

The Board of Supervisors of Modoc County met in regular session this 17th day of May, 1994 there being present Supervisors John Schreiber, Joe Colt, Ed Carver, Ron McIntyre and Nancy J. Huffman. County Clerk Maxine Madison, Auditor Mike Tedrick, Director of Administrative Services Mike Maxwell and District Attorney Ruth Sorensen also present.

Meeting called to order pursuant to law by Chairman Colt. Flag salute. Chairman notes the agenda was posted May 12, 1994.

**MATTERS INITIATED BY THE PUBLIC:**

No matters initiated by the public.

**1. CERTIFICATE OF APPRECIATION TO RANDOLPH L. POINTERE FOR 42 YEARS SERVICE TO MODOC COUNTY:**

11 Chairman Colt presents Randolph L. Pointere a Certificate of Appreciation for 42 years of service to Modoc County in the Road Department.

**2. PRESENTATION OF DIRECTOR'S AWARD FOR CHILD ABUSE AND NEGLECT PREVENTION FOR IRIS B. TURNER:**

11 Chairman Colt presents a State of California Director's Award for Outstanding Service to Children in the field of Child Abuse and Neglect Prevention to Iris B. Turner. Social Services Director Belarde nominated Iris Turner for this state award for her efforts to Modoc County in the field of child abuse and neglect prevention.

**3. DEPARTMENT HEAD REPORTS:**

No Department Head reports at this time.

**4. SOCIAL SERVICES DEPARTMENT:**

**a) PERSONNEL MATTER: REQUEST TO PLACE ADELE GYSIN IN RANGE 18, STEP B, DUE TO EDUCATION AND EXPERIENCE:**

111 Director of Social Services Belarde requests authorization to hire Adele Gysin to fill the position of Administrative Clerk, Range 18 in Step B due to her education and experience.

Motion by Supervisor Schreiber, seconded by Supervisor Carver and unanimously carried, to authorize Director of Social Services to hire Adele Gysin, Administrative Clerk in Range 18, Step B, due to her education and experience she qualifies for the higher step.

**b) PERSONNEL MATTER: REQUEST RECLASSIFICATION OF REBECCA GIVAN, TO SR. ADMINISTRATIVE CLERK II, RANGE 22, STEP C, TO OFFICE ASSISTANT SUPERVISOR RANGE 29, STEP A:**

Director of Social Services Belarde presents reclassification request for Rebecca Givan, Senior Administrative Clerk II, from Range 22, Step C, to Office Assistant Supervisor, Range 29, Step A. He advises board members that the reclassification has been approved by the State of California Merit Systems Services and the MCEA Board. He requests the reclassification be approved effective July 1, 1994.

Motion by Supervisor Schreiber, seconded by Supervisor Carver and unanimously carried, to approve the reclassification of Rebecca Givan from Sr. Administrative Clerk II, to Office Assistant Supervisor Range 29, Step A, effective July 1, 1994.

**5. AMEND CONTRACT #93-05 A&D, TEHAMA DRUG & ALCOHOL RECOVERY CENTER, INC.:**

Motion by supervisor McIntyre, seconded by Supervisor Carver and unanimously carried, to approve the amendment to Contract #93-05 A&D, Tehama Drug & Alcohol Recovery Center, Inc. as requested.

**6. 1st READING PROPOSED ORDINANCE FOR PROBATION FEES (Probation Department):**

Probation Officer Dederick discusses proposed ordinance which authorizes the Probation Officer to implement the provisions of Section 1203.1 b Penal Code, which allows the Court to order fees for probation services.

Proposed ordinance read. Motion by Supervisor McIntyre, seconded by Supervisor Carver and unanimously carried, to introduce proposed ordinance for Probation Fees and set the matter for adoption June 7, 1994.

**b) ADOPT RESOLUTION AUTHORIZING PROBATION OFFICER TO MAKE APPLICATION TO OCJP FOR GRANT FUNDS FOR JUVENILE DETENTION TRANSPORTATION SYSTEM: (District Attorney)**

Probation Officer Dederick requests authorization to make application to Office of Criminal Justice Planning for grant funds for Juvenile Detention Transportation.

Motion by Supervisor Huffman, seconded by Supervisor Schreiber and unanimously carried, to adopt Resolution No. 94-14 authorizing the Chief Probation Officer to submit the grant application to OCJP on behalf of Modoc County.

9:50 a.m. Board in recess.

10:05 a.m. Board meeting reconvenes with all members present.

10. RESOLUTION AUTHORIZING APPLICATION FOR GRANT FROM OFFICE OF CRIMINAL JUSTICE PLANNING FOR ANTI-DRUG ABUSE PROGRAM AND AUTHORIZE CHAIRMAN TO SIGN OPERATIONAL AGREEMENT.

District Attorney Sorensen presents resolution regarding Office of Criminal Justice Planning Anti-Drug Abuse Grant for Fiscal Year 1994-1995 and requests chairman be authorized to sign Operational Agreement.

Motion by Supervisor Carver, seconded by Supervisor Huffman and unanimously carried, to adopt Resolution No. 94-17 regarding Office of Criminal Justice Planning Anti-Drug Grant for Fiscal Year 1994-1995 and to authorize Chairman to sign Operational Agreement.

7. READING AND ADOPTION OF AMENDMENT TO UNDERGROUND STORAGE TANK ORDINANCE:

Reading of proposed amendment to Underground Storage Tank Ordinance.

Motion by Supervisor Carver, seconded by Supervisor McIntyre and unanimously carried, to adopt Ordinance No. 288-B amending Underground Storage Tank Ordinance.

7 b) DISCUSSION/ACTION VEHICLE LEASE (AGRICULTURAL COMMISSIONER):

Supervisor McIntyre abstains from this action due to conflict of interest.

Agricultural Commissioner presents information regarding the buy-out of the lease of the 1991 Corsica. The approximate amount of the buy-out is \$4,100.00. Agricultural Commissioner Wright requests permission to lease or purchase a pickup for his use. He informs board members that a car is not practical for field work. Board members discuss buying the vehicle and the possible use by other departments.

Motion by Supervisor Huffman, seconded by Supervisor Carver and carried, to authorize Agricultural Commissioner to notify Carstens Chevrolet of intent to buy out lease on the 1991 Corsica in an amount not to exceed \$4,100.00.

AYES: Supervisors Colt, Carver, Schreiber and Huffman

ABSTAINS: Supervisor McIntyre

Supervisors discuss the request by Agricultural Commissioner to purchase or lease a pickup for his use. Director of Administrative Services to set up a committee to consider and make recommendations on vehicle purchases. This matter is continued to the June 21, 1994 board meeting for Director Maxwell and Agricultural Commissioner Wright to review the matters discussed by the board and make recommendation regarding purchase or lease of a vehicle.

c) APPROVE CONTRACT CAL-EPA FOR SUBMITTING PESTICIDE USE REPORTS TO SACRAMENTO:

Motion by Supervisor Huffman, seconded by Supervisor Carver and unanimously carried, to approve Contract Number 94-PR97 between the County of Modoc and State Department of Pesticide Regulation in the amount of \$1,680.00.

11:00 a.m.

8. PUBLIC HEARING: REVIEW AND ADOPT THE HOUSING ELEMENT, AMENDMENT TO THE MODOC COUNTY GENERAL PLAN:

This is the time advertised for public hearing in the matter of the review of the Housing Element amendment to the Modoc County General Plan, to be adopted county wide. The hearing has been advertised as required by law.

Scott Kessler, Planning Director, presents staff report. Planning Commission approved the Negative Declaration and Housing Element and recommends the adoption by the Board of Supervisors. No further evidence to present at this time. Public hearing closed.

Motion by Supervisor Schreiber, seconded by Supervisor McIntyre and unanimously carried, to adopt Resolution 94-15 approving the recommendation of the Modoc County Planning Commission to adopt the environmental negative declaration and Housing Element for Modoc County and approve the amendment to the Modoc County General Plan to include the Energy Element, as set forth in Planning Commission Resolution No. 94-06.

9. TRANSFER FUNDS FROM ACCOUNT 235.10 (TAX COLLECTOR COST) TO BUDGET ACCOUNT 06-5180 (PROFESSIONAL & SPECIALIZED ACCOUNT) TO PAY THE MODOC COUNTY TITLE COMPANY FOR THEIR SERVICES OF LOCATING "PARTIES OF INTEREST" IN THE AMOUNT OF \$5930.00:

Motion by Supervisor McIntyre, seconded by Supervisor Schreiber and unanimously carried, to approve the transfer of funds from account 235.10 (Tax Collector Cost) to Professional & Specialized Budget Account to pay the Modoc County Title Company for their services of locating "parties of interest" in the amount of \$5930.00.

b) PERMISSION FOR THE DESTRUCTION OF OLD DEPOSIT PERMITS AND OTHER MISCELLANEOUS RECORDS WHICH HAVE BEEN MICROFILMED:

Motion by Supervisor Huffman, seconded by Supervisor Schreiber and unanimously carried, to adopt Resolution No. 94-16 to authorize Tax Collector to destroy old deposit permits and other miscellaneous records which have been microfilmed.

11. TRINDEL SAFETY OFFICER, GENE HERNDON: INFORMATION AND REPORT TO BOARD OF TRINDEL JPA'S EFFORTS IN THE PROMOTION OF WORKPLACE SAFETY AND CONTAINMENT OF COSTS IN THE RISK MANAGEMENT ARENA:

Gene Herndon, Trindel Safety Officer for 8 counties informs board members that it is his job to provide members of the Trindel Insurance Fund with risk management and safety training support. He will be providing employee workers compensation training for each member county during the month of June. He will be in each of the member counties monthly to assist and train in the promotion of workplace safety and containment of costs in the risk management arena.

Board members thank Mr. Herndon for his presentation.

12:00 p.m. Noon recess.

1:30 p.m. Meeting reconvenes with all members present.

**12. PUBLIC HEARING TO ESTABLISH A SCHEDULE OF FEES FOR MODOC COUNTY SOLID WASTE DISPOSAL:**

This is the time advertised for public hearing to establish a schedule of fees for Modoc County Solid Waste Disposal. The hearing has been noticed as required by law.

Supervisor McIntyre abstains from this action due to conflict of interest.

Director of Public Works Fisher reports that the two options chosen for discussion were a combination which increases gate fees from \$3 to \$5. and assessment fees \$31. to \$37. improved parcels and \$9. to \$11. unimproved parcels and the second option is an assessment fee only increasing the assessment fee from \$31. to \$45. improved and unimproved \$9. to \$13.

Dennis Tate, commercial hauler, reports to board members the amount of increase to his customers if the gate fees are increased will be \$6.50 to \$9.00 per can and 2 cans \$8.00 to \$11.00. Supervisor Colt reviews the options and cost of the options. Lee Gorzell, Dept. of Public Works informs board members that he does not believe there is an option to expand or operate the Alturas Landfill after October, 1995 due to regulations regarding turbo jet airplane air paths.

Ed Struthers a landfill gate keeper discusses the matter and also the hours the landfills are open. Statements by audience members regarding the issue.

No further testimony at this time the public hearing is closed. Chairman Colt thanks the audience members for their input into the matter.

Supervisor Colt takes an opinion poll of board members regarding the issue and Supervisors Colt, Carver and Huffman indicate that they prefer the proposal of assessment increase only. Supervisor Schreiber indicates that he prefers no change.

Supervisor Colt takes an opinion poll of board members regarding the issue and Supervisors Colt, Carver and Huffman indicate that they prefer the proposal of assessment increase only. Supervisor Schreiber indicates that he prefers no change. Supervisor Huffman would like a provision for out of state or county residents to pay a higher fee than local residents. Adoption of resolution setting the fees is set for June 7, 1994 board meeting.

**3:00 p.m. Board recess.**

**3:20 p.m. All present as heretofore.**

**13. REPORT AND ACTION ON ACCESS TO COURTHOUSE (Public Works Department):**

Gregory Bickett, AUBEC & Associates, Inc. project manager presents information and cost estimates for three elevator alternatives and new ramp access entrance located at the rear of the courthouse. The alternatives are rotunda elevator, exterior elevator and interior elevator. He informs board members that the interior elevator appears to be the least expensive. The interior elevator provides central access with the least disturbance to the existing courthouse.

Board members tour the possible locations for the elevator and access ramp and reviews all the options.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and carried, to proceed with the ramp access and interior elevator design with the estimated cost to be \$150,000.00.

AYES: Supervisors Colt, Carver, McIntyre, Huffman

NOES: Supervisor Schreiber

**14. ADMINISTRATIVE SERVICES DIRECTOR ITEMS:**

**a) FIXED ASSET PURCHASE/BUDGET MODIFICATION - REQUEST AUTHORIZATION TO REPLACE COPY MACHINE, NOT TO EXCEED \$7,000.00, GRANT PROGRAM FUNDING:**

Director of Administrative Services Maxwell requests permission to purchase fixed asset a copy machine in an amount not to exceed \$7,000.00. He requests he be authorized to increase the Community Program fixed asset budget \$7,000.00 from grant program funding to purchase the copy machine.

Motion by Supervisor Schreiber, seconded by Supervisor McIntyre and unanimously carried, to authorize the Community Programs Coordinator to purchase a copy machine not to exceed \$7,000.00. Community Programs Coordinator directed to increase the Community Programs fixed asset budget in the amount of \$7,000.00 from grant program funding.

**b) FIXED ASSET PURCHASE: REQUEST AUTHORIZATION TO PURCHASE A NEW**

**VAN--GRANT PROGRAM FUNDING:**

GAIN Coordinator Maxwell informs Board members that he obtained bids from three dealers for purchase of a van. The low bid received is \$20,762.42 tax included from Carsten's Chevrolet it is an 8 or 9 passenger van. The old van will be transferred to Social Services Department.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and unanimously carried to authorize GAIN Coordinator Maxwell to accept the bid of Carsten's Chevrolet for purchase of a new van, and authorize increase of the GAIN fixed budget from grant funds for the purchase in the amount of \$20,762.42.

**c) SURPRISE VALLEY LUMBER LOAN-DISCUSSION AND ACTION:**

Director of Administrative Services Maxwell reports on the Surprise Valley Lumber loan and the various actions that are being considered by Production Credit Association. He reports that he will make every effort to keep the lumber company out of foreclosure.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and unanimously carried, to authorize Director of Administrative Services to work with the other 3 lenders SCDC, PCA and Surprise Valley Electric to come up with an agreement proposal to present to Bill Laxague on the transfer of various properties and authorize him to take whatever action is necessary to carry out the wishes of the board to try to save the Surprise Valley Lumber Company and keep it a working facility.

**15. DISCUSSION AND INFORMATION: UPPER KLAMATH BASIN AMENDMENT:**

Matter tabled.

**16. CONSENT AGENDA:**

Agenda item A removed from the consent agenda for discussion.

Motion by Supervisor Schreiber, seconded by Supervisor Huffman and unanimously carried to approve the consent agenda as presented except item (a). Chairman and/or Clerk authorized to execute/record any necessary documents.

b) Appointment to Davis Creek Cemetery District Board of Directors: Betsy Ingraham:

**a) APPROVAL OF BOARD MINUTES OF MAY 3, 1994:**

Supervisor Huffman reports that page 7, of the May 3, 1994 minutes under item 16, regarding Solid Waste Proposals should read paragraph 3, "Supervisor Huffman would like it clarified that Dennis Tate is on the Solid Waste Task Force not by his choice but

the way the board was set up was to have a person from solid waste management on the Solid Waste Task Force Committee.

Supervisor Huffman requested that the minutes regarding report by Supervisor Colt that musician Leslie McDaniel who sings the song Modoc Reality is having a concert at the Anderson Fair Grounds, May 22, 1994.

Motion by Supervisor Huffman, seconded by Supervisor Carver and unanimously carried, to approve the May 3, 1994 board minutes as amended.

**18. BOARD OF SUPERVISORS REPORTS:**

Supervisor Huffman reports she attended a 2 day Sierra Summit Group meeting in Tahoe.

Supervisor Carver reports he attended a PSA II meeting and that the proposed budget was adopted.

Supervisor McIntyre reports on letters or comments that he would like the board members to review as follows, Pack Station, Fish & Game Department, letter to Senator Boxer and letter or comments on grazing and rangeland.

Supervisor Colt reports that the board will be having a joint meeting with Lassen, Plumas and Modoc County Supervisors the 7th of June in Lassen County.

5:30 p.m.

**17. CLOSED SESSION: INSTRUCTIONS TO LABOR NEGOTIATOR GC SECTION 54957.6; NEGOTIATOR MIKE MAXWELL.**

5:45 p.m. Board meeting reconvenes in open session. Supervisor Schreiber absent.

Chairman Colt announces that no action was taken in closed session.

No further business to come before the board at this time the meeting is adjourned to meet in regular meeting scheduled for June 7, 1994 at 9:00 a.m. Board of Equalization hearings are scheduled for Monday, May 23, 1994 at 9:00 a.m.

5:55 p.m. Meeting adjourned.



Maxine Madison, Clerk of the Board



Joe Colt, Chairman