

**BOARD OF SUPERVISORS**

**JULY 18, 1995**

The Board of Supervisors of Modoc County met in regular session this 18th day of July 1995. The following Supervisors are present: Ben Zandstra, Joe Colt, Ron McIntyre, and Nancy J. Huffman. Absent: Supervisor Carver. County Clerk Maxine Madison and Director of Administrative Services, Mike Maxwell are also present.

Meeting called to order pursuant to law by Chairman McIntyre. Following the flag salute the invocation is offered by Supervisor Zandstra. Chairman McIntyre notes the agenda was posted July 12, 1995

**MATTERS INITIATED BY THE PUBLIC:** None

**1. DEPARTMENT HEAD REPORTS:**

Administrative Services Director, Maxwell requests that an item be added to the agenda as an emergency item that came to the attention of Public Works Director after the agenda was posted.. Public Works Director would like Board consideration to advertise, hire and fill the position of Building and Grounds Worker. Due to the hiring freeze the Department Head is required to come forth and receive permission from the Board.

Motion by Supervisor Huffman, seconded by Supervisor Zandstra, and carried. to be added as Agenda Item #4, Request to Advertise and Hire Building and Grounds Worker in Range 24, Step A.

**2. SNOW CAT RENOVATION: Bruce Mix, Sheriff**

Sheriff Mix introduces Kirk Reinschmidt. Mr. Reinschmidt has renovated the 15 year old snow cat. He has rebuilt the trac assemblies, changed fuel and water pump, tuned up and serviced, changed bearings, rewired trailer, changed axle on trailer. Sheriff Mix estimates that Mr. Reinschmidt has donated approximately \$7000 worth of labor on this project. Sheriff Mix presents Mr. Reinschmidt with a plaque in appreciation for his donated time and efforts on this project.

**3. APPOINTMENT OF BOARD REPRESENTATIVE TO LAW LIBRARY  
BOARD OF TRUSTEES: Larry Dier**

Larry Dier explains that Board of Trustees of the Law Library must be composed of six members composed of the Superior Court Judge, two nominees from the local bar, the Superior Court Judge, Municipal Court Judge, Chairman of the Board of Supervisors and two appointees by the Board. Since there is no Municipal Court Judge at present the chairman of the Board of Supervisors is requested to act as trustee. Larry Dier has contacted members of local bar and those who indicated an interest in serving are Francis Barclay, John Lawson and David Mason.

Motion by Supervisor Colt to nominate Francis Barclay and David Mason to fill the trustee positions. No further nominations, Chairman closes nomination. All Ayes  
Chairman McIntyre also agrees to serve as trustee

**4. APPROVAL OF NUMBER OF GRAND JURORS - Judge Barclay**

At the request of Judge Barclay, this item was removed from the agenda

**4. Item added at the request of Mike Maxwell.....REQUEST TO ADVERTISE AND HIRE BUILDING AND GROUNDS WORKER IN RANGE 24 STEP A, Salary \$1128-\$1438 - John Pedersen, Director Public Works:**

Motion by Supervisor Colt, Seconded by Supervisor Zandstra and carried to allow John Pedersen, Director of Public Works to advertise and hire Building and Grounds Worker in Range 24, Step A.

**5. PROPOSED RESOLUTION ON WORKFORCE PREPARATION - Carol J. Harbaugh, Superintendent of Schools**

Carol Harbaugh, Superintendent of Schools explains that there is a need to develop a plan for "school to career". The plan will involve partnerships with local agencies and businesses. She must have a draft plan to present to the County Superintendents Association by October 1995.

Motion by Supervisor Ben Zandstra, seconded by Supervisor Colt and carried to adopt Resolution No. 95-43 establishing Modoc County's Coalition for Work Force Preparation.

**6. and 7. MODOC COUNTY MENTAL HEALTH AND MODOC COUNTY ALCOHOL AND DRUG SERVICES CONTRACT S APPROVAL: Bob Gillaspie**

Motion by Supervisor Huffinan, seconded by Supervisor Colt and carried to approve Modoc County Mental Health Contract #95-12MH with Merced Manor, Modoc County Mental Health Contracts #95-08MH and 95-13 MH with Crestwood Hospitals, Modoc County Alcohol and Drug Services Contract #95-01AD with Tehama Recovery Center, Inc., and Modoc County Alcohol and Drug Services Contract #95-03AD with Empire Recovery Center . Motion and second was conditional upon the review and approval of the contracts by County Counsel Hugh Comisky.

**8a. SECOND READING AND ADOPTION OF ORDINANCE ESTABLISHING THE DEPARTMENT OF COUNTY HEALTH SERVICES: Mike Maxwell**

Proposed ordinance read by County Counsel Hugh Comisky.

Motion by Supervisor Zandstra, seconded by Supervisor Huffman, and carried to adopt ordinance No. 316 Establishing the Department of County Health Services.

**8b. SECOND READING AND ADOPTION OF ORDINANCE TO ESTABLISH THE COUNTY POSITION OF DIRECTOR OF COUNTY HEALTH SERVICES - Mike Maxwell**

Proposed ordinance read by County Counsel Hugh Comisky.

Motion by Supervisor Nancy Huffman, seconded by Supervisor Zandstra, and carried to adopt ordinance No. 250-56 to Establish the County Position of Director of County Health Services.

**8c. PROPOSED RESOLUTION AUTHORIZING EXECUTION OF CONTRACT #95J-1026 BETWEEN STATE DEPARTMENT OF ECONOMIC OPPORTUNITY AND THE MODOC SISKIYOU COMMUNITY ACTION AGENCY FOR HOMELESS SERVICES TO THE TWO COUNTY AREA - Mike Maxwell**

Motion by Supervisor Zandstra, seconded by Supervisor Colt, and carried to adopt Resolution 95-44 authorizing the execution of a subgrant agreement between State Department of Economic Opportunity and the Modoc Siskiyou Community Action Agency for Homeless Services.

**8d. CONSIDERATION/ACTION: BIG VALLEY LUMBER REQUEST FOR "LETTER OF SUPPORT" DISASTER RELIEF LOAN THROUGH SMALL BUSINESS ADMINISTRATION: Mike Maxwell**

Motion by Supervisor Huffman, seconded by Supervisor Zandstra, and carried to send letter of support for Big Valley Lumber in their efforts to obtain a disaster relief loan through the Small Business Administration. Administrative Services Director Maxwell will compose letter for the Board.

**9. a and b. COMMUNITY PROGRAMS/GAIN - Mike Maxwell**

**a. ADVERTISE AND HIRE ADMINISTRATIVE CLERK I RANGE 20**

**b. ADVERTISE AND HIRE CASE MANAGEMENT TECHNICIAN RANGE 29**

Motion by Supervisor Colt, seconded by Supervisor Zandstra, and carried to authorize Community Programs/GAIN Coordinator Maxwell to advertise and hire Administrative Clerk I, Range 20 and Case Management Technician, Range 29.

**10. a and b. CONSIDERATION/ACTION: LAND USE COMMITTEE**

No one is present from the Land Use Committee. Supervisor Huffman and Supervisor Zandstra relate discussion from a meeting they recently attended regarding the East Lassen Deer Management Plan.. Supervisor Zandstra has a copy of the Administrative

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Draft and is troubled by the lack of concrete data from the BLM. Supervisor Huffman reports that the Department of Fish and Game seems reluctant to commit to a plan and to participate in letting the public know what is happening.

Motion by Supervisor Huffman, seconded by Supervisor Colt to accept letter of draft comments from Land Use Committee on Pre-Planning for East Lassen Management Plan, and to send letter to Department of Fish and Game encouraging them to take part in the East Lassen deer herd management plan process. Director of Administrative Services Mike Maxwell will draft letters

#### **10c. DISCUSSION OF KLAMATH WATER USERS RESTORATION PLAN**

Supervisor Huffman reports that the Land Use Committee feels that if the Board could adopt this plan then it would be up to the Department of Fish and Wildlife to prove what is wrong with the plan. The Land Use Committee is asking Supervisors to adopt the plan since it would then be like the General Plan, whereas if the Board only supports the idea the Department of Fish and Wildlife could take it as comments only. She reports that she is trying to get Siskiyou and Klamath counties to also approve this plan as part of their General Plan. Chairman McIntyre questions whether or not the County Planner should be present since this action would affect the County General Plan. Supervisor Huffman indicates that she only wanted to bring this up today to see if anyone had a problem with it. If they do, she will bring anyone in who has the answers. Supervisors decide to postpone the matter until Scott Kessler can be present for the discussion. Supervisor Huffman will contact Planning Director Kessler and someone from the Klamath Water Users.

#### **11. APPROVAL OF JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE COUNTIES OF LASSEN, MODOC, SHASTA, SISKIYOU AND TRINITY**

*(Sencar  
Citizens)*

Motion by Supervisor Huffman, seconded by Supervisor Colt, and carried to approve the Joint Exercise of Powers Agreement between the counties of Lassen, Modoc, Shasta, Siskiyou and Trinity.

#### **12. CONSENT AGENDA ITEMS:**

Motion by Supervisor Huffman, seconded by Supervisor Zandstra, and carried to approve consent agenda item (a) Appointment of Area 2 Developmental Disabilities Board member Barbara Dybdahl. Item (b) Approval of minutes of 6/20/95 and 7/5/95 continued until the next board meeting.

#### **13. DEPARTMENT HEAD REPORTS**

Auditor Judy Stevens: Reports that her department is on-line with the Road Department payroll on the new computer system. She has hired a new payroll employee and the

outside auditors will be here on Thursday, July 20 to meet with Department Heads and to look at systems.

Administrative Services Director Mike Maxwell: Reports that Senator Tim Leslie will be in Alturas at the Brass Rail on 7/31/95. He attended the CAO CSAC conference recently and relates discussions held in regard to the State budget process. He also reports that he received an invitation to a BLM round table discussion to be held on August 3, 1995. Supervisors Huffman and Zandstra will be attending

Supervisor McIntyre: He has received an invitation to attend the State Fair in Sacramento. He updates board members on Owl Creek Project, reports that the Modoc Tribe Ride will be held in the Lassen Creek area. He attended the MDA meeting last week and reports that Andrew Reid was terminated from the position of Economic Developer and the position is being advertised at this time. He also met in Sacramento with the OES re disaster relief funds.. He also referenced the letter received from the Modoc Majority written by Attorney Lawson. County Counsel Comisky reports that he spoke to Attorney Lawson concerning the Correctional Facility and requested action of the board. A letter dated this date from Attorney Lawson is read on behalf of Modoc Majority requesting the matter withdrawn from the agenda of the board.

County Counsel Comisky advises board members that the letter received from Attorney Lawson regarding LAFCO meetings that the board has no control over LAFCO procedures. Board members have no control over city issues dealing with zoning and building matters.

**12:20 p.m. Board in recess.**

**1:30 p.m. Board meeting reconvenes with Supervisors Zandstra, Colt, McIntyre, and Huffman present. Absent: Supervisor Carver. Also present Clerk Madison, Director of Administrative Services Maxwell and County Counsel Comisky.**

#### **BOARD OF SUPERVISORS REPORTS:**

Supervisor Huffman reports that she attended the NorCal meeting the speaker was from Northern California Water Association. She reports that the PSA II signing of JPA is scheduled for July 31, 1995 at 11:00 a.m. in Redding, CA.

Sean Curtis and Carolyn Carey Land Use Committee members are present. Supervisor Huffman informs them of the action taken by the board regarding the Land Use Committee agenda items.

Supervisor Zandstra reports that the wedding on the courthouse steps was held and there were no problems. He questions the enforcement of AB 13, "no smoking" regulation. Board members discuss the cost of enforcement of AB 13 and also which department is responsible for enforcement.

Discussion of proposed amendment to nuisance ordinance the matter to be placed on the August 1, 1995 agenda for introduction and first reading.

Supervisor Zandstra discusses letter to the Modoc County Record from Gene Grove and response from USFS superintendent regarding treatment at the state park by USFS representative. Supervisor Zandstra to check into the matter and report to the board.

**CLOSED SESSION: GC 54957.6 INSTRUCTIONS TO COUNTY LABOR NEGOTIATOR:**

This matter is removed from the agenda by Director of Administrative Services Maxwell.

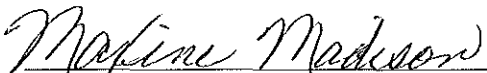
**CLOSED SESSION: GC 54956.9 ADVICE FROM LEGAL COUNSEL RE: POTENTIAL LITIGATION JIMMIE AND DIANNE FERGUSON.**


Closed session is taken off the agenda and the matter is discussed in open session.

Counsel Counsel Comisky reports that he has discussed the matter with Mr. Ferguson and he is willing to negotiate the issue.

Director of Administrative Services discusses loan for purchase of property.

No further business to come before the board at this time the meeting is adjourned to meeting is adjourned to meet in regular session Tuesday, August 1, 1995 at 9:00 a.m.

  
Maxine Madison, Clerk

  
Ron McIntyre, Chairman of the Board