

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

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

KATHIE RHOADS  
3rd District

JAMES WILLS  
4th District

GERI BYRNE  
5th District



TIFFANY A. MARTINEZ  
DEPUTY CLERK OF THE  
BOARD OF SUPERVISORS

204 S. COURT STREET  
ALTURAS, CALIFORNIA 96101

(530) 233-6201  
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**November 15, 2016**

**10:00 AM Call to Order**

Attendee Name	Title	Status	Arrived
David Allan	Supervisor District I	Present	10:03 AM
Patricia Cullins	Supervisor District II	Absent	
Kathie Rhoads	Supervisor District III	Present	9:51 AM
James Wills	Supervisor District IV	Present	9:51 AM
Geri Byrne	Supervisor District V	Present	9:51 AM
Chester Robertson	Chief Administration Officer	Present	9:51 AM
Sophia Meyer	County Counsel	Present	9:51 AM
Tiffany Martinez	Deputy Clerk of the Board	Present	9:51 AM

**Pledge of Allegiance**

**Moment of Prayer**

Prayer provided by Pastor Robert.

**Public Comment**

None.

**Approval or Additions/Deletions to Agenda**

**Motion to approve the agenda as amended**

Supervisor Wills asked to have item 2.f. pulled and moved to the Board of Supervisors Items.

Director of Social Services, Kelly Crosby, requested to remove item 7.e.

Director Crosby requested to modify 7.f to read as follows: Requesting authorization to add one (1) MSS Supervising Nurse Case Manager I, Range 289: Step A-F; \$4,122 - \$5,261 monthly to the personnel Allocation Table.

Director Crosby requested to remove "II" on item 7.g.

County Administrative Officer, Chester Robertson, requested to remove item 9.a.

Director of Behavioral Health, Karen Stockton, requested to remove "Licensed Clinical Social Worker" from item 2.c.

<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, Rhoads, Wills, Byrne
<b>ABSENT:</b>	Cullins

### **Correspondence**

None.

### **Department Head Reports**

County Administrative Officer, Chester Robertson, introduced the new Chief Probation Officer and Director of CalWORKs, Kimberly Wills.

### **Moved to item 4a. Public Hearing**

#### **1. Presentations**

- 1.a. PRESENTATION: Presentation of a Resolution to Elias Fernandez for his years of service to Modoc County as Chief Probation Officer. (Board of Supervisors)**

No action taken.

#### **2. Consent Agenda Items:**

<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, Rhoads, Wills, Byrne
<b>ABSENT:</b>	Cullins

- 2.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and Behavioral Health Director, Karen Stockton, to sign a contract between Modoc County Behavioral Health and Heritage Oaks Hospital, effective July 1, 2016 through June 30, 2017. (Behavioral Health)**

**Contract# 16-144**

- 2.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and Director of Health Services, Karen Stockton, to sign the amended Agreement with Department of Health Care Services, dated March 12, 2014 through June 30, 2018. (Public Health)**

**Contract# 16-145**

- 2.c. **CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and Health Services Director, Karen Stockton, to sign a MHSA-WET Scholarship Program agreement with Jamie Brazil, effective November 1, 2016 through November 1, 2019. (Behavioral Health)**

**Contract# 16-146**

- 2.d. **CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and Director of Public Health, Karen Stockton to sign the Amendment to Standard Agreement #14-10520-A03 with a term of July 1, 2014 to June 30, 2017. (Public Health)**

**Contract# 16-147**

- 2.e. **CONSIDERATION/ACTION: Requesting authorization for the Chair of the Board to sign the Certification Statement Regarding Composition of Local Child Care and Development Planning Council Membership. (Clerk of the Board)**

**Contract# 16-148**

- f. **Item Pulled from Consent**

**3. Groundwater Resources Advisory Committee:**

- 3.a. **CONSIDERATION/ACTION: Requesting approval of Resolution formally acknowledging the intent of Modoc County to become a Groundwater Sustainability Agency for the Modoc County portion of the Big Valley and Tulelake groundwater basins. (Groundwater Resource Advisory Committee)**

Groundwater Resources Advisory Committee members, Jimmy Nunn and Mark Steffek, reported on the recommendation from the committee to become Groundwater Sustainability Agency for the Big Valley and Tulelake groundwater basins.

**Resolution# 2016-31**

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

**Attachment - Resolution # 2016 - 31**

**3.b. CONSIDERATION/ACTION: Requesting approval of a proposed timeline for the coordinated effort of forming multiple Groundwater Sustainability Agencies within the Tule Lake groundwater subbasin. (Groundwater Resource Advisory Committee)**

Groundwater Resources Advisory Committee members, Jimmy Nunn and Mark Steffek, reported on the recommendation from the committee to support the timeline to form multiple Groundwater Sustainability Agencies

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

**3.c. CONSIDERATION/ACTION: Requesting approval for the Planning Department to submit a grant application to the Department of Water Resources Facilitation Support Services Program for assistance to implement the Sustainable Groundwater Management Act. (Planning)**

Groundwater Resources Advisory Committee members, Jimmy Nunn and Mark Steffek, reported on the recommendation from the committee to support a grant application for facilitation funds. Steffek reported on the work sessions which have been planned and stated the help of a mediator will be beneficial for the county.

Supervisor Allan stated he does not support a one size fits all method to groundwater management.

Supervisor Wills asked about the amount offered.

Committee member Nunn stated the amount available is \$50,000.

Director Hunter clarified there is no direct funding to the county. Director Hunter reported Department of Water Resources will provide staff and support services up to \$50,000.

Supervisor Byrne asked what the timeline is for the grant application.

Director Hunter thanked the Groundwater Resources Advisory Committee for their efforts.

**The Chair moved to 6. Behavioral Health Items.**

<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, Rhoads, Wills, Byrne
<b>ABSENT:</b>	Cullins

#### **4. PUBLIC HEARING - 10:00 A.M.**

##### **4.a. PUBLIC HEARING: Amending Chapter 13.04 - Sewage Disposal and Industrial Waste Discharge of the Modoc County Code. (Environmental Health)**

The Chair of the Board opened the public hearing at 10:10 a.m.

Director of Environmental Health, Warren Farnam, provided a staff report on the proposed changes to amend Chapter 13.04 Sewage Disposal and Industrial Waste Discharge of the Modoc County code.

Director Farnam reported there was only one change from the proposed Local Area Management Plan (LAMP).

Proponents: None.

Opponents: None.

The Chair of the Board closed the public hearing 10:13 a.m.

#### **5. Environmental Health Items:**

##### **5.a. CONSIDERATION/ACTION: Requesting to waive the first reading of an Ordinance amending Chapter 13.04 Sewage Disposal and Industrial Waste Discharge to adjust for the Local Area Management Plan onsite waste treatment system policy and set the date for the second reading. (Environmental Health)**

Supervisor Wills asked for clarification on the verbiage in the proposed Ordinance.

Director of Environmental Health, Warren Farnam, identified the areas within the code where they will be able to address sewage disposal with RV's and tents. Director Farnam detailed the process to address the issue of sewage and trash removal within the county through citation. Director Farnam detailed the difficulties associate with getting results from this process.

County Administrative Officer, Chester Robertson, asked if there is a change for the septic pumping company permitting process.

Director Farnam stated there was already a program in place which they will begin to enforce in order to comply with the reporting requirements from the Department of Water Quality.

Supervisor Byrne asked about the cross over on state lines in the Tulelake area.

Director Farnam reported data is what the Department of Water Quality is working to obtain and stated the Oregon reporting process is more detailed than California. Director Farnam stated outreach is the key to obtaining the required data. Director Farnam reported the failure rating for Modoc County septic system is 2% which is very low in comparison to other counties.

The second reading of the proposed Ordinance was set for November 22, 2016 at 10:00 a.m.

**The Chair moved to 2. Consent Agenda Items.**

<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, Rhoads, Wills, Byrne
<b>ABSENT:</b>	Cullins

**6. Behavioral Health Items:**

**6.a. DISCUSSION/INFORMATION: Report from Director of Health Services, Karen Stockton, on the Health Services Organizational Strategic Plan update. (Behavioral Health)**

Director of Behavioral Health, Karen Stockton, provided a report on the Health Services Organizational Strategic Plan.

Deputy Director, Stacy Spahr, reported on the progress to provide intergraded services and the goal to look at whole person care.

Director Stockton detailed the proposed new positions which will be presented to the Reclassification Review and Salary Adjustment committee. Stockton detailed the funding streams for Behavioral Health and detailed departments who are working together to serve the needs of shared populations.

Director Stockton reported the goals of the department which include a local career pathway for a larger retention rate of employees and developing middle management for the department.

Supervisor Wills asked about possible funding streams and how the department would handle the potential loss of funding under the newly elected administration.

Director Stockton reported they will look at the needs of the department and reevaluate as needed.

Deputy Director Sphar stated the current nursing positions are being reclassified not creating new positions.

**Attachment - Report from Health Services**

**6.b. CONSIDERATION/ACTION: Request approval of the Fiscal Year 2015-2016 Mental Health Service Act (MHSA) plan update. (Behavioral Health)**

Director of Behavioral Health, Karen Stockton, reported on the required update and stated there were no changes to the MHSA.

**Contract# 16-149**

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

**11:05 a.m. Motion for a 10 minute recess.**

<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, Rhoads, Wills, Byrne
<b>ABSENT:</b>	Cullins

**c. 11:15 a.m. The meeting reconvened with Supervisor Allan, Rhoads, Wills and Byrne present.**

**7. Social Services Items:**

**7.a. CONSIDERATION/ACTION: Requesting to create a new position entitled MSS Social Service Aide, Range 166: Step A-F; \$2,233 - \$2,850 monthly, as recommended by the Reclassification Review & Salary Adjustment Committee. (Social Services)**

Director of Social Services, Kelly Crosby, reported on the proposed new MSS Social Services Aide position.

Supervisor Wills asked about public outreach to encourage high school students to choose a career path in Social Services.

Director Crosby reported on the efforts of the department to recruit young adults from the local high schools.

<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, Rhoads, Wills, Byrne
<b>ABSENT:</b>	Cullins

**7.b. CONSIDERATION/ACTION: Requesting authorization to add one (1) MSS Social Service Aide, Range 166: Step A-F; \$2,233 - \$2,850 monthly, to the Personnel Allocation Table. (Social Services)**

<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, Rhoads, Wills, Byrne
<b>ABSENT:</b>	Cullins

**7.c. CONSIDERATION/ACTION: Requesting authorization to advertise and fill the MSS Social Service Aide position. (Social Services)**

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

**7.d. CONSIDERATION/ACTION: Requesting to create a new position entitled MSS Supervising Nurse Case Manager I, Range 289: Step A-F; \$4,122 - \$5,261 monthly, as recommended by the Reclassification Review & Salary Adjustment Committee. (Social Services)**

Director of Social Services, Kelly Crosby, reported on the proposed MSS Supervising Nurse Case Manager I new position.

Director of Behavioral Health, Karen Stockton, asked to work for consistent titles for positions with the same educational requirements.

County Administrative Officer, Chester Robertson, reported on the need for a nurse within Social Services to address issues of case management.



Supervisor Allan left the room 11:28 a.m.

Supervisor Wills asked why there is not a consistent name for the job description.

CAO Robertson provided clarification on the difference in job classification.

Director Stockton stated she is concerned about the liability of scope of practice.

Director Crosby provided clarification on additional liability.

CAO Robertson stated there will be policies and procedures which will help to reduce the liability.

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

- 7.e. **CONSIDERATION/ACTION: Requesting approval to create a new position entitled MSS Supervising Nurse Case Manager II and appeal the recommendation of the Reclassification Review and Salary Adjustment Committee to set the Range 323: Step A-F; \$4,884 - \$6,233 monthly to Range 329: Step A-F; \$5,033 - \$6,423 monthly. - *Removed from the agenda by requesting department.* (Social Services)**

<b>RESULT:</b>	<b>WITHDRAWN</b>
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- 7.f. **CONSIDERATION/ACTION: Requesting authorization to add one (1) MSS Supervising Nurse Case Manager I, Range 289: Step A-F; \$4,122 - \$5,261 monthly to the Personnel Allocation Table. (Social Services)**

<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>	Rhoads, Wills, Byrne
<b>ABSENT:</b>	Allan, Cullins

- 7.g. **CONSIDERATION/ACTION: Requesting authorization to advertise and fill the MSS Supervising Nurse Case Manager I Position Step A-F depending on knowledge, experience, and qualifications. (Social Services)**

Supervisor Allan entered the room 11:37 a.m.

<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, Rhoads, Wills, Byrne
<b>ABSENT:</b>	Cullins

## **8. Resource Analyst Items:**

### **8.a. CONSIDERATION/ACTION: Requesting approval to be a plaintiff in the lawsuit challenging the new Bureau of Land Management Planning Rule. (Natural Resources)**

Resource Analyst, Sean Curtis, provided a background and reported on the proposed request to be a plaintiff in the lawsuit to challenge the new Bureau of Land Management Planning Rule.

Supervisor Byrne asked what the timeline is for publishing the rule.

Curtis stated they are in progress and can anticipated it being published this month.

### **Contract# 16-150**

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

## **9. Administrative Services Items:**

### **9.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign an agreement between the County of Modoc and Cornerstone Sustainable Energy, effective September 27, 2016 through the completion or as detailed. - *Removed from the agenda by requesting department.* (Administrative Services)**

<b>RESULT:</b>	<b>WITHDRAWN</b>
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## **10. Board of Supervisors Items:**

### **10.a. CONSIDERATION/ACTION: Discussion and approval of responses to the 2015-2016 Grand Jury Final report. (Board of Supervisors)**

**RESULT:** TABLED [UNANIMOUS]  
**MOVER:** James Wills, Supervisor District IV  
**SECONDER:** Geri Byrne, Supervisor District V  
**AYES:** Allan, Rhoads, Wills, Byrne  
**ABSENT:** Cullins

Next: 11/22/2016 10:00 AM

**10.b. CONSIDERATION/ACTION: Requesting approval of the October 25, 2016 Board of Supervisors meeting minutes. (Clerk of the Board)**

**RESULT:** APPROVED [3 TO 0]  
**MOVER:** Geri Byrne, Supervisor District V  
**SECONDER:** David Allan, Supervisor District I  
**AYES:** Allan, Rhoads, Byrne  
**ABSTAIN:** Wills  
**ABSENT:** Cullins

**11. Comments/Reports:**

**a. Public Comments**

None.

**b. Administrative Services Report**

County Administrative Officer, Chester Robertson, reported on the following: Cal PELRA conference, changes in CalPERS, GASB 68 reporting, evaluation reports from CalPERS deadline changes, rescheduling of the Reclassification Review and Salary Adjustment committee to November 21, 2016, attended two broadband meetings, reported on a meeting with Supervisor Rhoads and Lake County regarding broadband, and a multitude of claims are being processed within the Administration office.

**c. Department Head Reports**

Director of Health Services, Karen Stockton, reported on the notification from the CMSP grant proposal application which did not achieve enough points due to the jail population not being deemed as potential beneficiaries. Stockton reported the agency has offered technical support to update the grant proposal.

Resource Analysis, Sean Curtis, reported he will be in Washington D.C. to address several issues. Curtis reported during his visit they may have their first meeting with the Air Force to discuss the radar site.

**d. Board of Supervisors Reports**

Supervisor Byrne reported on the following: NorTEC meeting, worked the election polls, conference call with the public lands steering committee, and a wild horse coordination meeting.

Supervisor Allan reported on the following: NorCal EMS meeting, ambulance in Surprise Valley now has EMT's who are attending classes, and a meeting with Chief Probation Officer, Kimberly Wills.

Supervisor Wills reported on the following: attended Deputy Hopkins service and provided comments on behalf of the Board of Supervisors and attended the wild horse coordination meeting.

Supervisor Rhoads reported on the following: attended the Groundwater Resources Advisory Groundwater meeting and broad band meeting with Lake County.

Chair Rhoads read the closed session items into the record.

**12:23 p.m. Motion to go into Closed Session.**

Due to the loss of internet connection audio was not recorded for reporting out of Closed Session and Adjournment. All actions were recorded within the minutes and are certified as true and correct by the Deputy Clerk of the Board.

<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, Rhoads, Wills, Byrne
<b>ABSENT:</b>	Cullins

**12. Closed Session:**

**12.a. CLOSED SESSION: Closed Session Pursuant to CA Government Code 54957; Performance Evaluation; Title: Planning Director (Administrative Services)**

Supervisor Allan asked to be excused from closed session upon the completion of the Performance Evaluation.

Direction given.

**12.b. CLOSED SESSION: Closed Session Pursuant to CA Government Code 54957; Performance Evaluation; Title: County Administrative Officer. (Administrative Services)**

No action taken.

**12.c. CLOSED SESSION: Pursuant to Government Code 54956.9: Pending Litigation. Case Name: Tule Lake Committee v. Modoc County (CU 14104). (County Counsel)**

No action taken.

**3:12 p.m. The Board reported out of Closed Session with Supervisor Rhoads, Wills and Byrne present.**

**ADJOURNMENT**

**Motion to adjourn.**

Motion to adjourn the November 15, 2016 meeting.

<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>	Rhoads, Wills, Byrne
<b>ABSENT:</b>	Allan, Cullins

The meeting was adjourned at 3:32 PM

**No further business to come before the Board at this time, the meeting was adjourned to meet in regular session on Tuesday, November 22, 2016 at 10:00a.m.**

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Tiffany A. Martinez  
Deputy Clerk of the Board

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Kathie Rhoads  
Chair, Modoc County Board of Supervisors