Personnel Officer and this would be no cost to the county as that is a state funded department. He further informs members that he has discussed the matter with Director Gillaspie and also with some department heads and they agree with the proposal.

Board members agree that there is policy and procedures for personnel matters and that the duties of Personnel Officer were a part of the job description for County Administrative Officer. CAO Dederick was in the process of upgrading the manual.

SOCIAL SERVICES FIXED ASSETS:

Social Services Director Belarde requests authorization to purchase a better camera for the Child Protective Services investigators. The amount of the camera is \$250.71. He would like to purchase a typewriter for the sum of \$489.10, which includes a trade-in of \$50.00. He requests authorization to purchase computer/secretarial chairs for the total sum of \$274.13 he has received the computers and they are in the office.

Director Belarde informs Board members that this is a 25% county

match and the cost to the county will be \$240.98. The money is budgeted in the current budget.

The matter is tabled until the next meeting pending budget report of Auditor Tedrick.

Board of Supervisors meeting recesses and Board of Directors of Library District #1 meeting convenes.

NORTH STATE COOPERATIVE LIBRARY SYSTEM ADVISORY BOARD ANNUAL REPORT:

Ted Stone, North State Cooperative Library System Advisory Board representative for Modoc County presents annual report for 1990.

LIBRARY-FIXED ASSETS:

Librarian Chism requests authorization to purchase a heater and typewriter for the library. She advises members that last year the heater in the Media Center stopped working and that a heater and tank was purchased to replace it, the replacement heater has paid for itself in fuel savings. The cost of a heater for the Library is \$1700.00 and it should pay for itself in fuel savings. The cost of the typewriter is \$455.00. Mrs. Chism informs Board members that the Library Advisory Board has unanimously approved budget of the fixed assets.

Motion by Supervisor Jones, seconded by Supervisor Polson, and carried, to authorize purchase of a heater and typewriter for the Modoc County Library pursuant to recommendation of the Library Advisory Board.

LIBRARY-SURPLUS PROPERTY:

Librarian Chism requests that the following items be declared surplus property: 2 wooden TV/VCR carts. She informs members that the following items are unstable and not safe to use and have been replaced: 1 magazine index reader and 1 copy machine (located in Adin).

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to declare the 2 wooden TV/VCR carts, magazine index reader and copy machine as surplus property. List of items referred to Director of Public Works for disposal.

LIBRARY-PERSONNEL:

Librarian Chism informs members that the position of Associate Librarian has not been filled and she requests authorization to promote two part-time employees to full time status. She requests authorization to promote Debbie Hardt and Doree Stone, to Range 18, Step B, effective as soon as possible.

Motion by Supervisor Jones, seconded by Supervisor Polson, and carried, to authorize Librarian to promote Debbie Hardt and Doree

Stone, from part-time positions to full time in Range 18, Step B.

RC&D GRANT REQUEST:

Gary Wooten, RC&D District Coordinator, discusses Modoc County Economic Diversity Study sponsored by North Cal-Neva Resource Conservation and Development Council. RC&D have filed an application for a grant for the Economic Diversity Study. He requests the Board send a letter in support of the application.

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to write a letter of support for the Modoc County Economic Diversity Study.

PUBLIC HEARING-APPLICATION OF WILLIAM & DEANA McDONALD FOR A ZONE CHANGE:

This is the time regularly advertised for a public hearing in the matter of the application of William and Deana McDonald for a Negative Declaration and amendment to the zoning ordinance on approximately 50 acres located near Canby, CA.

The Board finds that proper Notice of Hearing has been given as required by law.

Staff report presented by Public Works Director Maxwell. He presents the recommendation of the Planning Commission-being adoption of the Negative Declaration and zoning amendment based upon findings and conditions as set forth in Resolution No. 90-12.

No further evidence, the hearing is closed.

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to adopt the Negative Declaration and Ordinance No. 236-68, on application of William and Deana McDonald, P.O. Box 344, Canby, CA approving an Amendment to Modoc County Code, Title 18, (Zoning) from U to C on the approximately 50 acres, pursuant to Planning Commission Resolution No. 90-12.

PUBLIC HEARING-APPLICATION OF LEISURE INDUSTRIES, INC., FOR ADOPTION OF A NEGATIVE DECLARATION AND AMEND ZONING ORDINANCE:

This is the time regularly advertised for a public hearing in the matter of the application of Leisure Industries, Inc., for adoption of a Negative Declaration and amendment to the county zoning ordinance on approximately 30 acres located east of County Road 71 and south of Cal Pines Lake.

The Board finds that notice of hearing has been given as required by law.

Director of Public Works Maxwell presents staff report on the project. The Planning Commission recommended approval of the Negative Declaration and that the amendment be approved with

findings & conditions as set forth in Resolution No. 90-13.

No further evidence-the hearing is closed.

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to adopt a Negative Declaration and Ordinance No. 236-69, approving an amendment to Modoc County Code, Title 18 (Zoning), on application of Leisure Industries, from C to OFG/M over the project site, pursuant to the conditions set forth in Planning Commission Resolution No. 90-13.

PUBLIC HEARING: AMENDMENT TO ZONING--FLOOD ZONES:

This is the time regularly advertised for a public hearing in the matter of consideration of adoption of an amendment to the zoning ordinance which will affect the Flood-Frequent and Flood-Infrequent Zones.

The Board finds that notice of hearing has been given as required by law.

Director of Public Works Maxwell presents staff report. He advises Board members that Planning Commission Resolution No. 90-14 recommends adoption of the amendment.

No further evidence to present. The hearing is closed.

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to adopt Ordinance No. 236-70, approving the amendment to the Modoc County Code, Title 18, (Zoning) to the Flood Hazard Zone, pursuant to Planning Commission Resolution No. 90-14.

SURFACE MINING AND RECLAMATION:

Nancy Stiner, Associate Analyst, State Mining and Geology Board, speaks to the Board regarding the annual reporting requirements and reporting fee for surface mining and reclamation. She informs Board members that Public Resources Code Section 2207 was amended by AB 3551 and AB 3903 which changed the reporting requirements and fees. The State can take over the responsibilities from the counties if the county is proved negligent. She further informs the Board that the State will provide technical assistance. A task force has been formed to assist the State in implementing the program, and will review and submit input to the State regarding the program.

Chairman Schreiber thanks Ms. Stiner for the information.

FIRE SAFE REGULATIONS:

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to send a letter to the State Board of Forestry, advising them that the County of Modoc intends to prepare and submit a local alternative to the State Board of Forestry Fire Safe Regulations, for certification prior to July 1, 1991,

PLANNING DEPARTMENT-ANNUAL REPORT:

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to approve the Modoc County Planning Department Annual Report as submitted.

PUBLIC HEARING - FEE FOR THE COLLECTION OF FINES IN THE MODOC COUNTY COURTS:

11:00 a.m.

This is the time regularly advertised for public hearing regarding a fee for the collection of fines in the Modoc County Courts.

No further evidence presented. Hearing closed.

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to adopt Resolution No. 91-04, authorizing fee of \$30.00 both the processing of installment accounts and accounts that are not to be paid in installments on account of fines ordered by Modoc County Courts.

ROAD DEPARTMENT-QUIT CLAIM DEED DUE TO A REVERSION CLAUSE:

Road Commissioner Wickenden presents a Quit Claim Deed due to a reversion clause in a resolution adopted February 28, 1951 on a gravel pit. He informs Board members that the County of Modoc has abandoned the gravel pit and the reversion clause in the deed is that the real property shall revert to the grantors Rose Martinez and John C. Martinez.

Motion by Supervisor Polson, seconded by Supervisor Jones, and carried, that the Chairman be authorized to sign the Quit Claim Deed, to a gravel pit near Lake City, CA, pursuant to reversion terms in the deed from Rose Martinez and John C. Martinez recorded March 6, 1951.

DISCUSSION OF GASOLINE AND DIESEL BIDS:

Kayle Smith, Shell Distributor, Lakeview, Oregon, requested time on the agenda to protest the bidding process for gasoline and diesel bids. The bid packet received by bidders did not have any mention of the 5% local vendor preference being Ordinance No. 278-A adopted October 15, 1990.

Road Commissioner Wickenden present and informs Board members that the sales tax is a significant amount for the gasoline and diesel for the county and the sales tax is distributed to the county in which the vendor is located. The Shell Distributor main office is in Redding, CA. Mr. Wickenden informs Board members that the spread between the bids is the closest it has been in the past.

Board members discuss re-bidding the fuel bids. Mr. Smith informs members he will not bid if the local vendor 5% is included in a re-bid.

County Counsel not being present the matter is tabled until the February 4, 1991 Board meeting.

ROAD DEPARTMENT PAY SCALE DISCUSSION:

Supervisor Polson suggests that Road Department employees be granted a lump sum raise except the Road Commissioner, Assistant Road Commissioner and Maintenance Superintendent whose salary has been adjusted recently.

Road Commissioner Wickenden to prepare a comparison pay scale and present the matter to the Board.

BELLI BUILDING STATUS REPORT:

Community Programs Director Maxwell updates Board members on the Belli Building. He informs members that the project is on schedule, the concrete work is beginning this date, and it is progressing with few problems.

GAIN-FIXED ASSETS:

Community Programs Director Maxwell requests authorization to replace a copy machine that is no longer usable. He would like to purchase the machine on a 6 month lease purchase agreement and budget for the purchase in the GAIN budget next fiscal year.

Motion by Supervisor Jones, seconded by Supervisor Polson, and carried, to authorize GAIN to replace the copy machine by purchase on a 6 month lease purchase agreement.

PROPOSED ORDINANCE RE: PLANNING DIRECTOR SALARY:

First reading of proposed ordinance establishing the salary range for Planning Director.

Motion by Supervisor Huffman, seconded by Supervisor Jones, and carried, to adopt Ordinance No. 250-16, amending Modoc County Code to change the position of Planning Director to Range 58, effective January 22, 1991. Section 2.56.090 of Chapter 2.56 of the Modoc County Code is amended to delete the position of Planning Director from that section, effective July 1, 1991. This ordinance to take effect immediately pursuant to Section 25123(f) of the Government Code of the State of California.

TRANS-PACIFIC GEOTHERMAL CORPORATION DISCUSSION:

Mr. Jack Pigott discusses the status of development of Trans-Pacific Geothermal Corporation's geothermal project in Surprise Valley. He requests Board members write a letter to Bonneville Power Administration and Pacific Power to support the project in Surprise Valley and urge them to help bring the project to a successful conclusion.

Motion by Supervisor Jones, seconded by Supervisor Polson, and carried, to write letters to Bonneville Power Administration and Pacific Power in support of the geothermal project in Surprise Valley and request the companies to help bring the project to a successful conclusion.

12:15 p.m. Board in recess.

2:00 p.m. Chairman reconvenes the Board meeting with Supervisors Jones, Polson, Schreiber and Huffman present. Absent: Supervisor Anderson.

1991 AUDIT BID:

Auditor Tedrick directed to proceed with the Audit bids for the audits for 1991-92.

PROPERTY TAX ADMINISTRATION AND BOOKING FEE COST CALCULATIONS:

Auditor Tedrick presents report filed by Bobby Ray, CPA on the costs of services performed by the County, on behalf of local jurisdictions within the County according to SB 2557 enacted by the State of California. The calculation of property tax administration charges is based on county department costs as related to the processing, assessment and collection of property taxes. The costs of Property Tax Administration of the County is \$381,204. Booking cost calculation summary is presented with cost per booking using 1989/90 cost is \$50.84.

TAX ADMINISTRATION AND BOOKING FEES PUBLIC HEARING:

Public Hearing on Tax Administration and Booking Fees is fixed for Monday, February 4, 1991, at 2:30 p.m. Auditor Tedrick to notify each Special District of the proposed administration cost charge.

SHERIFF-FUND TRANSFER:

Sheriff Mix requests authorization to transfer \$1700. from budget item 22-5370 to 22-5011 extra help to pay students for programming computer equipment which the Sheriff's Department bought from the school district for \$1.00, and \$500.00 for maintenance and parts for the equipment. Sheriff Mix requests \$700.00 be transferred into fixed assets for purchase of additional software and programs.

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to approve the transfer of the amount of \$1700.00 from budget item 22-5370 into budget line items requested by Sheriff Mix.

SHERIFF-PERSONNEL MATTERS:

Sheriff Mix requests authorization to fill a Deputy position that will cost the county approximately \$16,161. He informs Board

members that one of the Sergeants is ill and will be unable to return to work for 4 to 6 months. This position is one that was lost during the budget deduction process.

The matter tabled at this time pending budget review report.

Sheriff Mix informs Board members that in 1990 the salary for the Undersheriff was more than his salary and in 1991 two Sergeants salary will be more than his salary by at least \$3,000. Sheriff Mix brings the inadequacy to the attention of Board members. He informs members that he finds this demeaning and shows lack of respect for the elected office of Sheriff of Modoc County. He requests a pay increase to \$40,000. that will place his salary at approximately 10% above the Sergeants and 5% above the Undersheriff. The cost of the increase for the balance of this fiscal year would be \$2655.00.

No action taken on the request at this time.

SHERIFF'S DEPARTMENT RADIO-TELEPHONE RECORDER:

Sheriff Mix informs Board members that the radio-telephone recorder for 911 calls is beyond repair it is a 1966 model and parts cannot be found for the recorder. The estimated cost of replacement is between \$15,000. and \$20,000. No action taken on the matter pending budget review.

DISTRICT ATTORNEY-WORKERS COMPENSATION MATTER PER COUNTY CODE SECTION 2.56.630:

District Attorney Sorensen discusses a Workers Compensation matter by a member of her staff. January 8, 1991 some electrical work was done in the District Attorney's office which required drilling which resulted in a fine layer of dust in the office. One of the employees developed an allergic reaction to the dust. As a result of this she missed a day's work.

The County is required to file a Workers' Compensation claim regardless of whether they intend to pursue it. This employee has not worked for the County long enough to accrue sick leave or vacation, and therefore would lose a day of pay. Workers' Compensation benefits are not available for a one day absence. County Code Section 2.56.630 allows the Board to grant disability leave when it is deemed appropriate. District Attorney Sorensen requests this employee be granted a disability leave with pay.

Motion by Supervisor Polson, seconded by Supervisor Jones, and carried, to grant the employee from the District Attorney's Office pay for the one day that she missed work due to an allergic reaction due to dust in the office.

APPROVAL OF ADDITIONAL PENALTY UPON CONVICTION OF CALIFORNIA VEHICLE CODE SECTIONS 23152 AND 23153:

District Attorney Sorensen presents information regarding addi-

tional penalty for DUI penalties which allows the county to collect an additional fee of \$50.00, this fee will help offset the cost of analysis required for driving under the influence cases.

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to adopt Resolution No. 91-05, authorizing penalty upon conviction of California Vehicle Code Sections 23152 and 23153 to be collected on behalf of the courts from defendants.

AYES: Supervisors Jones and Huffman

NOES: Supervisor Polson

ABSTAINS: Supervisor Schreiber Motion carries.

REPORT ON EMPLOYEE RELATIONS ORDINANCE:

District Attorney Sorensen reports to the Board that the draft employee relations ordinance has been completed and delivered to each Board member. She requests authorization to send the draft copy to Steve Allen Labor Negotiator for employees.

LABOR NEGOTIATOR CONTRACT:

John Dederick presents proposed labor relations agreement as discussed at the last meeting for Board approval. Mr. Dederick informs members that he did a study on labor consultants salary and finds the salary to be between \$60.00 and \$85.00 per hour. The proposed contract is \$60.00 per hour. Mr. Dederick anticipates starting negotiations with employee groups in April and presently there are two grievances pending.

Supervisor Polson informs members that the County has presently been spending from \$8,000. to \$15,000. annually on labor representatives for the County and this contract will save the county a considerable amount of money by having a local person as the representative of the county.

Motion by Supervisor Jones, seconded by Supervisor Polson, and carried, to approve the Personnel and Labor Relations Service Agreement between the County of Modoc and John E. Dederick, Consultant. The agreement is to commence January 1, 1991 to continue in full force unless written notice of change or termination by either party 30 days prior to the effective date.

FOLLOWING ARE CONSENT AGENDA ITEMS ACTED ON AS A GROUP:

HEALTH DEPARTMENT-TRAVEL & TRAINING EXPENSE:

Health Department requests authorization for application to the California Integrated Waste Management Board for grant funds to implement Solid Waste Disposal Site Cleanup Enforcement.

Resolution No. 91-06 adopted, authorizing Enforcement Assistance Grant application authorizing the Health Department to execute all necessary applications, contracts and agreements for the

purpose of securing grant funds to implement Solid Waste Disposal Site Cleanup Enforcement.

Health Department requests approval for Steve Atkins to attend training in Siskiyou County to assist him in implementing the new Dog Control Ordinance. The cost of the training is \$250.00. Permission to purchase a Toshiba copy machine for the Tobacco Control Office. The lowest and best bid being \$1250.00 from Amidon's. The funds to cover the cost of the machine are budgeted in the Tobacco Control Budget with no cost to the County.

TRAINING AND TRAVEL:

Lillian Schoenheide authorized to attend the California Association of County Veterans Service Officers training conference in Sacramento, CA February 4 thru 8, 1991.

Christine Jobe Executive Secretary/Risk Manager authorized to attend Parma Conference February 6 thru 8, 1991 in Palm Springs, CA. All expenses for the conference are at no cost to the county.

Risk Manager Christine Jobe appointed to Trindel JPA Board of Directors effective January 1, 1991, representing the County of Modoc. Mike Tedrick, County Auditor appointed alternate member to the Trindel JPA Board of Directors representing the County of Modoc.

Motion by Supervisor Polson, seconded by Supervisor Jones, and carried to approve the consent items as presented.

DAVID AND CLAIRE ANN CRENSHAW CLAIM:

Claim filed by David Crenshaw and Claire Ann Crenshaw against the County of Modoc for the wrongful death of Harriet Crenshaw.

Board of Supervisors have read and considered the claim as presented.

Motion by Supervisor Jones, seconded by Supervisor Polson, and carried, to reject the claim filed by David and Claire Ann Crenshaw against the County of Modoc for the wrongful death of Harriet Crenshaw.

SURPRISE VALLEY SENIOR CENTER:

A letter is read from Surprise Valley Senior Center requesting funds in the 1991 budget. Matter tabled pending budget hearings.

APPOINTMENT MODOC TRANSPORTATION COMMISSION MEMBER:

Supervisor Schreiber appointed as a member of the Modoc County Transportation Commission to fill the vacancy created by the retirement of Supervisor Coulson.

3:10 P.M. CLOSED SESSION RE: LABOR NEGOTIATIONS G.C. 54597.6:

3:35 P.M. OPEN SESSION:

Chairman Schreiber reconvenes the meeting in open session. Chairman Schreiber announces that no action was taken during closed session.

DEPARTMENT HEAD SALARY AGREEMENT:

John Dederick, appointed Labor Negotiator, presents the acceptance of the department heads, appointed and elected, to the offer by the Board of Supervisors to department heads regarding salary adjustments.

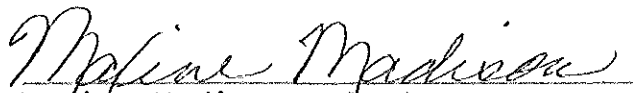
No action taken at this time.

CORRESPONDENCE:

Correspondence received from Washoe Medical Center regarding a patient is referred to Hospital Administrator Mitchell.

No further business to come before the Board at this time, the meeting is adjourned to meet in regular session Monday, February 4, 1991, at 10:00 a.m.

3:40 p.m. Board meeting adjourned.


Maxine Madison, Clerk


John H. Schreiber, Chairman