

BOARD OF SUPERVISORS

May 4, 1992

The Board of Supervisors of Modoc County met in regular session this 4th day of May, 1992, there being present Supervisors John Schreiber, Melvin L. Anderson, Don E. Polson, M.W. "Mick" Jones and Nancy J. Huffman. County Clerk Maxine Madison and CAO Larry Pennell also present.

Meeting called to order pursuant to law by Chairman Polson. Flag salute. Chairman notes the agenda was posted April 30, 1992.

MATTERS INITIATED BY THE PUBLIC:

Supervisor Anderson presents information regarding reclassification requests and actions taken on requests.

CONSENT AGENDA ITEMS APPROVED:

Supervisor Anderson withdraws items 1(c) and 1(e), Supervisor Schreiber withdraws item 1(a), Supervisor Huffman withdraws item 1(d) and Supervisor Polson withdraws item 1(h) for further discussion.

Motion by Supervisor Huffman, seconded by Supervisor Schreiber and unanimously carried, that Consent Agenda Items are approved as presented except for items withdraw for further discussion. Chairman and/or Clerk authorized to execute/record any necessary documents.

1(b) Resolution 92-19 re: Amendment to Alturas Water System Joint Powers Agreement.

1(c) Public Health Department fixed asset acquisition-GBC Binder.

1(g) Arlo Eades appointed as Director of Lookout Cemetery District to fill the vacancy created by the death of Donald Leventon.

1(i) Mental Health Department: Contract 92-01 MH between the County of Modoc and Merced Manor approved.

1(j) Mental Health Department: Contract 92-01 MH between the County of Modoc and Crestwood Hospital, Inc. approved.

1(k) Edna Kresge appointed to Hospital Board of Trustees to fill the unexpired term of John Coulson.

CONSENT AGENDA ITEM 1(a):

Motion by Supervisor Schreiber, seconded by Supervisor Anderson and unanimously carried, to approve the minutes of April 6, April 20 and April 27, 1992 as filed.

CONSENT AGENDA ITEM 1(c):

Consideration of purchase of fixed assets, a table and 8 chairs for County Administrative Officer and desk and 6 chairs for Public Defender Office for the amount of \$3,000.00 for the courthouse remodeling office project. The items are budgeted fixed assets in the 1991-92 budget.

Motion by Supervisor Schreiber, seconded by Supervisor Anderson, and unanimously carried, to approve purchase of fixed assets 8 chairs and a table, for CAO, a desk and 6 chairs for Public Defender Office for the total amount of \$3,000.00.

CONSENT AGENDA ITEM 1(d):

Mike Macdonald, Interim Road Commissioner, recommends that several radios and base stations be declared surplus and authorize their disposal.

Supervisor Huffman questions whether special districts or other county agencies will be able to obtain the surplus equipment. It is suggested that Road Commissioner be contacted if they are interested in the radios.

Motion by Supervisor Huffman, seconded by Supervisor Schreiber, and unanimously carried, to declare the two way radio's and base stations surplus and authorize disposal by the Road Department.

CONSENT AGENDA ITEM 1(e):

Auditor-Appraiser position for Assessor's Office job description considered.

Motion by Supervisor Schreiber, seconded by Supervisor Huffman, and carried, to approve the job description and classification of Auditor-Appraiser position in the Assessor's Office.

AYES: Supervisors Schreiber, Jones, Huffman and Polson

NOES: Supervisor Anderson Motion carries.

CONSENT AGENDA ITEM 1(h):

County representative to be appointed to the Area Agency on Aging representing Modoc County as it is be restructured and a new Joint Powers Agreement with 4 counties involved.

Motion by Supervisor Schreiber, seconded by Supervisor Huffman, and unanimously carried, to appoint Supervisor Polson, as representative of Modoc County on Area Agency on Aging.

SUBMISSION OF REFERENDUM PETITION OPPOSING ORDINANCE NO. 299 CREATING OFFICE OF CLERK OF THE BOARD OF SUPERVISORS:

Joe Colt submits a Referendum Petition containing over 900 signatures opposing Ordinance No. 299, creating office of Clerk of the Board of Supervisors. He requests pursuant to Election Code that

the entire ordinance be repealed or the ordinance suspended and the matter be submitted to the voters of Modoc County at the next scheduled election.

Motion by Supervisor Schreiber, seconded by Supervisor Huffman, and unanimously carried, directing the Clerk to verify the signatures and certify the results to the Board of Supervisors.

LEGAL OPINION ON REFERENDUM PETITION RE: ORDINANCE NO.299:

District Attorney Sorensen suggests that Board members under Election Code No. 3753 suspend the ordinance pending the County Clerk checking the signatures on the petition.

Motion by Supervisor Anderson, seconded by Supervisor Jones, to repeal Ordinance No. 299, Creating the Office of Clerk of the Board.

AYES: Supervisors Anderson and Jones

NOES: Supervisors Huffman, Schreiber and Polson. Motion fails.

District Attorney Sorensen advises Board members that the ordinance is subject to referendum process and that the measure is legislative. District Attorney has serious questions regarding the content of the ordinance.

Discussion of the matter.

ACTION REFERENDUM PETITION RE:ORDINANCE NO. 299:

Motion by Supervisor Schreiber, seconded by Supervisor Huffman and carried, to suspend any action on the ordinance until the next meeting. Supervisors to check to see if the referendum process on Ordinance No. 299 is legal or if it is within the bounds of the authority of the Board of Supervisors to adopt the ordinance and ignore the referendum petition. Counsel outside the county to be consulted regarding the legality of the matter and any action is suspended pending further information.

AYES: Supervisors Schreiber, Polson and Huffman

NOES: Supervisors Anderson and Jones Motion carries.

11:01 a.m. Board in recess.

11:12 a.m. Board meeting reconvenes with all members present.

INTENT TO AMEND PERS CONTRACT:

Consideration of Intent to Amend PERS contract to add sick leave to employees PERS contract pursuant to conditions of current MOU.

Motion by Supervisor Anderson, seconded by Supervisor Jones, and unanimously carried, to adopt Resolution No. 92-20 to amend PERS contract.

PRINTER AND OTHER DATA PROCESSING NEEDS:

Auditor Tedrick discusses need for replacement of a printer for the Auditor/Recorders Office. This matter was presented at a prior meeting and Auditor Tedrick requests authorization to purchase a printer at a cost of between \$6,000. and \$8,000. County Administrative Officer Pennell discusses the matter and informs Board members he is checking into the existing data processing equipment and will have information during budget hearings regarding the data processing needs of the county. CAO recommends that no action be taken on the request at this time pending budget hearings.

Auditor Tedrick recommends that if a consultant is going to be hired to make recommendations regarding data processing equipment for the county that the Board authorize CAO to start the process immediately in order for the information to be available for budget hearings.

REPORT RE: STATE SPENDING PRIORITIES - CHP VS. DEPARTMENT OF AGRICULTURE:

Motion by Supervisor Schreiber, seconded by Supervisor Huffman and carried, to write to Governor Wilson and request he reconsider the county agriculture plight and prioritize the weed control, predator control and agriculture problems vs. the California Highway Patrol traffic enforcement.

AYES: Supervisors Schreiber, Jones, Huffman and Polson

NOES: Supervisor Anderson Motion carries.

11:35 a.m. EXECUTIVE SESSION GOVERNMENT CODE SECTION 54957:

11:56 a.m. Board meeting reconvenes in open session with all members present. Chairman announces that no action was taken in closed session.

NOON RECESS:

2:00 p.m. Board meeting reconvenes with Supervisors Schreiber, Polson, Jones and Huffman present. Supervisor Anderson absent.

PUBLIC HEARING RE: SOLID WASTE ASSESSMENT FEES 1992-93-ADOPTION OF RESOLUTION:

This is the time regularly advertised for public hearing in the matter of Solid Waste Fees for the fiscal year 1992-93. Clerk reads proposed Resolution establishing fee schedule for Solid Waste Assessment for 1992-93.

Public Works Director Maxwell advises Board members that the Solid Waste Committee recommends that the fee of \$31.00 be charged for an improved parcel and \$9.00 for unimproved parcel, the same fee as charged last year.

Following persons speak regarding the issue: Felton Fussell, Ben Casad, Suni Clemons, Rick Holloway and Dixie Lawson.

Hearing closed. Matter considered by Board members.

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to adopt Resolution No. 92-21 establishing fee schedule for land classified for solid waste generation, fiscal year 1992-93.

AYES: Supervisors Jones, Huffman and Polson
NOES: Supervisor Schreiber
ABSENT: Supervisor Anderson Motion carries.

BIDS FOR RE-ROOFING COUNTY COURTHOUSE:

Motion by Supervisor Jones, seconded by Supervisor Schreiber and carried, to authorize Director of Public Works to advertise for bids to re-roof the County Courthouse with funding from State Historical Grant Funds.

AYES: Supervisors Jones, Huffman, Schreiber and Polson
ABSENT: Supervisor Anderson Motion carries.

STATE WASTE DISCHARGE FEE:

Consideration of annual State Waste Discharge fee.

Motion by Supervisor Jones, seconded by Supervisor Huffman and carried, to authorize Public Works Director Maxwell to pay the State Solid Waste Discharge Fees in the amount of approximately \$11,000.00.

AYES: Supervisors Jones, Huffman and Polson
NOES: Supervisor Schreiber
ABSENT: Supervisor Anderson Motion carries.

PUBLIC WORKS REQUEST TO PURCHASE FIXED ASSETS:

Consideration of request to purchase a 25 ton floor jack.

Motion by Supervisor Schreiber, seconded by Supervisor Jones, and carried, to authorize Director of Public Works to purchase a 25 ton floor jack for the approximate sum of \$500.00.

AYES: Supervisors Schreiber, Jones, Huffman and Polson
ABSENT: Supervisor Anderson.

MODOC MEDICAL CENTER-WITHDRAWAL FROM ALTERNATIVE RURAL HOSPITAL MODEL PROJECT:

Request considered by Board members. Hospital Board of Trustees has recommended withdrawal from Alternative Rural Hospital Model Project and return to Title 22 hospital as the hospital meets the requirements for surgical services at this time.

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to withdraw from Alternative Rural hospital Model Project as recommended by Hospital Board of Trustees.
AYES: Supervisors Schreiber, Polson, Jones and Huffman
ABSENT: Supervisor Anderson Motion carries

MODOC MEDICAL CENTER-BAD DEBT WRITE OFF:

Motion by Supervisor Jones, seconded by Supervisor Huffman, and carried, to write off bad debt accounts at the Modoc Medical Center in the amount of \$2,158.00.
AYES: Supervisors Huffman, Schreiber, Jones and Polson
ABSENT: Supervisor Anderson Motion carries.

FISCAL & STATISTICAL REPORT-MODOC MEDICAL CENTER:

Hospital Administrator Mitchell presents fiscal and statistical report through March 31, 1992.

MODOC MEDICAL CENTER REPORT RE: 95-210 CERTIFICATION:

Hospital Administrator Mitchell reports that a 95-210 rural health clinic certification has been received. This certification will result in a higher level of reimbursement for clinic patients from the state.

MODOC MEDICAL CENTER-MANAGEMENT SALARIES:

Consideration of Hospital management salaries as recommended by Hospital Board of Trustees.

Motion by Supervisor Schreiber, seconded by Supervisor Jones, and carried, to adopt the pay schedule for Modoc Medical Center Management salaries as recommended by Hospital Board of Trustees except for the Chief Fiscal Officer and the Hospital Administrator. Salaries effective retroactive to January 1, 1992, to be implemented in one-third increments as follows: January 1, 1992, July 1, 1992 and January 1, 1993. Funds are budgeted for the retroactive payment of January 1, 1992.

AYES: Supervisors Schreiber, Jones and Polson
NOES: Supervisor Huffman
ABSENT: Supervisor Anderson Motion carries.

Hospital administrator to check into hours for Nurses's Aide positions.

EMERGENCY ITEM ADDED TO AGENDA RE:MEDICAL CARE:

Motion by Supervisor Jones, seconded by Supervisor Schreiber and carried, to amend the agenda to add the emergency item re: medical care.

AYES: Supervisors Schreiber, Jones, Huffman and Polson
ABSENT: Supervisor Polson

ENDORSEMENT OF GRANT PROJECT AND CONSORTIUM FOR EMERGENCY MEDICAL CARE:

Motion by Supervisor Schreiber, seconded by Supervisor Jones, and carried, to write a letter endorsing the project to improve and enhance emergency medical care in rural Northeastern California.

AYES: Supervisors Schreiber, Polson, Jones and Huffman

ABSENT: Supervisor Anderson Motion carries.

SB 1831:

CAO presents letter received from Napa County Assessor requesting support of SB 1831 to permit consolidated assessment appeals boards.

No further business to come before the Board at this time the meeting is adjourned to meet in regular session Monday, May 18, 1992 at 10:00 a.m.

4:20 p.m.


Maxine Madison, Clerk


Don E. Polson, Chairman