

The Board of Supervisors of Modoc County met in regular session this 3rd day of October, 1995. The following Supervisors are present: Ron McIntyre, Ben Zandstra, Joe Coli, Ed Carver and Nancy J. Huffman. County Clerk Maxine Madison, County Counsel Hugh Comisky and Director of Administrative Services, Michael Maxwell.

Meeting called to order pursuant to law by Chairman McIntyre. Following the flag salute the invocation is offered by Pastor Jerry Chilson. Chairman notes that the agenda was posted on September 28, 1995.

MATTERS INITIATED BY THE PUBLIC:

Jon King representing Modoc Fish, Game and Recreation Commission is present to discuss Trophy Trout Fishing and to request Board support of draft letter. Board concurs that they should support the local Fish, Game and Recreation Commission. Audience member, Rick Holloway points out that this item was not agendized and that it would be improper for the Board to support this letter among themselves or take a vote. Administrative Services Director, Mike Maxwell requests that this be added as an emergency item based upon the deadline for receipt of the letter from the Fish, Game and Recreation Commission. Motion to add item to the agenda by Supervisor Zandstra, seconded by Supervisor Carver, unanimously carried.

Supervisor Zandstra moves that the Board write a letter of support along the lines of the proposal coming out of the local Fish, Game and Recreation Commission, seconded by Supervisor Huffman, unanimously carried. Mr. King will hand carry the letter to the State Fish and Game Commission on Friday. Mike Maxwell will compose the letter.

Mike Maxwell introduces the new Economic Development Specialist, Mr. Paul Houston. Mr. Houston will be acting as the Economic Development Specialist for the Modoc Development Authority. Mr. Houston comes to Modoc from the Redding area and has 7-8 years of direct experience dealing with economic development.

1. DEPARTMENT HEAD REPORTS

Auditor Judi Stevens introduces Steve Larson, outside auditor for the County of Modoc. He will start visiting individual departments on October 4, 1995.

Linda Monroe, Tax Collector reports that the Bank of America will no longer allow the county to use warrant accounts. Modoc County is only one of two counties in the State of California that still use warrant accounts. The bank is requiring a change in accounts. They will still be treated as warrants in the county system but the bank will treat them as checks. Linda is presently receiving proposals from the other banks in town regarding the possibility of changing banks since it will be necessary to convert and open new accounts.

MIKE MAXWELL REQUESTS THAT THE FOLLOWING THREE ITEMS BE ADDED TO THE AGENDA AS EMERGENCY ITEMS:

2 . f. Modification Central Photo budget \$1980 additional for sales tax for copy machines, original quotations did not include sales tax.

Motion by Supervisor Zandstra, seconded by Supervisor Huffman, unanimously carried to add item 2f to agenda.

2. g. Consideration/Action re Medi-Cal Waiver.

Motion by Supervisor Colt, Seconded by Supervisor Huffman, unanimously carried to add item 2 g to agenda.

2. h. Approval of draft letter for State Librarian re State Strategic Directions Initiative.

Motion by Supervisor Zandstra, seconded by Supervisor Carver, unanimously carried to add item 2h to agenda.

2. DIRECTOR OF ADMINISTRATIVE SERVICES ITEMS: MICHAEL MAXWELL

a. Consideration/Action: Modoc County Arts Council Budget 95/96

Ken Franklin, Director of Modoc County Arts Council is present. Since the last Board meeting he has gone through documentation from 87 and 88 and in anticipation of his annual \$30,000 annual operating grant and \$7000 program grant which was cut each year after he applied and he had to revise his budget. He has overspent approximately \$16000 up to the end of FY 94/95. He proposes to cover it over a three year period. He will take a \$2500 cut on his mileage allowance. The mileage allowance will be cut to \$1500. Since Modoc is a rural county he only has to match 20% of the \$30,000 grant which will be \$6000. Half of that can be matched as in-kind. He reports that he will save another \$3000 per year by using in-kind allowance as a hard cash match. This represents a repayment of a minimum of \$5500 per year back into the general fund. He reports that his budget this year will be \$27,000 from the State, \$500 from California State Summer School for the Arts, \$8000 from County Schools which the county matches \$2500, Missoula Children's Theatre and other programs will bring in about \$2000. Total income for this year will be \$37,500. His salary is \$20,160, mileage \$1500 and he would use \$3000 to pay back plus the \$2500 mileage that he will not take and the rest will go to programs. Supervisor Huffman questions how money not taken as travel would get back into the general account. Auditor Stevens responds that the Arts Council grant money is in its' own fund. Mike Maxwell explains that the money does not need to be moved from the general fund and the deficit is showing up in the Arts Council fund. Auditor indicates that it shows under fund 159 on treasurers statement. Ken Franklin will submit a budget to the Auditor and indicates that the Arts Council will work within that budget. Supervisor Colt voices concern that this happened and that in the future steps should be taken so that overspending does not occur. Mike Maxwell questions Auditor as to whether it has been reconciled that the deficit is now known. Auditor Stevens indicates that she shows a deficit of \$18898.73 at the end of FY 94-95. She indicates that Ken Franklin agrees with these figures. Administrative Services Director Maxwell indicates that the \$2500 could be taken from the travel budget, but wonders where the other \$3000 will come from. Ken indicates that he will pull it from the hard cash match. Tobacco Control pays \$1000 for Missoula Theatre and Ken says he will designate that money for repayment of the deficit. Maxwell voices concern over other agencies using program funds to pay down the deficit.

Maxwell indicates that the repayment over 3 years would be approximately \$6,300 per year, and that the proposal to save and pay \$5500 per year and repay the deficit would not work. Ken Franklin agrees that the repayment should be over a 4 year period of time instead of a three year period. Maxwell figures that out of \$37,500 in revenues to be received by the Arts Council they will have an operating budget available for expenditures of \$32,000 with a payback plan of three years plus. He questions as to whether or not that budget has been submitted to the Auditor. Ken Franklin says that it has not, but that he is submitting it to the Board conceptual wise today. Supervisor McIntyre questions as to whether the county has an obligation to the grantors of the grant funds. Maxwell indicates that the county does not, however, it does have an obligation to the public having to do with the Art Council fund itself. Supervisor Zandstra questions who will

be responsible for monitoring the budget and the spending patterns. Mr. Franklin indicates that that he and Auditor Stevens would share that responsibility. Supervisor Zandstra questions whether the budget has been presented to the Arts Council. Ken indicates that this revised budget has not been submitted to the Arts Council.

Supervisor Zandstra makes a motion that a written, revised budget be submitted to the Arts Council for adoption prior to being brought before the Board of Supervisors for final approval, seconded by Supervisor Colt and unanimously carried.

b. Consideration /Authorization: Budget modification - authorization of \$400 for training on computer program operation

Request to modify Administrative Services Professional and Specialized budget in the amount of \$400 to cover training on computer program developed by former Auditor Mike Tedrick. Mr. Tedrick is in county today and will train staff on that program today.

Motion by Supervisor Colt, seconded by Supervisor Huffman and unanimously carried to modify Administrative Budget, Professional and Specialized by \$400 to come from contingency funds to pay for computer training for Auditor's staff.

c. Consideration/Action: Request Extension of Comment Period for Management Plan for most recent addition to Modoc Refuge

Mike Maxwell presents letter he has drafted at request of the Land Use Committee who has received the management plan for the addition of the Clark/Hamilton tract to Modoc National Wildlife Refuge. The closing date on the comment period is 10/6/95. The Land Use Committee was unable to meet that timeline and has requested that Mr. Maxwell draft a letter to be signed by the Board requesting a 30 day extension on the closing deadline for the comment period.

Motion by Supervisor Huffman, seconded by Supervisor Zandstra and unanimously carried to approve sending letter to Dave Johnson, Modoc National Wildlife Refuge Manager requesting 30 day extension of comment period on draft plan for development and management of the Clark/Hamilton Tract.

d. Consideration/Appointment: County Primary and Alternate to LAFCO

Motion by Supervisor Carver seconded by Supervisor Huffman to redesignate Joe Colt as primary member of LAFCO and Ed Carver as the alternate member of LAFCO. Motion unanimously carries. County Clerk to send notice to LAFCO.

e. Consideration/Authorization: Expenditure of \$500 deposit for property purchase proposal. Expenditure not to exceed \$1000 for appraisal of properties by credentialed appraiser

Motion by Supervisor Colt seconded by Supervisor Carver to approve expenditure of \$500 for deposit toward purchase of property. Ayes, Supervisors Zandstra, Colt, Carver and Huffman. Supervisor McIntyre abstains.

Motion by Supervisor Huffman seconded by Supervisor Carver to approve expenditure not to exceed \$1000 for appraisal of properties by credentialed appraiser. Ayes, Supervisors Zandstra, Colt, Carver and Huffman. Supervisor McIntyre abstains.

f. Modification Central Photo budget \$1980 addition for sales tax for copy machines, original quotations did not include sales tax.

Mike Maxwell reports that the proposals for 3 new copy machines which were used for budget purposes did not include an amount for sales tax. Request authorization to modify budget, central photo fixed asset purchase of \$1980. Money to come from contingency funds.

Motion by Supervisor Colt, seconded by Supervisor Zandstra and unanimously carried to authorize \$1980 from contingency funds to cover sales tax on purchase of copy machines.

g. Consideration/Action re Medi-Cal Waiver.

Supervisor Huffman reports that she attended CMSP governing board . Fiscal Relief Plan was distributed by the Department of Health to members in attendance at this meeting. The Relief plan is an agreement between the State, L.A. County and the Federal Government. The state will be sending out a letter within the next week to 10 days (meeting on 9/20/95) for counties to agree or disagree to look into coming up with a plan for Fiscal Relief . Once the letter is received the county would only have 72 hours to agree or disagree to look into a plan for the county. Supervisor Huffman is requesting Board to agree to look into a plan for Modoc County.

Motion by Supervisor Huffman, seconded by Supervisor Colt to agree to look into a Fiscal Relief Plan for Modoc County when the letter from the State is received. Motion unanimously carries.

h. Approval of draft letter for State Librarian re State Strategic Directions Initiative.

Godelieve Uyttenhove is present and explains the Strategic Directions Initiative to Board along with the problems that the Library Board has with this initiative. Supervisor Zandstra noted that the intention of writing a letter to Kevin Starr, State Librarian of California, is to affirm his basic intention but at the same time try to educate him in terms of what a more appropriate process might be for aiding the North state libraries.

Motion by Supervisor Zandstra, seconded by Supervisor Colt to write a letter from the Board to Keven Starr, State Librarian of California, using the draft letter presented by Godelieve Uyttenhove with the change in the dollar amount from "\$200,000" to "\$400,000" over a 2 year period. Motion unanimously carries.

3. MODOC MEDICAL CENTER ITEMS:

a. Financial Report, August 1995

The month of August realized a loss of \$29,946, with a year to date loss of \$60,623. Skilled nursing days were 1835, with an ADC of 59.19, acute days were 42, with an ADC of 1.35, Emergency Room visits were 786 and there were 4 births. Overall, revenue was \$30,337 lower than budgeted. Expenses were \$9,202 over budget overall.

b. Departmental Analysis, August 1995

Gross profits were up in Physical Therapy, Surgery, Anesthesia, Respiratory Therapy, and the Clinic. Increases are attributed to price increases in these departments.

c. July and August A/R Transfer Request

July accounts total \$8970.65, 4 accounts totaling \$771.75 to small claims and 63 accounts totaling \$8,198.90 to collections. Forty accounts totaling \$5,520.32 to collections for August.

Motion by Supervisor Colt, seconded by Supervisor Zandstra to relieve Hospital Administrator and Financial Services Manager of the active accountability for the collection of these debts. Motion unanimously carries.

d. Finders Fee Approval

Request approval from Board to expend up to \$18,508 as a finders fee to a recruitment agency for Physical Therapist. Funds will come out of the budget approved for the hospital at the 9/19/95 meeting. Supervisor Colt would like to know if any of the \$18,508 can be recouped from the State as a cost reimbursement, and how does the hospital plan to reduce expenses \$18,508 to cover this cost. Financial Services Manager, Teresa Jacques responds that the finders fee will be considered in the cost report. She is still working on how to reduce expenses to cover the finders fee. Possible areas that she will cut expenses in are travel and seminars, medical journal subscriptions, and membership fees. Supervisor Colt requests that Teresa Jacques come back to the Board and let them know where she cuts the expenses to cover the cost of the \$18,508 finders fee.

Motion by Supervisor Colt, seconded by Supervisor Zandstra to approve the expenditure of \$18,508 to cover the cost of recruiting a physical therapist to Modoc Medical Center. Motion unanimously carries.

e. Energy Efficiency Proposal Request

Theresa Jacques requests that this agenda item be put on hold until the next Board meeting on October 17, 1995.

4. BRIEFING ON SOUTH WARNER WILDERNESS FIRE MANAGEMENT PLAN - EDITH ASROW, MODOC NATIONAL FOREST

Edith Asrow is present on behalf of the Modoc National Forest and introduces Elizabeth Ballard, District Recreation and Wilderness Staff Officer and Chuck McElwain, District Fire Management Officer. Edith explains that the South Warner Wilderness is comprised of about 70,000 acres and the bulk of it was inacted in the 1964 Wilderness Act legislation. The USFS is beginning to see fire as a positive force in the Wilderness. There is a national emphasis in allowing fires to play a natural role in wilderness areas, but there is also national direction that the Forest Service do this with very thoughtful planning. She explains that the USFS is required to produce a plan that has a prescription in which they choose which fires to let burn and which fires to suppress. There are four critical factors that are built into the plan that are limiting factors. They are; risk to human life, private property, watershed capacity and threatened and/or endangered species habitat requirements.

The USFS has until about mid November to continue receiving public input toward the proposed plan that has been developed.

5. APPROVAL OF NEGOTIATED NET AMOUNT CONTRACT BETWEEN MODOC COUNTY ALCOHOL AND DRUG SERVICES AND THE STATE OF CALIFORNIA DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS - ALCOHOL AND DRUG SERVICES

Motion by Supervisor Colt, seconded by Supervisor Carver to approve negotiated net amount contract between Modoc County Alcohol and Drug Services and the State of California Department of Alcohol and Drug Programs. Motion carries unanimously.

6. PUBLIC WORKS ITEMS - JOHN PEDERSEN, DIRECTOR

a. Extend employee's employment probation 90 days

Rulan Oiler was promoted to Supervisor, Building and Grounds on 6/20/95 and the next day sustained an off-the-job injury. He did not return to work until 9/15/95. Per County code Mr. Pedersen is requesting authorization to extend the probationary period until 9/30/96.

Motion by Supervisor Zandstra seconded by Supervisor Colt, and unanimously carried to extend probationary period for Rulan Oiler until 9/30/96.

b. Increase Buildings and Grounds Fixed Assets budget by \$4200 for purchase and installation of new above ground heating fuel tank for Courthouse; increase Buildings & Grounds Maintenance budget by \$3700 for removal of old underground heating fuel tank for Courthouse, plus \$500 for plumbing and trenching for new tank.

John Pedersen reports that they had tested the underground fuel tank behind the courthouse and have found a potential leak near or around some of the fittings on top of the tank. The tank has been retested and the leak is actually on the tank itself rather than on the fittings. They have looked into tying into the detention facility fuel supply or the probation office fuel supply, however, tying the courthouse into the detention facility tank would jeopardize and complicate the Chitwood proposal to fix the boiler in the detention center. Tying into the Probation tank would not work since there is only a 550 tank and the courthouse uses approximately 50 gallons of fuel per day. Requirements for the courthouse would be a 1000 tank for replacement. Proposal from Ed Staub is a cost of \$4200 to replace the tank with an above ground tank. John inquires as to the possibility of using the \$5000 that was allotted in the budget last year for boiler repair and Mike Maxwell says that this amount is not available since it was not rolled over from last budget year. John Pedersen requests that the Board authorize an increase of \$4200 to fixed asset, Building and Grounds. John reports that he can use \$4000 from Building and Grounds budget under service and supplies, professional and specialized tank testing and repairs. He will use those funds to remove existing tank, estimate is \$3,700.

Motion by Supervisor Colt seconded by Supervisor Zandstra to authorize expenditure of \$4200 for purchase and installation of 1000 above ground fuel tank at courthouse. Funds to be taken from contingent fund. Motion carries unanimously.

7. SERVICE AWARD: DEBBIE FOGLE - 5 YEARS: JOHN PEDERSEN, ROAD COMMISSIONER

Road Commissioner, John Pedersen, is present with employee Debbie Fogle. Debbie Fogle has been employed with the county for the last 5 years. The Board thanks Debbie for her past and continued service to the county and presents a certificate of appreciation for dedicated service.

8. REQUEST TO DONATE PROPERTY TO COUNTY OF MODOC - SAQUIB KHAN

Board discusses donation of property to the county. There will be an item on a future agenda to adopt a county policy in regard to requests to donate property to the County of Modoc

9. ADOPT RESOLUTIONS SETTING EXPENDITURE LIMITATION 95/96 FOR COUNTY OF MODOC, ADIN LIGHT DISTRICT, CEDARVILLE LIGHT DISTRICT - JUDITH STEVENS

Motion by Supervisor Zandstra, seconded by Supervisor to Adopt Resolution 95-51 setting expenditure limitation 1995/96 for the County of Modoc, Resolution 95-52 setting expenditure limitation 1995/96 for Adin Light District, and Resolution 95-53 setting expenditure limitation 1995/96 for Cedarville Light District. Motion unanimously carries.

10. CONSENT AGENDA

a. Approval of minutes of 9/19/95

Supervisor McIntyre notes that there should be a correction as follows in the 9/19/95 minutes. "Matters Initiated by the Public" should read "Board requests that a representative of the Modoc County Fish, Game and Recreation Commission be present at the 10/3/95 meeting".

Motion by Supervisor Colt, seconded by Supervisor Huffman to approve the consent agenda as amended. Motion unanimously carries.

11. DEPARTMENT HEAD REPORTS

Assessor Josie Johnson brings information to the Board regarding 5% educational salary increase upon completion of certification by State Board of Equalization.

Assessor Johnson reminds Board members that Johan Clay from the State Board of Equalization will speak on Wednesday, October 4 at 2:00 pm at City Hall.

Assessor Johnson reports that the independent outside auditor has requested confidential information and under the law she cannot give it to him. She questions why the auditor would want this information and whether he has the authority to do so. She has talked to the State Board of Equalization legal division and they advised that the outside auditor does not have the authority to access confidential information. Auditor Stevens suggested that the outside auditor contact the State Board of Equalization to access the audit of the Assessor's Office. Assessor Johnson assures the Board that she wants to cooperate with the outside auditor, however is bound by certain confidentiality laws.

BOARD OF SUPERVISORS REPORTS

Supervisor Colt reports that the road work continues on Highway 299 in Bieber and Highway 299 on Cedar is being patched, along with the Madeline Plains.

Supervisor Zandstra reports that the Internet will be coming to Modoc County. Citizens Utilities will be presenting a report to the Board at a future meeting. He reports on the Hospital Board of Trustees meeting, the East Modoc Land Management Plan meeting, and on the meeting with USFS regarding the recent letter in the newspaper dealing with treatment of family while camping at Rush Creek Campground.

Supervisor Huffman attend a Resource Advisory Council meeting that the BLM set up and met with Bruce Babbit. There are 15 members on the council and members came up with consensus of what they deem to be important. BLM would like the Council to set up guidelines and plans on the use of BLM land. She also attended the CMSP meeting and there is hope that the lawsuit will be settled with little cost to the counties.

Supervisor McIntyre reports that Bill Hansen, KCNO and KYAX radio is requesting the Board to write a letter in support of his endeavor to place a transmitting tower on Manzanita Peak. He attended the CSAC meeting and the LTC meeting. Supervisor McIntyre also reports that the Modoc National Wildlife Refuge will have a ground breaking ceremony for Widgeon Pond Wetland Project on 10/11/95.

Supervisor Carver reports that he attended a PSAll meeting in Burney. There will be another meeting in Redding on 11/16/95. He had an opportunity to view the work done on the Jess Valley Road.

ADMINISTRATIVE SERVICES DIRECTOR REPORTS

Administrative Services Director Maxwell reports that the issues that were brought up at the last meeting with the City are being addressed with department heads involved and he should have a proposal on issues by the next Board meeting for review. These issues were the Dog Pound and the Building Inspector.

Director Maxwell speaks about the Tri-County meeting. He will send a letter to Lassen County in regard to setting the meeting.

11:30 A.M.

12. PUBLIC HEARING: REQUEST BY SANDRA STEVENSON FOR TENTATIVE MAP APPROVAL OF A ONE-PHASE SUBDIVISION CONSISTING OF TWENTY 10 ACRE PARCELS - SCOTT KESSLER

Staff report presented by Scott Kessler Chairman McIntyre notes that the publichearing was noticed as required by law. Proponent Sandra Stevenson gives presentation in support of project. A letter from Charles G. Mosley in opposition to the project was received and considered by the Board.

Public Hearing Closed

Motion by Supervisor Colt, seconded by Supervisor Carver to adopt Resolution 95-50 as recommended by Modoc County Planning Commission in Resolution 95-08 . Motion Unanimously carries.

Board recessed for lunch 12:25 pm
Board reconvenes at 1:33 pm

13. GOOSE LAKE BASIN COORDINATOR POSITION FUNDING. UPDATE ON THE ACTIONS OF THE BI-COUNTY COMMITTEE FOR THE GOOSE LAKE BASIN - HERB JASPER

Herb Jasper is present and gives background on Goose Lake Fishes Working Group. The coalition has formed a conservation strategy for the Goose Lake Basin which is about to be adopted by the group. He hopes to have it adopted in the near future. Funding is coming from different sources. Without matching funds they are looking at a total of \$387,898 if you take into consideration all sources for various purposes. Some of this money is private money, matching money from Farm Bureau, and Cattlemans Association. The committee would like to keep the ball rolling since this is really the private sector taking a lead. They are the ones who have fishery enhancements and land resources in mind. They do not want the fish listed and do not want mandatory controls on agricultural operations. There are a variety of interests who sit on this committee. It recently became known to the group that there is a need to coordinate the different projects. Projects include repair of pasture fencing, and off stream development of water. The Resource Conservation District on the California side and the Lake County Commissioners have set up a fund to pay a Basin Coordinator. They have hired David Lyle who has worked with the SCS for the last two years. The Committee currently has \$13,000 from the Goose Lake RCD and has allocated the money to this position. They also have \$10,000 that has come in from the Fremont National Forest. The Modoc National Forest has agreed to an additional \$10,000 and the University of California has approved a grant in the amount of \$8,600. Lake County Commissioners have agreed to contribute \$5,000 toward this effort. Ray Simms from Lake County is introduced. He explains that Lake County has a contract with David Lyle to provide moneys on a contract basis. Lake County is using the \$5,000 out of Taylor Grazing Funds. Lake County believes that an endangered species listing in the Goose Lake basin will have major rammifications on agricultural grazing. Lake County Commissioners urge the Modoc Board of Supervisors to support the position of Basin Coordinator. Supervisors will take issue under advisement to check into funding possibilities.

No further business to come before the Board at this time and the meeting is adjourned to meet in regular session on Tuesday, October 17, 1995 at 9:00 a.m.


Maxine Madison, Clerk


Ron McIntyre, Chairman