

DAVID ALLAN  
1<sup>st</sup> District

PATRICIA CULLINS  
2<sup>nd</sup> District

KATHIE RHOADS  
3<sup>rd</sup> District

JAMES WILLS  
4<sup>th</sup> District

GERI BYRNE  
5<sup>th</sup> District



TIFFANY A. MARTINEZ  
DEPUTY CLERK OF THE  
BOARD OF SUPERVISORS

204 S. COURT STREET  
ALTURAS, CALIFORNIA 96101

(530) 233-6201  
FAX (530) 233-2434

**May 10, 2016**

**10:30 AM Call to Order**

Attendee Name	Title	Status	Arrived
David Allan	Supervisor District I	Remote	10:30 AM
Patricia Cullins	Supervisor District II	Present	10:30 AM
Kathie Rhoads	Supervisor District III	Present	10:30 AM
James Wills	Supervisor District IV	Present	10:30 AM
Geri Byrne	Supervisor District V	Present	10:30 AM
Chester Robertson	Chief Administration Officer	Present	10:30 AM
Margaret Long	County Counsel	Present	10:30 AM
Tiffany Martinez	Deputy Clerk of the Board	Present	10:30 AM

**Pledge of Allegiance  
Moment of Prayer**

Provided by Pastor Clarence McCarty.

**Recess as the Board of Supervisors and convene as the Library Board of Directors.**

**Motion to recess as the Board of Supervisors and convene as the Library Board of Directors.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

**1. 10:30 AM - PUBLIC HEARING**

**1.a. PUBLIC HEARING: Assessment Appeals Hearing - Library Tax Appeals for Fiscal Year 2015-16. (Library)**

Library representative, Kris Anderson, reported there is a total of nine library tax appeals. She recommended the Board accept the staff report to approved eight appeals and deny one (see list provided in packet for further details).

Proponents:  
None.

Opponents:  
None.

The public hearing was closed at 10:34 a.m.

## **2. Library Items:**

### **2.a. CONSIDERATION/ACTION: Request Library Board of Directors to approve or deny the library tax appeals. (Library)**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

**Adjourn as the Library Board of Directors and reconvene as the Board of Supervisors.**

**Motion to adjourn as the Library Board of Directors and reconvene as the Board of Supervisors.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

### **Public Comment**

Congressman Doug LaMalfa's District Administrator for Lassen, Modoc, Plumas and Sierra Counties, Shane Starr, introduced himself to the Board.

### **Approval or Additions/Deletions to Agenda**

#### **b. Motion to approve the agenda as presented**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	James Wills, Supervisor District IV
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

## **Correspondence**

Supervisor Wills asked the e-mail from Governor Brown on the executive order for water conservation be submitted.

## **Department Head Reports**

Road Commissioner, Mitch Crosby, provided an update on County Road 1 project. He stated there will be a meeting on Thursday, May 19th - 6:00 p.m. at Senior Center located in Cedarville.

County Counsel Long provided an update on the revision of the Land Use Committee. She stated there will be a proposal which will be submitted to the Board on July 12th.

Environmental Health Director, Warren Farnam, presented an update on the Local Area Management plan and provided the Board with a sample resolution.

### **Document - Public Meeting Notice County Road 1 Project**

### **Document - Environmental Health - LAMP**

## **3. Consent Agenda Items:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

- 3.a. CONSIDERATION/ACTION: Requesting permission for Board Chair and Director of Health Services to sign the Intergovernmental Transfer (IGT) standard contracts with the Department of Healthcare Services(DHCS) and MOU with Partnership Health Plan for the FY 2014-15 expenditures. (Behavioral Health)**
- 3.b. CONSIDERATION/ACTION: Request approval and authorization for Karen Stockton to sign the Ryan White-Part B Outreach Services agreement with Plumas County Public Health, effective April 1, 2016 through March 30, 2017 in the amount of \$3,000. (Public Health)**
- 3.c. CONSIDERATION/ACTION: Requesting approval of a contract with California Department of Transportation for vegetation management, effective July 1, 2016 through June 30, 2019 in the amount of \$36,000. (Agriculture)**

- 3.d. **CONSIDERATION/ACTION: Requesting Board approval of a contract with Calif. Dept of Food and Agriculture for inspecting all nursery stock and enforcement of all laws and regulations, effective July 1, 2016 through June 30, 2017 in the amount of \$500. (Agriculture)**
- 3.e. **CONSIDERATION/ACTION: Requesting Board approval of a contract with Calif. Dept of Food and Agriculture to perform inspections for the California Organic Foods Act, effective July 1, 2016 through June 30, 2017 in the amount of \$850. (Agriculture)**
- 3.f. **CONSIDERATION/ACTION: Board approval to hang a banner over Main Street for Sportman's and Outdoor Expo - Modoc Outdoor Recreation & Tourism. (Clerk of the Board)**
- 3.g. **CONSIDERATION/ACTION: Requesting approval of the February 23, 2016 Board of Supervisors meeting minutes. (Clerk of the Board)**
- 3.h. **CONSIDERATION/ACTION: Requesting approval of the March 8, 2016 Board of Supervisors meeting minutes. (Clerk of the Board)**
- 3.i. **CONSIDERATION/ACTION: Requesting approval of the March 22, 2016 Board of Supervisors meeting minutes. (Clerk of the Board)**

#### **4. Agriculture Items:**

- 4.a. **CONSIDERATION/ACTION: Requesting Board approval to purchase herbicide for vegetation management, not to exceed \$80,000. (Agriculture)**

Ag Commissioner, Joe Morero, provided the Board and the public with a handout detailing the herbicide bids. Commissioner Morero recommended the Board accept the bid from Crop Production Services Timberland Division in the amount of \$69,504.50 as the lowest bidder. Commissioner Morero asked the Board to note Macy's Flying Service bid which highlighted the difference from name brand product verses alternative brand product.

Supervisor Bryne asked about the 5% local preference.

Commissioner Morero stated they are unable to provide the 5% local preference due to Federal funds being utilized.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

## Document - Herbicide Bids

### 5. CalWORKs Items:

- 5.a. CONSIDERATION/ACTION: Requesting approval of a budget modification increasing revenue Fund 103 CalWORKs, in the amount of \$30,000 and increasing expenditures in the amount of \$15,000. (CalWORKs)**

Director of CalWORKs, Diane Fogle, provided a background on the budget modification. Director Fogle stated the lead agency, County Office of Education, identified three areas of need for adult education in the County of Modoc which are as follows; GED testing facility, soft skills workshop at CalWORKs and e-learning devices.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	David Allan, Supervisor District I
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

### 6. Behavioral Health Items:

- 6.a. CONSIDERATION/ACTION: A) Requesting to add a FTE BH Clinician II to the Mental Health Allocation table at Range 299-C: Step A-F; at the rate of \$4,778 monthly retro to April 7, 2016. (Behavioral Health)**

Director of Behavioral Health, Karen Stockton, and Deputy Director of Behavioral Health, Tara Shepherd provided a background on the job description.

Supervisor Wills asked about clarification on the pay scale.

Deputy Director Shepherd reported the range was based on a five percent increase from what the employee is currently making.

Supervisor Wills asked if the 2% COLA is given every year.

Deputy Director Shepherd stated the employee is currently up for the 2% COLA and will not be eligible for another two years.

Supervisor Allan asked if this position was previously on the allocation table.

CAO Robertson provided clarification on the job position.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	David Allan, Supervisor District I
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

- 6.b. CONSIDERATION/ACTION: B) If (A) is approved, requesting to promote within Mental Health Services one BH Clinician I, who as of April 7, 2016, has become licensed as an LCSW BH Clinician II at Range 299: Step-C; at the rate of \$4,778 monthly. (Behavioral Health)**

Director of Behavioral Health, Karen Stockton, and Deputy Director of Behavioral Health, Tara Shepherd provided a background on the promotion.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	David Allan, Supervisor District I
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

- 6.c. CONSIDERATION/ACTION: Requesting Board of Supervisors approval of an addendum to the agreement, approved on March 22, 2016, between County of Modoc and Relias Learning in the amount not to exceed \$8,175, effective May 10, 2016 through March 31, 2021. (Behavioral Health)**

Director of Behavioral Health, Karen Stockton, and Deputy Director of Behavioral Health, Tara Shepherd, provided an update on the contract which expands the number of users and adds a nursing and advanced substitute library.

Supervisor Cullins asked about the annual subscription amount.

Deputy Director Shepherd stated the difference in the amount is a typo and will be corrected.

Supervisor Wills asked if this will assist the County in retaining current nurses and possible expanding.

Deputy Director Shepherd stated this will allow them to expand the nursing knowledge level but also give them continuing education units for their nursing licenses so they do not have to travel for training.

Director Stockton stated if they avoid traveling to eight training's per year the savings will pay for the additional cost.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

**7. Road Department Items:**

- 7.a. CONSIDERATION/ACTION: Requesting approval of a resolution authorizing the Road Commissioner to execute all documents necessary to apply for and accept a matching grant from the Department of Transportation, Division of Aeronautics. (Road/Airport)**

Road Commissioner, Mitch Crosby, provided an update on the runway rehabilitation project. Commissioner Crosby stated the State matching grant will cover 4 1/2 % of the local 10% match. Commissioner Crosby stated the State grant will be in the amount of \$7,826, bringing the local match special aviation fund down to \$9,566.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	David Allan, Supervisor District I
<b>SECONDER:</b>	Geri Byrne, Supervisor District V
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

**8. Environmental Health Items:**

- 8.a. CONSIDERATION/ACTION: Second reading and approval of an ordinance which adds chapter 8.90, Locally Produced Approved Source Food Program, to Title 8.00 Health and Safety of the Modoc County Code. (Environmental Health)**

Director of Environmental Health, Warren Farnam, presented the ordinance and stated there is a small technical correction on Section Liability of County 8.90.010 to read as 8.90.100.

County Counsel Long confirmed the change is a technical correction and the Board can proceed.

**Motion by Supervisor Byrne to waive the second reading and accept the corrected ordinance.**

<b>RESULT:</b>	<b>APPROVE AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

**9. Information & Technology Items:**

- 9.a. CONSIDERATION/ACTION: Respectfully request permission to sign quote Q-00012840 from Sungard Public Sector for \$36,400 in costs to be incurred in the reinstatement of the FinancePLUS 5.1 Payroll/HR module. (Information Technology)**

Director of Information and Technology, Jerry Cook, provided an update on the payroll upgrade and Sungard Quote.

The telephone connection to Supervisor Allan was lost during this item.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Cullins, Rhoads, Wills, Byrne
<b>ABSENT:</b>	Allan

**Motion for a five minute recess.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Patricia Cullins, Supervisor District II
<b>SECONDER:</b>	Geri Byrne, Supervisor District V
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

**10. Public Works Items:**

- 10.a. CONSIDERATION/ACTION: Board of Supervisors approval of exemption from bidding to procure Mettler Toledo scale parts pursuant to county code section 3.24.070, not to exceed \$11,000. (Public Works)**

Chief Administrative Office, Chester Robertson, provided a background on the system and bid.

Supervisor Allan asked if this will be the same mechanism as previous.

CAO Robertson confirmed Supervisor Allan is correct.

Supervisor Allan asked if Waste Management approved.

CAO Robertson stated Waste Management requested a new scale but the funding is not currently available to purchase a new scale system.

Supervisor Wills asked about funding sources, other than general fund, to replace the scale.



CAO Robertson stated this is an enterprise fund which gives the ability to finance on terms. Robertson reported an estimated cost for the installation of a new scale system.

Supervisor Wills asked if there was enough in the enterprise fund to complete a new scale system.

CAO Robertson reported there is currently not enough in the enterprise fund to complete and provided a background on the resources.

Supervisor Wills asked if this could be completed in the future.

CAO Robertson reported it is an option.

Jeff Bullock asked about single axle scale verses a platform scale. He stated the County should look at a single axle scale which is less expensive.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

## 11. Groundwater Resources Advisory Committee Items

### 11.a. **DISCUSSION/INFORMATION: Update on the Groundwater Resources Advisory Committee. (Groundwater Resource Advisory)**

Planning Department Director, Kim Hunter, provided an update on the GRAC meeting which was held on April 28, 2016. Director Hunter provided a memo to the Board and Public on recommendations from the Groundwater Resources Advisory Committee.

Supervisor Byrne stated she attended the meeting and supported the recommendations.

### 11.b. **CONSIDERATION/ACTION: Requesting Board of Supervisors approval for staff to draft and submit comments by May 10, 2016, in opposition of the proposed groundwater basin boundary modification request from Lassen County to the Department of Water Resources. (Groundwater Resource Advisory)**

Planning Department Director, Kim Hunter, provided a background on the proposed basin boundary modification by Lassen County.

Supervisor Wills provided corrections to the proposed comments.

**Motion by Supervisor Wills to approve of the comments with the provided corrections.**

<b>RESULT:</b>	<b>APPROVE AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	James Wills, Supervisor District IV
<b>SECONDER:</b>	Geri Byrne, Supervisor District V
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

**11.c. CONSIDERATION/ACTION: Requesting approval to draft a letter in opposition of Assembly Bill 1317. (Groundwater Resource Advisory)**

Planning Department Director, Kim Hunter, provided a background on Senate Bill 1317. Director Hunter detailed the proposed requirements of the bill and stated she is opposed to the bill.

Supervisor Byrne provided an update on the status of the bill.

Ag Commissioner Moreo asked for clarification on the bill.

Director Hunter clarified the requirements of the bill.

Ag Commissioner Moreo stated he would offer assistance to defeat the bill.

<b>RESULT:</b>	<b>APPROVE AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Patricia Cullins, Supervisor District II
<b>SECONDER:</b>	Geri Byrne, Supervisor District V
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

**Document - GRAC Recommendations**

**12. Board of Supervisors Items:**

**12.a. CONSIDERATION/ACTION: Requesting approval to draft a letter on the importance of Baseload and Flexible Generation Power to Reach a 50 Percent Renewables Portfolio Standard (SB 350, DeLeon). (Board of Supervisors)**

Supervisor Wills provided a background on SB 350, DeLeon.

CAO Robertson provided additional background on the bill.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	David Allan, Supervisor District I
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

### **13. Comments/Reports:**

#### **a. Public Comments**

Reese Soriano provided an update on Modoc Outdoor Recreation and Tourism. She stated she will return on May 24, 2016 to officially ask for donations to the organization.

#### **b. Administrative Services Report**

Chief Administration Officer, Chester Robertson, reported on the following; Tule Lake litigation, Robertson and Supervisor Cullins toured the jail to address the maintenance needs, Rotary has partnered with Library Advisory Board and Friends of the Library to complete repairs to the exterior, and an update on the geothermal project.

#### **c. Department Head Reports**

County Counsel Long stated the litigation case Modoc County v. Larranaga Trucking Inc. Case Number CL-15011, has been resolved. Long reported a copy of the Mutual Release is on file with the Deputy Clerk of the Board and is available by request.

Planning Director, Kim Hunter, reported on complainants from property owners for zoning violations. She stated the two areas which have the majority of complaints are the Cal Pines Hill units and Newell. She stated the Newell area is very dangerous for her staff. Hunter provided a background on the previous working relationship with the property owners association. She stated code enforcement is a huge drain on resources. Hunter recommended within the next year they work towards a solution on how to address these issues.

Supervisor Wills stated Cal Pines has been an issue for many years. He stated the individuals in Cal Pines do not work in coordination with the County. He stated Cal Pines Association should be handling the majority of the issues within the boundaries of the association.

Director Hunter reported Modoc Recreational Estates president is open to have a meeting to address the issues in that area.

Supervisor Cullins stated there is a huge issue throughout the county.

Director Hunter provided an update on the addressing project with the postal service.

#### **d. Board of Supervisors Reports**

Supervisor Cullins reported on the following; Senior Citizens meeting, Community Corrections Partnership Committee meeting, National Day of Prayer, Jail Tour and State of the Workforce Alliance meeting.

Supervisor Allan reported he will be attending Northern California Emergency Medical Services meeting.

Supervisor Wills reported on the following; NorTEC meeting in Redding, National Day of Prayer, Forestry meeting with Supervisor Byrne dealing with Travel Management Plan Part B, Juniper Acres, Red Rock Biomass plant in Lakeview, Warner Mountain Lumber Company possible juniper milling, radar site south of Newell, wild horse issue update, forest update, and the afternoon Rotary held a work day at the library.

Supervisor Byrne reported on the following; meeting on the Tulelake airport process, Groundwater Resources Advisory meeting, quarterly Forest meeting, May 26th - Frog Forest salvage tour and request for a Board representative to attend, and toured the Juniper acres project with Supervisor Rhoads.

Supervisor Rhoads reported on the tour of Juniper acres located on the South Fork of the Pit River with Shane Starr from Congressman LaMalfa's office and Supervisor Byrne, National Day of Prayer, Groundwater Resources Advisory Committee meeting, and the State of the Workforce of Alliance meeting.

Supervisor Rhoads read the closed session items into the record.

**Motion to go in to closed session.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Allan, Cullins, Rhoads, Wills, Byrne

**14. Closed Session:**

**14.a. CLOSED SESSION: Pending Litigation. Government Code 54956.9. Case Name: Holshouser v. County of Modoc. (County Counsel)**

Direction given.

**ADJOURNMENT**

**Motion to adjourn.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	James Wills, Supervisor District IV
<b>AYES:</b>	Cullins, Rhoads, Wills, Byrne
<b>ABSENT:</b>	Allan

The meeting was adjourned at 3:09 PM