

Meeting called to order pursuant to law by Chairman Chace.

PRESENT: Supervisors John B. Laxague, Melvin "Andy" Anderson, M.W. "Mick" Jones, John L. Coulson and Lesley Chace.

CORRESPONDENCE:

A letter is received and read from Senator Ray Johnson advising the Board of legislative deadlines for the introduction of bills to be acted upon during 1984.

A letter from Office of Emergency Services Director, Bill Medigovich, is read urging the Board of Supervisors to proclaim the week of November 13-19 as "Winter Storm Preparedness Week". ORDERED on motion of Supervisor Laxague, seconded by Supervisor Jones that Resolution No. 83-62 be adopted, proclaiming the week of November 13-19 Winter Storm Preparedness Week, and all residents are urged to "Winter-Wise Your Family--Prepare for Storms." All Ayes.

AGRICULTURAL COMMISSIONER:

Ken Wright, Agricultural Commissioner reports that 1080 has been released by Federal EPA for use on coyote control by two methods, (1) toxic collar and single dose drop bait. This has been contested in Court, when the matter is settled it will go through the registration process.

EPA has released strychnine for use and it is going through the registration process at this time. It will be used next spring.

1080 for rodent control is still being debated and a decision is expected on that within the next 30 to 40 days. Mr. Wright reports that EPA is holding hearings on the 1080 for rodent control and state and county officials will testify at those hearings.

ORDERED on motion of Supervisor Jones, seconded by Supervisor Coulson that the Agricultural Commissioner is authorized to advertise for bids for a vehicle for the Air Pollution Control District. All Ayes.

FARM ADVISOR:

ORDERED on motion of Supervisor Jones, seconded by Supervisor Anderson, that the Farm Advisor be authorized to place Cathy MacDonnell, in Range 16, Step B, effective November 1, 1983, said employee having successfully completed the required probationary period. All Ayes.

PROPOSED SURPRISE VALLEY HOSPITAL DISTRICT EXCLUSION REQUESTS:

Letters are read from Arthur L. Cropper and Mildred L. Cropper, also Maxine M. Stanton and Vincil L. Stanton requesting exclusion from the proposed Surprise Valley Hospital District. No action is taken as the letters are not timely filed.

PENALTY ABATEMENT PETITIONS:

ORDERED on motion of Supervisor Jones, seconded by Supervisor Coulson, that the request for abatement of penalty in the amount of \$100 as filed by Steven W. Copps and Erin Sue Foley for Parcel No. 41-223-05, be granted, pursuant to the stipulation from the office of the Assessor. All Ayes.

ORDERED on motion of Supervisor Coulson, seconded by Supervisor Laxague, that the request for abatement of penalty in the amount of \$100 as filed by William and Martha A. Ballesteros for Assessor's Parcel No. 18-304-03, be granted, pursuant to the stipulation from the office of the Assessor. AYES: Supervisors Laxague, Coulson, Jones and Chace. NOES: Supervisor Anderson.

BOARD OF SUPERVISORS

LAND USE ELEMENT--MODOC COUNTY GENERAL PLAN:

10:45 A.M. This being the time duly advertised for public hearing in the matter of the consideration and adoption of amendment to the Land Use Element to the Modoc County General Plan, the Board finds due and proper Notice of Hearing has been given pursuant to law and an Affidavit of Publication is on file in the matter.

Gordon Ash, Planning Director, states to the Board that the Land Use Element has been drafted pursuant to legislative requirement and appears to be in the best interests of the inhabitants of Modoc County, and has been approved by the Modoc County Planning Commission as set forth in their Resolution No. 83-07.

No one appearing in opposition to the adoption of the Amendment to the Land Use Element to the Modoc County General Plan, the Board finds:

1. The proposed amendment has been prepared in conformance with Government Code Sections 65302(a) and will ensure consistency between the Solid Waste Management Plan and General Plan for purpose of siting of solid waste facilities, in conformance with Government Code Sections 66780, 66784 and 66796;

2. Notice of Hearing before the Board of Supervisors was given by publication in the Modoc County Record at least 10 days before said hearing date.

3. A Negative Declaration was prepared with no significant impacts identified.

4. The amendment is required to satisfy State regulations and appears to be in the best interests of the inhabitants of Modoc County.

Therefore it is ^{Coulson}ORDERED on motion of Supervisor Laxague, seconded by Supervisor that the Amendment to the Land Use Element of the Modoc County General Plan be approved as presented. All Ayes.

MENTAL HEALTH DEPARTMENT:

ORDERED on motion of Supervisor Coulson, seconded by Supervisor Jones that the Director of Mental Health be authorized to place Bernadette Wheeler, in Range 14, Step B, for the Office of Alcoholism, effective October 18, 1983, said employee having successfully completed the required probationary period. All Ayes.

ORDERED on motion of Supervisor Jones, seconded by Supervisor Laxague, that the Director of Mental Health be authorized to hire Terry J. Simonetti as Substance Abuse Counselor in the Mental Health Drug and Alcohol Departments, in Range 32, Step C, effective October 17, 1983. Terry Simonetti worked for this department from August 1977 through January 1982 and therefore qualifies to start work in Step C. The Auditor is directed to pay Terry J. Simonetti from October 17, 1983 to November 1, 1983, at this time. All Ayes.

ORDERED on motion of Supervisor Laxague, seconded by Supervisor Jones that the Mental Health Director submit an amended budget to conform to state money. Budget to be submitted at the Board meeting Monday, November 21, 1983. Request for extra clerical help tabled at this time. All Ayes.

FIRE COORDINATOR:

Clerk reads letters from several fire departments in response to a request from the Board to submit suggestions for guide lines for a job description for the Modoc County Fire Coordinator.

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Mr. Al Arena, Fire Coordinator presents a report to the Board of his projects since 1979. Mr. Arena submits a job description for the Modoc County Fire Coordinator position.

ORDERED on motion of Supervisor Laxague, seconded by Supervisor Jones that the job description as presented by Mr. Arena be adopted. The Board finds the suggestions by the Fire Departments are covered in the job description. All Ayes.

PUBLIC HEARING: AB 8 Health Services Plan:

11:00 A.M. This being the time regularly fixed for AB 8 Public Hearing in order that the county may obtain its maximum allocation pursuant to Section 16704 (b) W&I Code, and to determine if the amount of reduction, if any, in the budget for the County Health Service Plan as adopted October 17, 1983 and it's potential effect on public health services. The record indicates due and proper posting and Notice of Hearing have been given pursuant to law.

Adelaide Hagerman, Official Court Reporter for the County of Modoc is present.

Mr. Bob Krause from the Office of County Health Services is present and states that this is 60% State and 40% County funding.

ORDERED on motion of Supervisor Coulson, seconded by Supervisor Jones that the Modoc County Health Plan be approved as presented. All Ayes.

The Public Hearing is closed.

DEPARTMENT OF PUBLIC WORKS:

Mr. Jerry Grove, Director of Public Works introduces Mr. Alex Sifford from Eliot Allen & Associates, Inc. A letter is read regarding geothermal grant program from California Energy Commission. Mr. Sifford on behalf of Eliot Allen and Associates, Inc. presents a proposal to prepare a geothermal grant application on behalf of the County of Modoc. The California Energy Commission has approximately \$3,000,000 available for grants in the funding cycle which will commence November 25, 1983. The funds will be awarded in July, 1984. Matter is referred to the District Attorney.

Mr. Grove reports that he received four bids for the courthouse boiler ranging from a low of \$18,662 to a high of \$37,683. ORDERED on motion of Supervisor Laxague, seconded by Supervisor Anderson that the Director of Public Works is authorized to accept the low bid of R.D. Miners, Inc., from Oakland, CA in the amount of \$19,781.72 including sales tax, for the courthouse boiler, any deficiency in the amount budgeted to be transferred from the CETA interest funds. All Ayes.

ORDERED on motion of Supervisor Anderson, seconded by Supervisor Jones that the Director of Public Works be authorized to purchase a typewriter that is in his fixed assets budget. All Ayes.

Summary of Building Permits for Fiscal Year ending June 30, 1983 is acknowledged as filed.

TRANSFERS:

ORDERED On motion of Supervisor Coulson, seconded by Supervisor Laxague that the Auditor be directed to transfer funds from contingencies to the Board of Supervisors Special Departmental budget in the amount of \$60.58 to pay for "set up bags" for Modoc Medical Center purchased February 13, 1981. All Ayes.

BOARD OF SUPERVISORS:

APPOINTMENTS IN-LIEU OF ELECTION, SPECIAL DISTRICTS:

ORDERED on motion of Supervisor Anderson, seconded by Supervisor Jones that the following named persons be named to serve in their respective positions in-lieu of election, or if no persons were nominated to fill vacancies on the following Special District governing Boards, pursuant to Section 23520 of the Elections Code:

Cedarville Fire Protection District: William D. Laxague and Heath Stanley
Eagleville Fire Protection District: Ed Berryessa and Fred Beeman
Fort Bidwell Fire Protection District: Harold Ascherman and Roy Ligon
Lake City Fire Protection District: Delbert Jones and Lee Gorzell
Alturas Rural Fire Protection District: Lawrence C. Hansen; Allan Jacques;
R.A. "Pete" Stanford
Davis Creek Fire Protection District: Herbert Leue' and Leslie B. Blair
Willow Ranch Fire Protection District: Leon Pochop; Farrel Stearns and
Hilton (Buster) Cundiff
Likely Fire Protection District: Robert L. Flournoy and James Van Loan
Adin Fire Protection District: Norris Myers and Glen Nelson
Canby Fire Protection District: Charlie Sherer and Larry McCulley
Lookout Fire Protection District: Lennie Eades and Jerry Leventon
Tulelake Multi-County Fire Protection District: John R. Wynn; Robert
Petersen and Robert Lillard
Cedarville Water District: Heath Stanley and Dave Bilodeaux
Daphendale Community Services: Franklin Lew and Daniel Steinhagen
South Fork Irrigation: Susan Clark, Secretary-Treasurer; Dwight Beeson
and John Flournoy
Cal Pines Community Services District: Glenn M. Mattieu
Adin Community Services District: Lloyd O. Criss; Omar F. Gaylord and
William E. Armstrong
Hot Spring Irrigation District: Susan Clark, Secretary-Treasurer; William
K. Hagge and Walter Mohr
Tulelake Irrigation District: John Crawford; Edward Baley and Richard
A. Heiney
Newell County Water District: Daniel Stuck; Donald Brown; Dora Purdom and
Dennis VanAcker

All Ayes.

DISTRICT ATTORNEY:

ORDERED on motion of Supervisor Laxague, seconded by Supervisor Jones that the Geothermal Grant Agreement between the County of Modoc and Eliot Allen and Associates, Inc. as Consultant to prepare a geothermal grant proposal on behalf of the County is adopted and the Chairman of the Board of Supervisors is authorized to sign said Agreement on behalf of the County of Modoc.

All Ayes.

PUBLIC DEFENDER:

Judge Guy Martin Young advises the Board that the screening committee for the Public Defender has interviewed applicants for the Public Defender position and that Ms. Shari Dean has been selected and will accept the position effective November 14, 1983.

ORDERED on motion of Supervisor Laxague, seconded by Supervisor Anderson that Richard Gates, Public Defender, be paid up to and including November 13, 1983, and that Ms. Shari Dean be paid effective November 14, 1983.

All Ayes.

ORDERED on motion of Supervisor Laxague, seconded by Supervisor Jones, that the advertisement expense for the Public Defender position be paid out of the Board of Supervisors budget.

All Ayes.

NOON RECESS:

1:30 P.M. Board of Supervisors reconvenes with all members present.

BOARD OF SUPERVISORS:

PUBLIC DEFENDER:

ORDERED on motion of Supervisor Jones, seconded by Supervisor Laxague that Richard Gates be reimbursed for payment for the purchase of a typewriter table and file cabinet for the Public Defender Office in the amount of \$285.82. All Ayes.

Richard Gates introduces Ms. Shari Dean. Ms. Dean requests a transfer of funds in the Public Defender budget from Professional and Specialized to fixed assets for purchase of several items from Richard Gates for the Office of Public Defender. Matter tabled at this time.

FARM BUREAU:

Sean Curtis advises the Board of current dairy production legislation and that the Farm Bureau is opposing HR 3385 and request the Board to endorse their position. Following his report and discussion, a motion is made by Supervisor Anderson, seconded by Supervisor Coulson that a letter be sent to Modoc County representatives and to the four members of the Agriculture Committee, requesting them to consider the adverse impact this legislation would have on the "red meat" industry of our county. AYES: Supervisors Anderson, Coulson and Laxague
Supervisors Chace and Jones Abstain. Motion carries.

CIVIL CLAIM:

District Attorney Longo advises the Board of a claim filed by Patricia Salazar against most California counties. ORDERED on motion of Supervisor Jones, seconded by Supervisor Anderson that the claim in the amount of \$96,000 as filed by Jonathan Ainsworth, Attorney for Claimants, against the County of Modoc on behalf of Patricia Salazar, for herself and on behalf of all others similarly situated, for all individuals who have paid money to California Counties for their children who were in Juvenile Hall, be denied. All Ayes.

AUDITOR:

Mike Tedrick, Modoc County Auditor and Daniel Steinhagen advise the Board that there is over \$10,000.00 in CETA interest in a fund that pursuant to agreement for administration of the CETA funds between the county of Modoc and CETA should be transferred to General Fund. Mr. Steinhagen requests permission to retain \$4,000 to cover any TEACH, Inc. liabilities. ORDERED on motion of Supervisor Laxague, seconded by Supervisor Jones that the Auditor be directed to transfer the CETA interest funds to the Modoc County General Fund and that \$4,000.00 be retained from this fund to cover any TEACH, Inc. liabilities in the TEACH, Inc. interest fund. All Ayes.

ORDERED on motion of Supervisor Laxague, seconded by Supervisor Anderson that the Chairman is authorized to sign Amendment to contract between the Counties of Modoc, Trinity, Siskiyou and Shasta for Joint Powers Agreement to add a paragraph to agreement to provide for appointment of treasurer and auditor. All Ayes.

COMMITTEE REPORTS:

Supervisor Laxague reports on the RCRC meeting he attended and advises the Board members of proposed legislation that would affect Modoc County residents.

There being no further business to come before the Board at this time, the meeting is adjourned to meet again in regular session on Monday, November 21, 1983 at the hour of 10:00 A.M.


MAXINE MADISON, Clerk


(Mrs.) LESLEY J. CHACE, Chairman