

**BOARD OF SUPERVISORS**

**AUGUST 6, 1996**

The Board of Supervisors of the County of Modoc met in regular session this 6th day of August, 1996. The following supervisors were present: Ben Zandstra, Joe Colt, Ron McIntyre, Ed Carver and Nancy J. Huffman. Director of Administrative Services Mike Maxwell, Auditor Judi Stevens and County Clerk Maxine Madison also present.

Meeting called to order pursuant to law by Chairperson Huffman. Following the flag salute, the invocation is offered by Supervisor Zandstra. Chairperson Huffman notes the agenda was posted on August 1, 1996.

**MATTERS INITIATED BY THE PUBLIC:**

Bob Brooks, Chairman, Hospital Board of Trustees updates board members on filling the position of Hospital Administrator and Financial Officer. He reports that Becky Steward was appointed as interim administrator. Applicants for the administrator position will be interviewed August 16, 1996. The position of financial officer has not been filled at this time. He requested several department heads to file a report showing how their department is doing. A dentist has been hired for the clinic.

**1. DEPARTMENT HEAD REPORT:**

Director of Administrative Services Maxwell informs members that he would like to meet with the budget committee and get directions on budget hearings.

**2. ROAD DEPT./PUBLIC WORKS ITEMS: (John Pedersen, Director)**

**a. PRESENTATION OF 5 YEAR SERVICE AWARD TO MICHAEL SERVER:**

Road Commissioner Pedersen requests this item be continued to the August 20, 1996 meeting.

**b. WASTE MANAGEMENT-APPROVE REGIONAL COUNCIL OF RURAL COUNTIES AMENDED ENVIRONMENTAL SERVICES JOINT POWERS AUTHORITY AGREEMENT:**

Public Works Director Pedersen presents Amended Joint Powers Agreement Creating the RCRC Authority for Environmental Services.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and unanimously carried, to approve Waste Management Regional Council of Rural Counties Amended Environmental Services Joint Powers Authority Agreement contingent upon approval by County Counsel. Chairperson Huffman authorized to sign agreement on behalf of the County of Modoc.

**c. PUBLIC WORKS-ARMY CORPS OF ENGINEERS PIT RIVER PROJECT UPDATE:**

Public Works Director Pedersen presents a report on the gabion repair and channel clearing of the North Fork of Pit River. The bid opening is August 28, 1996 and is through the Army Corps of Engineers. He reports that the major work is going to be the channel excavation. He will report regarding the bid at the September 3, 1996 meeting.

**d. WASTE MANAGEMENT-UPDATE THE BOARD ON THE USED OIL RECYCLING OPPORTUNITY GRANT:**

Rick Hironymous informs members that there will be a booth at the Modoc County Fair with educational material regarding the used oil recycling program. Used oil containers for recycling have been donated for distribution at the fair by several sponsors.

Supervisor Huffman questions Mr. Hironymous whether there will be a booth at the Butte Valley Fair. He will check to see if there is interest in a booth at the Butte Valley Fair.

**e. PRESENTATION OF 1996/97 ROAD DEPARTMENT, PUBLIC WORKS DEPT., AND LOCAL TRANSPORTATION COMMISSION PROJECTS.**

Director Pedersen presents list of Road Department Projects, LTC Projects and Public Works Department projects for 1996/97. He presents organizational chart for each department. Director Pedersen briefly discusses each of the projects.

Supervisor Colt suggests setting up a committee from each supervisor district to meet with the Road Commissioner regarding roads in the district and concerns.

**ASSESSOR ITEMS:(Josephine Johnson, Assessor)**

**a. REQUEST APPROVAL TO PROMOTE ALLEN HESS TO APPRAISER II EFFECTIVE AUGUST 1, 1996, RANGE 36B +% EDUCATIONAL TO RANGE 40, STEP C:**

Assessor Johnson presents request to promote Allen Hess from Appraiser I to Appraiser II, effective August 1, 1996, Range 40, Step C. He has completed the educational requirement for the promotion. Appraiser I is a journeymen position. Board members discuss the matter.

Motion by Supervisor Carver, seconded by Supervisor Zandstra and unanimously carried, to approve the request as presented, and authorize Assessor to promote Allen Hess to Appraiser II, effective August 1, 1996, Range 40, Step C.

**b. DISCUSSION/INFORMATION: 1996/97 ASSESSMENT ROLL TOTALS:**

Assessor Johnson reports that the overall county assessment roll is up 10.3%; this includes the utility roll which is up 52% due to the large pipeline project. She presents information on the assessment roll by areas on the secured and unsecured property.

Board members question Assessor Johnson regarding the Cal Pines area and is there any change in the sales. Assessor Johnson reports that there are very few sales in the area and she is unable to specify any change in the area at this time.

**c. DISCUSSION/INFORMATION: REPORT ON PROPOSITION 90:**

Assessor Johnson presents Proposition 90 analysis. The tax revenue lost from 1990 through March 1, 1996 is \$6,856. The total tax loss is \$21,173 for the 14 properties that have qualified under proposition 90. She reports that of the 14 that qualified the county lost revenue on 8 properties and gained on 6 properties. She reports that they do receive calls regarding proposition 90, but few qualify under the regulations. As of May, 1996 11 counties have an ordinance implementing Proposition 90 ordinances. The counties are Alameda, Kern, Los Angeles, Marin, Modoc, Monterey, Orange, San Diego, San Mateo, Santa Clara and Ventura.

**4. DISCUSSION/ACTION; REQUEST WAIVER OF FORMAL BID PROCESS-COMPUTER EQUIPMENT. (Data Processing-Crest users-J. Johnson)**

Assessor Johnson representing Data Processing requests a waiver of formal bid process for computer equipment. A request for proposal regarding the microcomputer acquisition project was sent to seven vendors. Five proposals were returned with three of the proposals being below the estimated cost of the microcomputer equipment. She recommends that the bid of Gateway be accepted as it is the lowest proposal in the amount of \$44,985. She states that this is the best overall system quality, service and warranty.

Director of Administrator Services Maxwell recommends that the bid process be waived and the bid of Gateway in the amount of \$44,985. be accepted.

Motion by Supervisor Colt, seconded by Supervisor Carver and unanimously carried, to waive the formal bid process and find it is in the best interest of the public to waive bid process. Further the bid of Gateway 2000 be accepted in the amount of \$44,985.

11:00 a.m. Board meeting in recess.

11:10 a.m. Chairperson Huffman reconvenes the meeting all present as heretofore.

**11. LAND USE COMMITTEE ITEMS:**

**a. DISCUSSION; PRIA ORDINANCE:**

Sean Curtis, representing Land Use Committee discusses proposed ordinance regarding protection of livestock industry of Modoc County in accordance with provisions of the Public Rangelands Improvement Act of 1978 and related statutes. The committee met and would like this ordinance adopted to stand alone and not a part of the other Land Use Ordinances as an amendment.

County Counsel Comisky reports that the ordinance is modeled after ordinances from Owyhee County, Idaho and a county in Nevada. He informs members that the ordinance is very important. One of the things that came out of the sucker fish issue is if you eliminate 6000 cattle and 2000 head of sheep that would result in a loss of moneys that go through the county economy in the amount of 9 million dollars a year. He states that this is crucial to the county and that the ordinance makes a statement that the county is vitally interested in the livestock industry in the county.

Mr. Curtis informs members that the committee at is seeking direction on whether the ordinance should be a stand alone ordinance or an amendment to the Land Use Ordinances. Chairperson Huffman thanks Mr. Curtis for his presentation.

**CONSIDERATION/ACTION: LETTER SUPPORTING THE VOLCANIC LEGACY SCENIC BYWAY ALTERNATIVE ROUTE THROUGH MODOC COUNTY:**

George Setzer, owner of Timber Mountain Store discusses the Volcanic Legacy Scenic Byway Alternative Route through Modoc County. In 1992 the Modoc Volcanic Scenic Byway was planned with the National Park Service, USFS and US Fish and Wildlife Service in Modoc County. The project was dropped because the parties dropped out, at the present time there is another proposal called Volcanic Legacy Scenic Byway it runs from Lassen National Park to Crater Lake National Park. This project is Siskiyou County Economic Development Council and Siskiyou County Visitors Bureau. Others working on the project are Winema National Forest and Klamath County Department of Tourism representatives. He presents for consideration of the board an alternate route through the several communities. The suggested alternate route is though SR 139--SR299.

Supervisors discuss the matter and agree that there should be short alternate routes. Mr. Curtis suggests the board write a letter of support of the alternate route.

Motion by Supervisor Colt, seconded by Supervisor Carver and unanimously carried, to write a letter of support of the alternative route. Director Maxwell to write the letter with input from Supervisor Huffman.

**c. CONSIDERATION/ACTION: APPOINTMENT OF MR. GEORGE SETZER TO MODOC COUNTY LAND USE COMMITTEE:**

Scan Curtis informs members that Jerry Palmer resigned from the Land use Committee and he recommends that George Setzer be appointed to fill the vacancy. Mr. Setzer has been working with the committee on various issues.

Motion by Supervisor Carver, seconded by Supervisor Colt and unanimously carried, to appoint George Setzer to the Land Use Committee to fill the vacancy created by the resignation of Jerry Palmer.

**8. CONSIDERATION/ACTION: ADOPT RESOLUTION TO MAKE APPLICATION FOR PROJECT DESIGNATED AS THE MODOC COUNTY VICTIM/WITNESS ASSISTANCE PROGRAM, TO BE FUNDED THROUGH THE VICTIM/WITNESS ASSISTANCE PROGRAM ADMINISTERED BY THE OFFICE OF CRIMINAL JUSTICE PLANNING, EFFECTIVE JULY 1, 1996.**

District Attorney Comisky presents request for renewal of grant for Modoc County Victim Witness Assistance Program. This is through the Office of Criminal Justice Planning.

Motion by Supervisor McIntyre, seconded by Supervisor Colt and unanimously carried, to adopt Resolution 96-36, Victim/Witness Assistance Program.

**15. CLOSED SESSION: GOVERNMENT CODE 54957 - INFORMATION ONLY - DIRECTOR OF COUNTY HEALTH SERVICES. (Director Maxwell)**

Chairman announces that no action was taken in closed session.

12:30 p.m. NOON RECESS

1:30 p.m. Chairperson Huffman reconvenes the meeting with all present as heretofore.

**7. TRIAL COURTS ITEMS:**

**a. AUTHORIZATION TO PURCHASE FIXED ASSET; ORDER TO TRANSFER FUNDS FROM COURT AUTOMATION FUND TO TRIAL COURTS FIXED ASSETS BUDGET.**

Becky Dederick, Court Executive Officer presents a requests to purchase a laptop computer for the trial courts for the sum of \$4,000. The item is primarily for the use of Judge Dier who is required to go out to other courts 11 days a month. She requests an order to transfer the funds from the court automation fund to Trial Courts fixed assets budget.

Motion by Supervisor Colt, seconded by Supervisor Carver and unanimously carried, to approve the request for the Trial Courts to purchase a laptop computer for the sum of \$4,000. Further approve the request to transfer funds from Court Automation Fund to Trial Courts Fixed Assets Budget for the purchase.

**b. AUTHORIZATION TO FILL VACANCY:**

Court Executive Officer Dederick requests authorization to fill 2 vacancies in the courts. The positions have been advertised and she informs the board they are ready to hire at this time. The positions are Legal Process Assistants, Range 22.

Motion by Supervisor McIntyre, seconded by Supervisor Colt and unanimously carried, to authorize the Trial Courts to fill the 2 vacant positions of Legal Process Assistant, Range 22.

**c. AUTHORIZATION TO SOLICIT BIDS:**

Becky Dederick presents a joint request for the Trial Courts and District Attorney to restructure the office space on the second floor of the courthouse. She is requesting permission to solicit bids to take the law library and divide it in half, to expand the West side to be part of the District Attorney's office and the East side would be converted to the Judge's secretary's office, this would restore the Judge's chambers back to the way it was when the courthouse was built. There is nothing binding at this time on the bids it

would be for information only as to cost of the project. Board members direct her to check with the Public Works Department regarding the project. She explains that this should not be an expensive or time consuming project.

Motion by Supervisor Colt, seconded by Supervisor Zandstra and carried, to authorize the Court and District Attorney to solicit bids for the remodeling of the law library to be functional as a secretarial office for the Superior Court on the East side and to expand the District Attorney's administrative area on the West side. The remodeling of chambers back to the original size and to return the decor back to the time period when the courthouse was built. The project to be coordinated with the elevator project.

**5. PERSONNEL MATTER: REQUEST WAIVER OF HIRING FREEZE TO PERMIT HIRING OF CASE MANAGEMENT TECHNICIAN (RANGE 29, STEP A), EFFECTIVE AUGUST 19, 1996, FOR GAIN PROGRAM.**

Motion by Supervisor McIntyre, seconded by Supervisor Zandstra and unanimously carried, to approve the request to waive the hiring freeze and authorize the hiring of Case Management Technician, for the GAIN Program, effective August 19, 1996, in Range 29, Step A.

**6. BOARD APPROVAL FOR COUNTY OF MODOC'S DECLARATION OF INTENT NOT TO APPLY FOR FY 1996/97 RURAL HEALTH SERVICES PROGRAM FUNDING. AUTHORIZE CHAIRMAN TO SIGN. PER AB 816, CHAPTER 195, SECTIONS 16934.5(a), 16935.(a) and 16935.5.**

Motion by Supervisor Carver, seconded by Supervisor McIntyre and unanimously carried, to approve the County of Modoc's Declaration of Intent Not to Apply for Fiscal Year 1996/97 Rural Health Services Program Funding and authorize Chairman to sign on behalf of the County of Modoc.

**9. DEPARTMENT OF HEALTH SERVICES:**

**a. CONSIDERATION/ACTION: CONTRACT APPROVAL, AMENDMENT TO PARTICIPATING COUNTY CONTRACT WITH CMSP.**

Director of Administrative Services recommends that the contract be approved as presented.

Motion by Supervisor McIntyre, seconded by Supervisor Colt and unanimously carried, to approve the contract amendment to participating county contract with CMSP.

**b. PERSONNEL MATTER: REQUEST AUTHORIZATION TO FILL VACANT POSITION OF TOBACCO CONTROL PROJECT COORDINATOR. FUNDING FOR THE POSITION IS PROP 99 FUNDS THROUGH THE MODOC COUNTY HEALTH DEPT.**

Motion by Supervisor McIntyre, seconded by Supervisor Carver and unanimously carried, to authorize the Director of Dept. of Health Services to fill the position of Tobacco Control Project Coordinator. Funding for the position is Prop 99 funds through the Modoc County Health Department.

**10. CONSENT AGENDA:**

**a. APPROVAL OF BOARD MEETING MINUTES 7/2/, 7/16/1996.**

**b. CONTRACT APPROVAL: BETWEEN MODOC CO. DEPT. OF HEALTH SERVICES & THE STATE OF CALIFORNIA DEPT. OF HEALTH SERVICES TOBACCO CONTROL SECTION. AMENDMENT FOR FUNDING THROUGH 6/1998. (Dept. of Health Services)**

**c. APPROVAL: 1996/97 PLAN AND BUDGET PROPOSAL WITH THE STATE OF CALIFORNIA DEPT. OF HEALTH SERVICES. (Dept. of Health Services)**

**d. APPOINTMENT: AREA AGENCY ON AGING FIVE COUNTIES ADVISORY COUNCIL MEMBER TULELAKE AREA.**

- e. APPOINTMENT: PLANNING COMMISSION MEMBER, DISTRICT 2, LANCE J. CHRYSLER.**
- f. RESIGNATION/APPOINTMENT: FISH, GAME & RECREATION COMMISSION MEMBER, DISTRICT 3.**
- g. APPOINTMENT: DIRECTOR DAVIS CREEK CEMETERY-ELIZABETH INGRAHAM.**
- h. CONTRACT APPROVAL: CHILD ABUSE PREVENTION & INTERVENTION SERVICES WITH T.E.A.C.H., INC. IN THE AMOUNT OF \$34,500 (Community Programs)**
- I. CONTRACT APPROVAL: PHILLIP J. SMITH, LCSW, IN THE AMOUNT OF \$7,500. (Community Programs)**

Supervisor McIntyre removes consent agenda items "E & F" for discussion.

Motion by Supervisor Carver, seconded by Supervisor Colt and unanimously carried, to approve consent agenda items, A, B, C, D, G, H and I and the Chairman and/or Clerk is authorized to sign documents as required for the items.

**CONSENT AGENDA ITEM E.  
APPOINTMENT: PLANNING COMMISSION MEMBER, DISTRICT 2, LANCE J. CHRYSLER.**

Supervisor McIntyre questions whether there was a resignation from the Planning Commission, District 2. Supervisor Colt advises members that William D. Madison resigned effective July 1, 1996 and that the letter was presented at the last board meeting.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and unanimously carried, to approve consent agenda item E. to appoint Lance J. Chrysler, as Planning Commission member, District 2, to fill the unexpired term of William D. Madison.

**CONSENT AGENDA ITEM F. RESIGNATION/APPOINTMENT: FISH, GAME & RECREATION COMMISSION MEMBER, DISTRICT 3.**

Supervisor McIntyre questions whether there was a resignation from the current Fish, Game & Recreation Commission member. Supervisor Carver advises him that Rich Hamel resigned and that he recommends that Jerry Sanders be appointed to fill the unexpired term.

Motion by Supervisor Carver, seconded by Supervisor McIntyre and unanimously carried, to appoint Jerry Sanders, as a member of the Fish, Game and Recreation Commission to fill the unexpired term of Rich Hamel, District 3.

**10. CONSIDERATION/ACTION: APPROVAL OF AMENDMENTS TO CSAC EXCESS INSURANCE AUTHORITY JOINT POWERS AGREEMENT.**

Motion by Supervisor McIntyre, seconded by Supervisor Zandstra and unanimously carried, to approve the amendments to CSAC Excess Insurance Authority Joint Powers Agreement as presented.

**2:30 p.m. Board in recess.**

**2:45 p.m. Board meeting reconvenes in closed session.**

**13. CLOSED SESSION: GOVERNMENT CODES 54957 AND 54957.6 CONSIDERATION OF COMPENSATION AND REAPPOINTMENT OF COUNTY AGRICULTURAL COMMISSIONER.**

3:23 p.m. Board meeting reconvenes in open session with all members present.

Chairperson Huffman announces that no action was taken in closed session.

**14. CONSIDERATION/ACTION: COMPENSATION AND REAPPOINTMENT OF COUNTY AGRICULTURAL COMMISSIONER AS REQUIRED BY STATE LAW:**

Motion by Supervisor McIntyre seconded by Supervisor Colt and unanimously carried, to reappoint Les Wright as County Agricultural Commissioner.

**16. DEPARTMENT HEAD REPORTS:**

Director of Administrative Services Maxwell discusses a time for budget hearings. He informs members that he will present the classification study in closed session at the next board meeting, which will be a long session. Also at the meeting in closed session will be discussion regarding labor negotiations. There is a possibility there will be a closed session for possible administrative action on a department head. Director Maxwell reports on the PG&E action.

Following discussion budget hearings are set for Monday, August 19, 1996 at 9:00 a.m.

**BOARD OF SUPERVISORS REPORTS:**

Supervisor Colt reports he attended an LTC meeting and that there was a presentation regarding a public transportation system for the county and discusses some of the bus routes that were discussed. He reports that the SR 139 project is making progress.

Supervisor Carver reports that he attended the LTC meeting as an alternate member and found it very interesting that the bus routes would be going to Susanville before going to Redding or Klamath Falls. The PSA II executive group met in Alturas at the Senior Citizens. The Senior Citizens have increased the donation to \$2.00 per meal. He reports seniors are doing a good job on the meals and that in other areas the cost of the meals are considerably higher than they are here. He attended the Hospital Board of Trustees meetings.

Supervisor Zandstra reports that the search continues for CFO and Administrator for the Modoc Medical Center. A large number of applications have been received for the positions. Four applicants are being interviewed this week. He discusses a letter from Mr. Craig Dorman, Lava Beds National Park and refers the matter to the Land Use Committee for review.

He reports that a letter received from Sierra Pacific Power indicates that one of the routes to be studied is Alturas to Cedarville. He reports that it also indicates that one of the routes being studied is the Summer Lake route that would go through Nevada.

Supervisor McIntyre reports that he attended the LTC meeting. He attended the SCED meeting in Redding and reports that the Tom Lee Meadows property was discussed and whether it should be put up for sale at auction.

Supervisor Huffman reports on the RCRC meeting she attended in Sacramento. She also attended the meeting with Senator Leslie when he was in Alturas. She reports that the RC&D group in Dorris, CA are working to get their attendance up again and to solve problems within the group.

No further business to come before the board at this time, the meeting is adjourned to meet in Special Session Monday, August 19, 1996 at 9:00 a.m. Final budget hearings are scheduled for Monday, August 19, at 9:00 a.m. Regular meeting is scheduled for Tuesday, August 20, 1996 at 9:00..

*Maxine Madison*

Maxine Madison, Clerk of the Board

*Nancy J. Huffman*

Nancy J. Huffman, Chairperson