

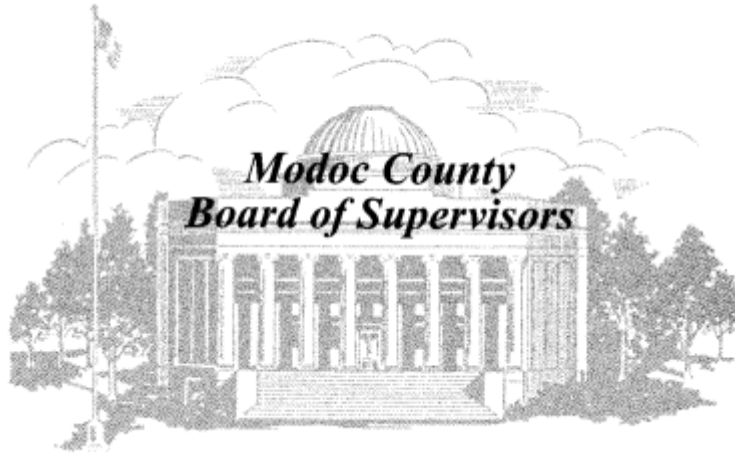
DAVID ALLAN
1st District

PATRICIA
CULLINS
2nd District

KATHIE RHOADS
3rd District

JAMES S. WILLS
4th District

GERI BYRNE
5th District



TIFFANY A.
MARTINEZ
Deputy Clerk of the
BOARD OF
SUPERVISORS

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FEBRUARY 23, 2016

10:00 a.m. Call to Order

The meeting was called to order by Chair Rhoads. Supervisor Rhoads, Supervisor Wills, Supervisor Byrne, and Supervisor Cullins are present. CAO Robertson, County Counsel Long, and Deputy Clerk of the Board Martinez are also present. Supervisor Allan is absent.

Pledge of Allegiance

Moment of Prayer

Public Comment

None.

Approval or Additions/Deletions to Agenda

Deputy Clerk of the Board Martinez requested the removal of item 1a.

Public Health Deputy Director, Stacy Sphar, requested the removal of item 1b for modifications.

Motion by Supervisor Byrne, seconded by Supervisor Wills to approve of the agenda as amended. Motion passed 4 - 0 with 1 absent.

Supervisor Rhoads: yea

Supervisor Wills: yea

Supervisor Byrne: yea

Supervisor Cullins: yea

Supervisor Allan: absent

Correspondence

None.

Department Head Reports

Treasurer/Tax Collector, Cheryl Knoch, provided an updated list of 1,589 parcels which will be subject for sale.

A discussion on the information provided followed the presentation.

1. CONSENT AGENDA ITEMS:

- a) Requesting approval of the January 26, 2016 Board of Supervisors meeting minutes. (Deputy Clerk of the Board)

- b) Request authorization for Karen Stockton, Director of Health Services, to sign Standard Agreement between California Department of Public Health, Office of Aids and Modoc County Health Services for HIV/AIDS case surveillance services from July 1, 2015 to July 31, 2016, in the amount of \$3,000.

Items 1a. and 1b. were removed from the Consent Agenda.

2. CONSIDERATION/ACTION: Second reading and adoption of amendment to Ordinance 321, 321-A, and 321-B. (First 5 Modoc)

First Five Director, Amanda Hoy, provided a background on the amendment to ordinance 321, 321-A and 321 – B.

Motion by Supervisor Byrne, seconded by Supervisor Cullins to approve and waive the second reading of amendment to Ordinance 321, 321-A, and 321-B. Motion passed 4 - 0 with 1 absent .

Supervisor Rhoads: yea
Supervisor Wills: yea
Supervisor Byrne: yea
Supervisor Cullins: yea
Supervisor Allan: absent

3. CONSIDERATION/ACTION: Request Board of Supervisors approval to sell tax-defaulted property that is subject to the Tax Collector's power to sell in a public auction format on the website: www.bid4assets.com. (Treasurer-Tax Collector)

Treasurer/Tax Collector provided a background on the list.

Supervisor Wills asked for clarification on the number of years needed to sell the parcels.

Knoch stated once they are on this list they have been delinquent for 5 years.

Motion by Supervisor Byrne, seconded by Supervisor Cullins to approve and sell tax-defaulted property that is subject to the Tax Collector's power to sell in a public auction format on the website: www.bid4assets.com. Motion passed 4 - 0 with 1 absent.

Supervisor Rhoads: yea
Supervisor Wills: yea

Supervisor Byrne: yea
Supervisor Cullins: yea
Supervisor Allan: absent

4. CONSIDERATION/ACTION: Request approval of the proposed budget modification increasing both revenue and expenditures to Fund 500; Library; in the amount of \$972.00. (Library)

Chris Anderson provided a background on the budget modification

Motion by Supervisor Byrne, seconded by Supervisor Wills to approve of the proposed budget modification increasing both revenue and expenditures to Fund 500; Library; in the amount of \$972.00. Motion passed 4 - 0 with 1 absent.

Supervisor Rhoads: yea
Supervisor Wills: yea
Supervisor Byrne: yea
Supervisor Cullins: yea
Supervisor Allan: absent

5. Public Health Items:

a) CONSIDERATION/ACTION: BOS approval of a budget modification to Fund 105; Dept. Public Health increasing total revenues by \$65,077 and total expenditures by \$65,077.

Public Health Deputy Director, Stacy Sphar, provided background on the budget modification.

Motion by Supervisor Cullins, seconded by Supervisor Byrne to approve of a budget modification to Fund 105; Dept. Public Health increasing total revenues by \$65,077 and total expenditures by \$65,077. Motion passed 4 - 0 with 1 absent.

Supervisor Rhoads: yea
Supervisor Wills: yea
Supervisor Byrne: yea
Supervisor Cullins: yea
Supervisor Allan: absent

b) CONSIDERATION/ACTION: BOS approval of a budget modification to Fund 4686; Health Preparedness Program (HPP); increasing revenues by \$58,603 and increasing expenditures by \$58,603.

Motion by Supervisor Cullins, seconded by Supervisor Wills to approve of a budget modification to Fund 4686; Health Preparedness Program (HPP); increasing revenues by \$58,603 and increasing expenditures by \$58,603. Motion passed 4 - 0 with 1 absent.

Supervisor Rhoads: yea
Supervisor Wills: yea
Supervisor Byrne: yea
Supervisor Cullins: yea
Supervisor Allan: absent

- c) **CONSIDERATION/ACTION: BOS approval of a budget modification to Fund 4684; Public Health Emergency Preparedness (PHEP); increasing revenue by \$6,474 and increasing expenditures by \$6,474.**

Motion by Supervisor Byrne, seconded by Supervisor Wills to approve of a budget modification to Fund 4684; Public Health Emergency Preparedness (PHEP); increasing revenue by \$6,474 and increasing expenditures by \$6,474. Motion passed 4 - 0 with 1 absent.

Supervisor Rhoads: yea
Supervisor Wills: yea
Supervisor Byrne: yea
Supervisor Cullins: yea
Supervisor Allan: absent

6. Administration Items:

- a) **CONSIDERATION/ACTION: BOS approval of 2 year employment contract with Watermaster Wai Lee effective November 1, 2015 through October 31, 2017, \$39,758.29**

CAO Robertson provided background on the contract.

Supervisor Wills asked about the retroactive pay.

CAO Robertson provided clarification on the process.

Motion by Supervisor Byrne, seconded by Supervisor Cullins to approve of 2 year employment contract with Watermaster Wai Lee effective November 1, 2015 through October 31, 2017, \$39,758.29 Motion passed 4-0 with 1 absent.

Supervisor Rhoads: yea
Supervisor Wills: yea
Supervisor Byrne: yea
Supervisor Cullins: yea
Supervisor Allan: absent

- b) **CONSIDERATION/ACTION: To respectfully request board approval and signature of chairman of 2015-2016 Fiscal Year Modoc Fire Safe Council Memorandum of Understanding.**

CAO Robertson provided a background on the funds and terms for the MOU with the Modoc Fire Safe Council.

Supervisor Byrne clarified this is last year's Secure Rural School Tax.

CAO Robertson stated Supervisor Byrne is correct.

Motion by Supervisor Wills, seconded by Supervisor Byrne to approve and sign the 2015-2016 Fiscal Year Modoc Fire Safe Council Memorandum of Understanding. Motion passed 4 - 0 with 1 absent.

Supervisor Rhoads: yea
Supervisor Wills: yea
Supervisor Byrne: yea
Supervisor Cullins: yea
Supervisor Allan: absent

7. CONSIDERATION/ACTION: Draft a letter in support of the proposed appropriation of \$644,000 to fund PILT for the 2016-17 fiscal year and request the chair to sign. (Supervisor Wills)

Supervisor Wills provided background on the letter, changes in PILT and the money owed to Modoc County.

Supervisor Byrne asked for the addition of Federal and State government be included in the letter. She also requested the letter be copied to representatives in the Senate and include RCRC.

Supervisor Byrne stated the Federal PILT may be larger this year.

CAO Robertson provided a background on PILT amounts.

Motion by Supervisor Byrne, seconded by Supervisor Cullins to approve the amended letter in support of the proposed appropriation of \$644,000 to fund PILT for the 2016-17 fiscal year and request the chair to sign. Motion passed 4 - 0 with 1 absent.

Supervisor Rhoads: yea
Supervisor Wills: yea
Supervisor Byrne: yea
Supervisor Cullins: yea
Supervisor Allan: absent

Moved to item 10. Comments and Reports

The public hearing was opened at 11:04 a.m.

8. PUBLIC HEARING: Assessment Appeals Hearing (Solid Waste Assessments for Fiscal Year 2015/16.)

CAO Robertson provided a staff report on the assessment appeals for the solid waste fee. He asked the Board to review the spreadsheet prepared by the Assessor who is playing a role as the most qualified individual person to review the appeals. Robertson stated there is a recommendation to deny application 1, 2 and 3 and to refund application 3, 4, 5, 6, 7, 8, 9, and 11 as provided in the attached report. He reported on the attached applications and asked the Board to review the stated reason for appeal.

Robertson stated there has been a request by applicant #2, Noel Benoist, (Parcel# 041-631-07) to attend the public hearing via teleconference. Robertson requested Noel Benoist participate in the public hearing before the Board renders a decision. Robertson stated there were no other correspondences and no appeal applicants present to protest.

Proponents

None.

Opponents

Deputy Clerk of the Board Martinez called Noel Benoist via telephone using the provided phone number to participate in the public hearing. The call was not answered and went to the voicemail of Noel Benoist. Deputy Clerk of the Board Martinez left the following message: Hi Noel, this is Tiffany the Deputy Clerk of the Board for Modoc County and we were calling to speak with you about your assessment appeals, so we are leaving a message due to your request. Thank you.

After stating the reason for the call on Noel Benoist voicemail the phone call was ended. The Chair of the Board stated she had asked for proponents and there was none. She then asked for opponents and there was no opponents present.

She then asked for any further discussion, seeing none the public hearing was closed at 11:09 a.m.

9. CONSIDERATION/ACTION: Board of Supervisors approval or denial of Assessment Appeals for Solid Waste. (Public Works)

Supervisor Byrne asked for clarification from Assessor Budmark about an applicant who stated he has no improvements on the parcel.

Assessor Budmark stated you pay the fee by unique owner. She stated the applicant only owns one parcel therefor he is subject to the fee regardless if there are any improvements on the parcel. Budmark stated if there was improvements or a house the fee would be \$45.00.

Motion by Supervisor Wills, seconded by Supervisor Cullins to accept the recommendation of the staff for the Assessment Appeals for Solid Waste to denied application 1, 2 and 3 and approved refunds for application 3, 4, 5, 6, 7, 8, 9, and 11. Motion passed 4 - 0 with 1 absent.

Supervisor Rhoads: yea

Supervisor Wills: yea

Supervisor Byrne: yea

Supervisor Cullins: yea

Supervisor Allan: absent

10. COMMENTS/REPORTS

1. Public Comment

None.

2. Administrative Services Report

CAO Robertson reported on the following; meeting and negotiations with Waste Management, transmittal to the Community Corrections Partnership committee and provided an update as to the possible changes, meeting with the court staff on the selection process for a Chief Probation Officer, Newell Migrant House pre-inspection and stated audit will be presented to the audit committee, Pit River Levée dredging and stated the EIR is close to clearance for the vegetative removal, possible ordinance on marijuana at the March meeting, update on the Accela software program and training, and a meeting with Sergeant, Julie Winkle to review the jail maintenance needs and prioritize the list of items.

3. Department Head Reports

None.

4. Board of Supervisor Reports

Supervisor Wills reported on the following; attended a DEALS meeting, Canby restriping to realign the County Road 82 & 83 corner, Behavioral Health meeting, wild horse meeting with Supervisor Byrne, coordination meeting with USFS attended CSAC Board meeting via teleconference and training for Accela.

Supervisor Byrne reported on the following; conference call with steering committee on NACO, wild horse meeting, coordination meeting with USFS, Community Health Needs in Adin, meeting in Newell for the airport with the Udall Foundation, an upcoming meeting with the USFS and will be presenting at the Big Valley Fall River Cattlemen's meeting.

Supervisor Cullins reported on the following; Social Services department meeting, Library Advisory meeting, flood plan table top exercise, conference call with Superior Economic Development Board and attended the Accela training.

Supervisor Rhoads reported on the following; Modoc Fire Safe Council reviewed all projects and three have been funded, she stated she has been in discussion with the Mayor of Alturas to form a Modoc County Flood District to inform the public and keep the maintenance of the river in sight, flood plan table top exercise, tour of the South Fork of the Pit River, and attended the Accela training.

Returned to item 8.

Chair Rhoads reads Closed Session into record.

Supervisor Byrne moved for a ten minute recess and to reconvene in closed session, seconded by Supervisor Wills. Motion carries.

The meeting reconvened with Supervisor Cullins, Rhoads, Wills and Byrne present.

11. CLOSED SESSION: Pursuant to Government Code 54957; Performance Evaluation; Title: County Counsel. (Administration)

Direction given.

ADJOURNMENT

Motion by Supervisor Wills, seconded by Supervisor Byrne to adjourn Motion passed 4 - 0 with 1 absent.

Supervisor Rhoads: yea

Supervisor Wills: yea

Supervisor Byrne: yea

Supervisor Cullins: yea

Supervisor Allan: absent

Tiffany A. Martinez, Deputy Clerk of the Board

Kathie Rhoads, Chairman