

**BOARD OF SUPERVISORS**

**JANUARY 2, 1996**

The Board of Supervisors of the Modoc County met in regular session this 2nd day of January, 1996. The following supervisors are present: Ron McIntyre, Ben Zandstra, Ed Carver, Joe Colt and Nancy J. Huffman. County Clerk, Maxine Madlison, County Counsel, Hugh J. Comisky, Jr., Auditor Judith Stevens and Director of Administrative Services Mike Maxwell is also present.

Meeting called to order pursuant to law by Chairman McIntyre. Following the flag salute, the invocation was offered by Supervisor Zandstra. Chairman McIntyre noted that the agenda was posted on December 27, 1995.

**DEPARTMENT HEAD REPORTS:**

No Department Head Reports.

**2. DEPARTMENT OF HEALTH SERVICES ITEMS: (Director Gillaspie)**

**a. CONTRACT FOR CONSULTATION SERVICES FOR TOBACCO RELATED TREATMENT:**

Director Gillaspie requests authorization to expand services for the tobacco program in three ways, more direct support, extending clinics to outlying areas in the county and by providing stop smoking clinics. He requests permission to contract with Dr. Larry Holcomb, for the provision of stop smoking clinics from January 1, 1996 through June 30, 1996 at scheduled times. The hourly rate would be \$46.00 per hour and this does not include travel time. The total amount encumbered is \$8,000.00. The program will be offered in Alturas, Tulelake and Cedarville. The tobacco funding is to be used for educational purposes only, this program will qualify under the program.

Supervisor Huffman questions whether this will be available for residents of the Adin area. Director Gillaspie informs members that he will check with Dr. Holcomb regarding the service being available to residents of the the Adin and Lookout area. He will have Dr. Holcomb check with the Big Valley Clinic regarding providing the service to residents of the area.

Motion by Supervisor Colt, seconded by Supervisor Zandstra and unanimously carried, to approve the contract No. 95-01 TOB for consultation services between Modoc County and Larry W. Holcomb, Ed.D., MFCC, licensed hypnotherapist, for a period beginning January 1, 1996 to and including June 30, 1996.

**2b. REQUESTING BOARD APPROVAL FOR FISCAL YEAR 1995/96 BILLING RATES:**

Director Gillaspie presents for consideration of board members a new Medi-Cal rate structure based on minutes as a unit of service as compared to the old clinic option structure based on hours as units of service. He reports that by opting into the Rehabilitation Option and out of the Clinic Option it allows the County to bill for a wider base of services, and increase potential revenue. He presents the billing rates for approval of the members. Director Gillaspie advises members that if the funding isn't spent for the program the funds are returned to the state.

Motion by Supervisor Huffman, seconded by Supervisor Carver and unanimously carried, to approve the Fiscal Year 1995/96 billing rates as presented by Director Gillaspie.

**2c. REQUESTING BOARD APPROVAL FOR MENTAL HEALTH PERFORMANCE AGREEMENT, CONTRACT NUMBER 95-75139:**

Director Gillaspie informs board members that Contract Number 95-75139 encumbers \$12,883.00 in Severely Emotionally Disturbed Children Program funds. Board members question Director Gillaspie regarding the contract. He informs members that all of the contracts were reviewed and approval recommended by County Counsel.

Motion by Supervisor Huffman, seconded by Supervisor Carver and unanimously carried, to approve contract Number 95-75139 Mental Health Performance Agreement.

**2d. TRANSITIONAL RESIDENTIAL TREATMENT FACILITY, CONTRACT NUMBER 95-14 MH.**

Motion by Supervisor Zandstra, seconded by Supervisor Carver and unanimously carried, to approve Contract Number 95-14, Transitional Residential Treatment Facility.

**3. CONSIDERATION/ACTION: BUDGET MODIFICATION, ADMINISTRATION/PROFESSIONAL AND SPECIALIZED: INCREASE OF \$15,000 FOR ATTORNEYS FEES SHERIFF'S DEFENSE.**

Director of Administrative Services Maxwell requests increase of \$15,000 to the Administration/Professional and Specialized budget to pay for the defense in the Civil Action filed against Sheriff Mix. The current bill is for \$9343. and the amount of \$5183. has been paid. The board allocated \$10,000. for the defense at a prior meeting. County Counsel Comisky discusses the progress of the action. He is representing Modoc County in the action and informs members that there is no insurance coverage for civil rights litigation. If there is compensation paid in this type of action it is paid from county funds. County Counsel Comisky states that that there could be an additional \$10,000. or \$15,000. due in attorney fees in this action.

Sheriff Mix informs members that he received \$8,378. from CDC in anticipated revenue. He suggests that this amount be applied to the litigation cost.

Motion by Supervisor Colt, seconded by Supervisor Zandstra and unanimously carried, to approve the budget modification into Administration/Professional and Specialized in the amount of \$15,000. The sum of \$6700. to be transferred from Contingency Fund plus \$8378. received by the Sheriff from CDC for a total of \$15,000.

**4. REQUEST AUTHORIZATION TO TAKE THE FOLLOWING ACTIONS REGARDING THE PURCHASE OF PETROLEUM PRODUCTS, PROPANE, FUEL, ASPHALT CONCRETE AND PREMIX, AND ASPHALT EMULSIONS FOR 1996: (1) ADVERTISE EACH PRODUCT FOR BIDS, (2) OPEN BIDS ON JANUARY 26, 1996, FOR EACH PRODUCT, AT THE 202 WEST 4TH STREET CONFERENCE ROOM, (3) AWARD EACH BID TO THE LOWEST RESPONSIBLE BIDDER, AND (4) AUTHORIZE THE ROAD COMMISSIONER TO EXECUTE ALL DOCUMENTS RELATING TO THE 1996 PRODUCT BIDS. (EXECUTION OF AGREEMENTS CONTINGENT UPON COUNTY COUNSEL APPROVAL). (Road Commissioner Pedersen)**

Motion by Supervisor Colt, seconded by Supervisor Huffman and unanimously carried, to approve the request as presented by Road Commissioner Pedersen to advertise and award bids for purchase of petroleum products, propane, fuel, asphalt concrete and premix and emulsions for 1996. Road Commissioner authorized to execute all documents relating to the 1996 product bids contingent upon county counsel approval.

## **5. DISCUSSION/ACTION: APPOINTMENTS TO LAND USE COMMITTEE:**

Chairman McIntyre reviews proposed Land Use Committee appointments received from the committee.

Land Use Committee member Janie Erkiaga requests that June Roberts be appointed to represent the fish oriented wildlife committee. Board members discuss proposed committee appointments.

Motion by Supervisor Huffman, seconded by Supervisor Zandstra and unanimously carried, to appoint the following persons as members of the Land Use Committee:

Environmental--Rick Holloway and Chic Keeney

Wildlife-fish oriented--June Roberts

Timber--industrial/mill--Al Nelson

Timber--logger, trucker, chipper, no appointment at this time.

Mining--Tony Cruise

Tulelake water--Monte Sues

Government-land farming--Keith Buckingham

Chemicals--Nick Macy

Native American--no appointment at this time.

No appointment made for Timber--logger, trucker, chipper Supervisor Colt will recommend a person for this vacancy at a later meeting. No appointment made to the Native American Culture at this time as the Land Use Committee is waiting for a response to a letter requesting a recommendation.

**11:00 a.m. RECESS**

**11:20 a.m. Board meeting reconvenes with all members present.**

## **6. APPROVAL OF MINUTES OF DECEMBER 19, 1995:**

This item is continued until the next board meeting.

## **7. DEPARTMENT HEAD REPORTS:**

No reports at this time.

## **SUPERVISOR REPORTS:**

Supervisor Zandstra requests that the following items be placed on the agenda for the meeting January 16, 1996: resolution requesting that funding be provided for enforcement of AB 13 and that if necessary use part of the education funding for enforcement (2) Resolution of congratulations to Lake City Fire Department on their 50 year anniversary. (3) Send a letter of recommendation for appointment to the Modoc Washoe Stewardship Committee. Ray Page has served on this committee and would like to step down, the committee requests a letter of recommendation from the board regarding a replacement for Mr. Page. Carolyn Carey has agreed to serve on the committee. (4) Appointment of Jean Bilodeaux to the North State Library Advisory Board.

Supervisor Zandstra reports on the recent death of another young person in the valley and he voices a concern of the lifestyle of the population of the county. Some of the concerns he has is the issue of persons providing alcohol to minors, and how to cope with this.

Discussion regarding the law passed that if you serve or provide an obviously intoxicated person with alcohol and that person has an accident the person that supplied the alcohol can be prosecuted. The new law is effective January 1, 1996. Board members question District Attorney Comisky regarding the new law. He informs members that this type of law in some form has been in effect for a number of years.

Supervisor Huffman discusses the antlerless deer hunt that was proposed in Surprise Valley. A letter from Fish and Game was received stating their withdrawal of the proposal for the antlerless deer hunt in Surprise Valley.

She reports that the next Tri-County Board meeting will be in Plumas County the 31st of January. If anyone has agenda items she suggests that they be submitted at the next meeting.

Supervisor Colt reports on the LAFCO meeting he attended. He informs members that he has received calls and a letter regarding the school bus route on Pencil Road and that it does not go past the paved road. He states that this is a hardship for the parents that live past the end of the school bus route and questions whether a letter could be written questioning why the bus does not go past the paved road.

Supervisor Carver reports that he attended the Hospital Board of Trustees and LAFCO meetings.

Supervisor McIntyre questions Director of Administrative Services Maxwell regarding the impact of the federal shutdown on the county. Director Maxwell reports that the shutdown has slowed down the receipt of funds for CAA.

Supervisor McIntyre reports that he received a reply from USFS regarding Bill Hansen placing a radio tower on Manzanita Peak. The letter states that Mr. Hansen must complete a study on other possible positions for the tower and also there is not a current application on file for the site.

Supervisor McIntyre reports on the water meeting that he and Gordon Dick attended. The meeting was an informational only meeting and a lot of the discussion was dealing with the Delta.

County Counsel Comisky discusses with board members the ordinances that have been adopted by Tehama County regarding regulation of well, or water mining and exporting water out of the county. Board members direct County Counsel to prepare proposed ordinance for consideration of board members dealing with wells. The matter to be submitted to the Land Use Committee for review and recommendation.

Chairman McIntyre turns the meeting over to Clerk of the Board for the next agenda item.

Ron McIntyre, Chairman

#### **REORGANIZATION OF BOARD OF SUPERVISORS:**

At this time the Clerk of the Board of Supervisors calls for nominations for Chairman of the Board for 1996.

Motion by Supervisor Carver, seconded by Supervisor Colt, and unanimously carried to nominate Supervisor Nancy J. Huffman, as Chairman for 1996. Clerk instructed to cast a unanimous ballot for her election.

Clerk calls for nominations for Vice-Chairman for 1996.


Motion by Supervisor Huffman, seconded by Supervisor Colt, and unanimously carried to nominate Supervisor Ben Zandstra as Vice-Chairman for 1996. Clerk instructed to cast a unanimous ballot for his election.

Supervisor McIntyre thanks Board members for their help this past year and passes the gavel to Supervisor Huffman.

Board members requested to list their committees and describe each of them and to list the committee they would like to be on.

No further business to come before the board at this time, the meeting is adjourned to meet in regular session, Tuesday, January 16, 1996 at 10:00 a.m.

  
Maxine Madison  
Clerk of the Board

  
Nancy J. Huffman  
Chairperson of the Board