

BOARD OF SUPERVISORS

MARCH 15, 1994

The Board of Supervisors of Modoc County met in regular session this 15th day of March, 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 March 9, 1994.

MATTERS INITIATED BY THE PUBLIC:

Virginia Jeglum representing Adin, CA residents is searching for funding for light fixtures for six poles for the Adin park. The estimated cost is \$3,500. for the lights. Surprise Valley Electric will put up the poles for the lights. The lights are needed for baseball games during the summer and also Big Valley Days is scheduled the end of July. Most of the improvements at the park have been paid for through donations. Discussion of possible funding sources are suggested to Mrs. Jeglum. Matter continued to the next meeting.

1. CERTIFICATE OF APPRECIATION TO JOAN ENGLISH, FISCAL OFFICER, DEPT. OF SOCIAL SERVICES--RETIREMENT 4/1/94:

Chairman Colt presents Certificate of Appreciation to Joan English, Fiscal Officer, Department of Social Services for her 39 years of service to Modoc County. Joan is retiring April 1, 1994.

2. BID OPENING: HERBICIDE BID OPENING AND APPROVAL:(DEPT. OF AGRICULTURE)

This is the time advertised for herbicide bid opening for the Agriculture Department. The following three bids are received and opened at this time:

McArthur Farm Supply	\$11,508.70
Modoc Cooperative	&11,546.64
Tri County Ag Service	\$12,294.68

All bids are reviewed by Agriculture Commissioner Wright. He reports that the figures are correct as submitted.

Motion by Supervisor McIntyre, seconded by Supervisor Huffman and unanimously carried, to accept the bid of McArthur Farm Supply in the amount of \$11,508.70 being the lowest bid. The additional amount over the \$11,500. approved by the Board at the March 15, 1994 for the herbicide is approved.

3. AUDITOR ITEMS:

a) **ADDITIONAL RECORDER'S FEES: DISCUSSION AND OPPORTUNITY FOR PUBLIC INPUT. FIRST READING OF PROPOSED ORDINANCE ADDING TWO \$1.00 FEES AND AMENDING COUNTY CODE:**

Auditor Tedrick presents information regarding proposed ordinance establishing Recording Fees and advises members that the fees will generate approximately \$9600. Chairman Colt calls for public input on the proposed fee increase.

Motion by Supervisor McIntyre, seconded by Supervisor Huffman and carried, to waive reading of the proposed ordinance increasing recording fees and set adoption for the April 5, 1994 board meeting.

AYES: Supervisors Colt, Carver, McIntyre, Huffman

NOES: Supervisor Schreiber Motion carries.

b) REQUEST FOR PART-TIME HELP:

Auditor Tedrick requests authorization to hire part-time help in his office. The estimated cost for the balance of this fiscal year will be \$1500.00 for the part-time help. He requests authorization to transfer from Recorder's Modernization funds \$1500.00 into his recorder's budget to pay for the part-time position.

Motion by Supervisor Carver, seconded by Supervisor McIntyre and carried, to authorize Auditor Tedrick to advertise and hire part-time help in the Recorder's Office. Auditor is directed to transfer from Recorder's Modernization funds the amount of \$1500.00 and increase the Recorder's budget in this amount.

AYES: Supervisors Colt, Carver, McIntyre, Huffman

NOES: Supervisor Schreiber Motion carries.

4. ROAD DEPARTMENT ITEMS:

a) AUTHORIZATION FOR ROAD COMMISSIONER TO ADVERTISE FOR BIDS, AWARD TO THE LOWEST RESPONSIBLE BIDDER, AND SIGN DOCUMENTS NECESSARY TO EXECUTE THE REQUEST FOR HAZARD ELIMINATION & SAFETY PROJECT INSTALLATION OF GUARD RAIL ON COUNTY ROAD 9 (FANDANGO PASS):

Road Commissioner responds to questions of board members regarding the use of the Hazard Elimination & Safety Project funds. The usage of the funds is limited to proposed projects submitted to the state and must be used for specific safety projects approved by the state.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and unanimously carried, to authorize Road Commissioner Fisher to advertise for bids, award the bid and sign documents necessary to execute the request for Hazard Elimination and Safety Program on County Road 9 (Fandango Pass) a federally funded project.

b) AUTHORIZE ROAD COMMISSIONER TO REDUCE THE PERMISSIBLE VEHICLE WEIGHTS ON CR 71 TO EXCLUDE TRUCK TRAFFIC:

Road Commissioner Fisher presents for consideration of board members information regarding CR 71, Cal Pines Boulevard. The road was designed for passenger cars, buses and service light trucks. He reports that due to heavy snowfall last winter and the logging operation since then 5 miles of the 18.8 miles of

road will be gravel in a short time. He reports that the balance of the road cannot withstand the logging traffic on the road. Road Commissioner Fisher reports that the cost of materials would be approximately \$110,000. per mile plus labor with a contractor the cost would be \$260,000. to \$300,000. per mile to bring the road up to standards. We have 500 miles of paved roads in the county. The Road Department at present could rebuild one mile per year. The department tries to re-do 3 miles of road per year. He recommends that the board adopt a resolution closing a section of CR 71 to heavy truck traffic.

Several members of the audience state that the logging operation is important that the dead and dying trees need to be removed to prevent fire danger.

Darrel Frye, Vice President, THENA, Inc. advises board members that the logging operation should be near completion this year. Board members are advised that the trucks are hauling from 12 a.m. to 6 a.m. reducing their speed to 15 miles per hour and reducing tire pressure to 40 pounds to help save the roads. He reports that July 15, 1994 is the dead line to get all the slash out and they are doing everything possible to get the chips out.

Barney Ward, CDF states that Cal Pines timber is from 25 to 75 percent dead and needs to be removed.

Road Commissioner and board members do not want to stop the logging operation but realize that the issue must be addressed. Board members are concerned with the problem of rebuilding the road when the logging is completed.

The matter is continued until the April 5, 1994 meeting in order for Road Commissioner Fisher and THENA, INC. representatives to try to work out a solution to the problem.

Chairman Colt thanks audience members for their attendance.

11:15 a.m. Board in recess.

11:30 a.m. Board meeting reconvenes with all members present.

c) BOARD APPROVAL TO CONTRACT WITH AUBEC & ASSOCIATES FOR PLANS SPECS AND ENGINEERING ESTIMATES FOR A.D.A. RETROFIT AT COURTHOUSE:

Director of Public Works Fisher presents overview of contract with AUBEC & Associates for plans and specifications for retrofit of the courthouse for handicapped persons. He reviews the alternatives and cost ranging from \$72,000. for a wheelchair lift to an elevator for \$110,000.

This matter is continued to the April 5, 1994 meeting to give board members an opportunity to review the material presented.

Motion by Supervisor Huffman, seconded by Supervisor Carver and

unanimously carried, to have the April 5, 1994 board meeting in the Modoc Justice Court in order to comply with the requirements of the Brown Act regarding handicapped accessibility for the meetings.

7. UP-DATE REPORT ON GRAZING AND RELATED ISSUES (RIPARIAN/TES WORKING GROUP):

Willie Hagge, Herb Jasper and Sean Curtis representing Riparian/TES Working Group update board members regarding grazing and related issues. He informs members that the group was formed to meet with local USFS to maintain livestock grazing and protect endangered species habitat. The group was instrumental in setting up the Challenge Cost Share Program with the USFS and Klamath Basin Water Users. Through this program a consultant was hired to collect information on fisheries habitat and riparian conditions on 40 miles of streams within the Klamath River Basin. Modoc County is being used as a model for forests and regions of how resource management should be used.

Board members agree that it is important to keep the line of communication open between the various groups. Chairman Colt Othinks the group for the update.

12:20 p.m. NOON RECESS:

1:30 p.m. Board meeting reconvenes with all members present. Board meeting recesses and Board of Directors meeting of Community Facilities District #1 convenes.

8. SPECIAL TAX ASSESSMENT APPEAL HEARINGS:

Library Advisory Board recommendation as to each appeal is presented and reviewed by directors.

Motion by Director Carver, seconded by Director McIntyre and carried, to adopt the recommendation of the Library Advisory Board regarding appeals as follows:

Appeals approved: Stanley P. & Katha J. Bigg, Joanna M. Chrysler, Annie Derner, Herbert Morrison, Neal & Jewel Phillips, Jones L. & Debbie J. Rollins, William A. Ruff, Franklin E. Schreiber, Richard E. & Irene Smith, Raymond & Penelope Subiate, Surprise Valley Post #7888, Addie Thompson, Eric J. & Kirsten Thompson, Iris B. Turner. The following appeals are denied: Michelle Oden, John & Anne Marie Rosales and Paul Shivell.

AYES: Supervisors Colt, Carver, McIntyre, Huffman

ABSTAINS: Supervisor Schreiber Motion carried.

Board of Directors of Community Facilities District #1 meeting adjourns. Board of Supervisors meeting reconvenes with all members present.

9. REQUEST FOR ENDORSEMENT OF DICK SUMNER, CANDIDATE FOR CALIFORNIA FISH & GAME COMMISSION:

The Modoc County Fish, Game and Recreation Commission request that the Board of Supervisors support the appointment of Dick Sumner of Yreka as a candidate for the California Fish and Game Commission.

Motion by Supervisor Schreiber, seconded by Supervisor McIntyre and unanimously carried, to write a letter to Governor Wilson supporting the appointment of Dick Sumner to the California Fish & Game Commission.

5. PROPOSITION 90 ANALYSIS:

Assessor Johnson reports on the impact of proposition 90 on Modoc County. A total of 9 applications have been approved there were many inquiries but only 9 qualified under proposition 90. The county share of taxes lost in a year was a total of \$3504.00. Assessor Johnson reports that she has checked with local realtors regarding the matter and all realtors except one do not think that Proposition 90 helps Modoc County.

6: ADMINISTRATIVE SERVICES DIRECTOR ITEMS:

c) COMMUNITY PROGRAMS: RESOLUTION APPROVING/ADOPTING THE MODOC COUNTY GAIN PLAN AS UPDATED 2/28/94:

Motion by Supervisor Carver, seconded by Supervisor McIntyre and unanimously carried, to adopt Resolution No. 94-10, to approve the Modoc County Updated GAIN Plan and authorize the submittal of said Updated Plan to the State of California.

a) REPORT AND BOARD ACTION: MID-YEAR BUDGET REVIEW:

Director of Administrative Services Maxwell presents mid-year budget review. He updates board on the state budget. Director Maxwell to meet with department heads prior to submitting county budgets for fiscal year 1994/95.

b) REPORT AND BOARD AUTHORIZATION-MANAGEMENT TRAINING SEMINAR:

Director of Administrative Services Maxwell requests authorization for a 2 day training seminar for hospital and county managers. He requests funds for the training be transferred PERS AB 702 trust fund.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and unanimously carried, to increase the Director of Administrative Services Professional & Specialized budget item in an amount not to exceed \$4000.00 for Management Training. Director authorized to organize and schedule management training seminar for hospital and county department heads.

10. CONSENT AGENDA:

Supervisor Huffman removes item A, Board of Supervisors minutes of 3/1/94 meeting to be placed on the April 5, 1994 board agenda.

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

b) Addendum to contract #93-01 MH, for individual service contractor, Abraham Genack, M.D.

Addendum to contract #93-06 MH, for services provided by Enderlins Modoc Pharmacy.

c) Contract for CMSP between Dept. of Health & County of Modoc.

12. READING & ADOPTION OF ORDINANCE ESTABLISHING TAX COLLECTOR FEES:

Proposed ordinance read Establishing Fees for the Office of the Modoc County Tax Collector.

Motion by Supervisor McIntyre, seconded by Supervisor Carver and carried, to adopt Ordinance No. 305, Establishing Fees for the Office of the Modoc County Tax Collector.

AYES: Supervisors Colt, Carver, McIntyre, Huffman

NOES: Supervisor Schreiber Motion carries.

12. BOARD OF SUPERVISOR REPORTS:

Supervisor Schreiber questions whether letter was sent to Vicki Oilar thanking her for her efforts regarding the deer hunting regulations. Supervisor Schreiber reports on the Surprise Valley Water meeting and that Senator Leslie will meet with the water board March 30, 1994.

Supervisor Huffman reports on the letter received from Plumas County regarding the proposed budget of the Governor to add 500 new CHP officers in the field. Plumas County Board of Supervisors and many residents believe that there is more CHP officers than necessary in their rural area. This advises board members that this was discussed at the NorCal meeting.

Supervisor Huffman reports that the NorCal meeting will be in Alturas, April 21 & 22, 1994. She reports that she attended the Bio Diversity Executive Council meeting in Redding, CA. and a meeting in Sacramento, CA.

Supervisor Carver reports that a meeting is scheduled in Sacramento March 24, 1994 to meet with CAO's and the Director of PSA II and later to meet with Mr. Martinez, the California Director of Aging.

Supervisor Carver presents for board members a request from Roy Ferry for support of his application to be appointed as Modoc County Inheritance Tax Referee. Tom Rice who presently holds the

position has moved to Nevada. No action taken on the matter as it is not on the agenda. Matter to be placed on the agenda for April 5, 1994 to give members an opportunity to research the matter as to whether there is a vacant position.

Supervisor McIntyre reports that he attended meeting with THENA Corp. and met with representatives of Cal Pines regarding future plans for Cal Pines. He reports on Local Transportation Commission and MEDC meetings.

Supervisor Colt reports that he attended a Fish and Game meeting in Sacramento to reaffirm the position of Modoc County regarding Resolution No. 94-01. He reports that they met with Fish & Game representatives and Assemblyman Richter regarding the position of Modoc County regarding the alarming reduction of deer herds in the county. The request by Modoc County representatives to eliminate the harvest of forked horns in District 1 3/4.

DEPARTMENT HEAD REPORTS:

Road Commissioner Fisher reports that the CR 64 Jess Valley Road plans are 95% completed.

District Attorney Sorensen informs board members that she has postponed hiring extra-help in Family Support Department as there is problems with the state funding.

3:30 p.m.

13. CLOSED SESSION: GC SECTION 54957.6 INSTRUCTION EMPLOYEE NEGOTIATIONS:

4:30 p.m. Board meeting reconvenes in open session with all members present.

Chairman Colt announces that the board by a unanimous vote agreed to accept the staff and negotiator recommendations regarding employee negotiations.

No further business to come before the board at this time the meeting is adjourned to meet in regular session Tuesday, April 5, 1994 at 10:00 a.m.

Meeting adjourned.



Maxine Madison, Clerk of the Board



Joe Colt, Chairman