

The Board of Supervisors of Modoc County met in regular session this 16th day of March, 1992, there being present Supervisors John Schreiber, Don E. Polson, M.W. "Mick" Jones and Nancy J. Huffman. Absent: Supervisor Melvin "Andy" Anderson. 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 March 17, 1992.

MATTERS INITIATED BY THE PUBLIC:

Mr. Erin Forrest requests a letter of support of the Modoc County Indian Health Program for grant funding through the Bureau of Indian Affairs Child Welfare Act.

Motion by Supervisor Jones, seconded by Supervisor Schreiber and carried, that a letter of support of the Modoc County Indian Health Program be prepared as requested by Erin Forrest, Project Director.

CONSENT AGENDA ITEMS APPROVED:

Motion by Supervisor Jones, seconded by Supervisor Huffman and carried, that Consent Agenda Items are approved as presented. Chairman and/or Clerk authorized to execute/record any necessary documents.

1(a) Minutes of March 2, 1992 meeting.

1(b) Purchase of a copy machine for the Museum at a cost of \$2,100. \$750.00 for the item is in the Museum budget a transfer of \$1,300. from Museum Trust and Agency Account to the Museum budget.

1(c) Burroughs Accounting Machine on the Auditor's Office inventory is declared surplus and disposal of the machine is authorized.

1(d) Renewal of agreement between the County of Modoc and State Department of Health Services for Local Public Health Services Program FY 1991-92.

1(e) Acquisition of Utility Body for Cab/Chassis for Road Department. Funds for the purchase are included in the 1991-92 budget.

1(f) Typewriter and adding machine in the Probation Office declared surplus and disposal is authorized.

1(g) Resolution No. 92-11 adopted creating an independent hearing panel on matters relating to solid waste management. Panel to consist of 3 persons with the following qualifications: A member of the Board of Supervisors, a technical expert with knowledge of solid waste management, a member of the public at large.

1(h) Certification of Health Services AB-8 Budget and Plan for FY 1992-92.

1(i) Resolution No. 92-12 re-designation of County Health Department as Enforcement Agency to carry out the provisions of the

California Integrated Waste Management Act of 1989.

1(j) Social Services Department authorized to purchase 18 phone sets for a total of \$846.00 and 4 office chairs for a total of \$643.37.

1(k) Larry Boulade appointed as a Commissioner of the Alturas Rural Fire Department for a term expiring December 1993, to fill a vacancy as an in-lieu of election appointment.

KLAMATH BASIN WATER AVAILABILITY:

Supervisor Huffman reports on the Klamath Basin Water Availability, she reports that at this point that about one-half of the lease land will not be leased this year. One of the problems is dividing the water that will be released. A long range biological report is expected in June and may be helpful in making long range plans. A meeting is scheduled April 6, 1992 and will notify farmers of the amount of water they can expect.

KLAMATH BASIN WATER USERS ADVISORY COMMITTEE:

Supervisor Huffman reports that the Klamath Basin Water Resource Advisory Committee is a group consisting of commissioners and supervisors from Klamath and Siskiyou Counties. It is suggested that Modoc County appoint a supervisor as a member of the committee. Supervisor Huffman requests the matter be continued to give her an opportunity to check into the matter further.

REPORT RE: WEED ABATEMENT FUNDING FORMULA:

Agriculture Commissioner Wright advises Board members that following his report that the State canceled the weed contract which provided one-third of the funding for weed abatement of noxious weeds. The formula was one-third each, the land owner, County and State. He reports that he has met with Farm Bureau and Cattlemen groups in an effort to work out a funding formula for weed abatement. He informs Board members the farmers would like the county to pay the State's one-third portion. Another formula would be for the farmers to pay the State's portion or as a compromise a split between the County and farmer 50-50. A 50-50 split would cost approximately \$72,000.00. The County share being \$36,000.00 using 1991 figures. Agriculture Commissioner Wright informs Board members he will be submitting a revised budget as his budget plan did not anticipate the change of financing the weed abatement program.

Supervisor Schreiber suggests the state be billed for one third and that the present payment formula be continued. CAO Pennell and Agriculture Commissioner are concerned that the County would eventually pay two-thirds.

Motion by Supervisor Schreiber to keep the present funding formula one-third County, State and farmer, billing the state for their share. He suggests the farmers be advised that they may be required to pay more at a later date. Motion dies for lack of a second.

Motion by Supervisor Huffman, seconded by Supervisor Jones, and carried, adopting a 50-50 County and farmer funding formula for weed abatement. The state to be billed one-third of the cost and if it is received the farmers will receive credit.

AYES: Supervisors Jones, Huffman and Polson

NOES: Supervisor Schreiber Motion carries.

FARM ECONOMY PRESENTATION:

Manuel Silva, former Fifth District Supervisor discusses the farm economy in the Newell area. He suggests Supervisors look into the Williamson Act. Mr. Silva is advised that Modoc County has a County "Right to Farm" Ordinance.

11:00 a.m.

PUBLIC HEARING: FAHNER APPLICATION FOR ZONE CHANGE & PARCEL MAP:

This is the time regularly advertised for public hearing on the application of Fred Fahner for zone change from unclassified to Agriculture exclusive and a parcel map.

Staff report presented by Scott Kessler, County Planner. Public Hearing closed.

Motion by Supervisor Huffman, seconded by Supervisor Jones, and carried, to adopt Resolution No. 92-13 adopting parcel map and environmental negative declaration, as set forth and recommended in Planning Commission Resolution No. 92-02.

Motion by Supervisor Huffman, seconded by Supervisor Jones, and carried, to adopt Ordinance No. 236-74 amending zoning ordinance No. 236 as recommended by Planning Commission Resolution No. 92-02 and adoption of the environmental negative declaration and approval of the parcel map as recommended.

PROPOSED ORDINANCE CREATING OFFICE OF CLERK OF THE BOARD OF SUPERVISORS:

County Administrative Officer Pennell presents proposed ordinance to establish the Clerk of the Board of Supervisors and authorize the Board of Supervisors to appoint the Clerk of the Board. The Clerk shall serve at the will of the Board. The proposed ordinance will be on the April 6, 1992 meeting for adoption.

County Clerk Madison reads a letter stating that being Clerk of the Board of Supervisors was one of the duties that she was elected to and that she believes that it is her duty and responsibility to continue as Clerk of the Board. It is vital to the public that the minutes be accurate, objective and unalterable. County Clerk Madison suggests that the Board place an advisory measure on the ballot and let the voters of Modoc County vote on the issue.

Motion by Supervisor Schreiber, seconded by Supervisor Huffman and carried, to introduce proposed ordinance creating the position of Clerk of the Board of Supervisors.

GOVERNMENT LAND ACQUISITION:

Sean Curtis presents proposed resolution setting forth a statement regarding state or federal governmental purchases of land in Modoc County, California. Mr. Curtis recommends that the Board appoint a Land Use Steering Committee which can request or demand, opportunity to comment on State and Federal land acquisitions and the conditions regarding the acquisitions.

Motion by Supervisor Schreiber, seconded by Supervisor Huffman, and carried, to adopt Resolution No. 92-14, setting forth a statement regarding State or Federal Governmental Purchases of Land in Modoc County, California.

Motion by Supervisor Schreiber, seconded by Supervisor Jones and carried, to appoint the following members to a Land Use Steering Committee.

Joe Harris	Experimental Stewardship Program, County Schools
Ray Page	Grazing, Retail Business
Jerry Palmer	Special Districts, Retail Business
Joseph Tolbert	Planning Commission
Dwight Beeson	Lender, Water
Gordon Dick	Ranch Real Estate, Water
Carolyn Carey	Water Rights, Grazing
Bob Grover	Retail Business, Hunting
Craig Carter	Wood Products
Don Stahl	Wildlife, Hunting
Rich Hamel	Wildlife, Planning Commission
Dick Steyer	Tourism
Ralph DeGarmo	Timber, Native Americans
Sean Curtis	Economic Development, District Schools
Jeri Byrne	Basin Irrigated Farmer, Grazing, Endangered Species
Kathy Baley	Basin Irrigated Farmer
Wilma Heiny	Customs & Culture
Glen Malby	Mining
Janie Erkiaga	Ski Hill
Len Lindstrand	Timberland Management (Alternate Bob Rynearson)
Bruce Main	Wood Products (Alternate Irv Toler)

Advisory Members:

Don Lancaster	U.C. Extension Service
Scott Kessler	County Planner
Nancy Huffman	Board of Supervisors (John Schreiber, Alternate)

DORRIS RESERVOIR USE:

Tom Grimme discusses use of Dorris Reservoir. CAO directed to notify Fish, Game and Wildlife Commission to keep Board members informed of any action regarding use of Dorris Reservoir.

SENIOR CITIZENS FIVE COUNTY MEETING:

Senior Citizens Program Coordinator Smith advises Board members of an executive board meeting in Redding, CA, Thursday, March 19, 1992. The 5 County group will be considering important items that will affect Modoc County and she urges Board representatives to attend.

12:00 p.m. Board in recess.

2:00 p.m.

MUSEUM CURATOR RECRUITMENT:

Public Works Director reports that interviews for the position of museum curator is scheduled for March 19, 1992. Director Maxwell requests authorization to hire at a step higher than Step A based upon education and experience if he deems the applicant is qualified.

Motion by Supervisor Jones, seconded by Supervisor Schreiber and carried, that Public Works Director Maxwell be authorized to hire a Museum Curator at Range 32, and a step up to Step C based upon the education and experience of the applicant.

Supervisor Schreiber informs Board members that he believes that the City of Alturas should help the County with support of the museum. CAO and Supervisor Schreiber to check into the matter and report to the Board.

RECYCLING SERVICES CONTRACT:

Public Works Director Maxwell presents proposed agreement for Recycling Activities for Modoc County Solid Waste Sites. Contractor must provide 1 million in liability insurance. The term of the proposed contract is one year. Director Maxwell requests authorization to sign the recycling contract on behalf of the County of Modoc. The County grants exclusive right to recycle at all County landfills and transfer stations. The County will remit to Contractor the amount of \$2,000.00 annually and the recyclable materials contractor removes from the County sites.

Motion by Supervisor Jones, seconded by Supervisor Schreiber and carried, to authorize Public Works Director Maxwell to sign the Agreement for Recycling for Modoc County Solid Waste Sites with Jesse Withers under the terms and conditions of proposed agreement presented by Director Maxwell.

CAL PINES AIRPORT:

Mr. Ted Stone, representing California Pines Airport Committee request the County to contribute \$50,000.00 matching funds for a \$500,000.00 grant from the California Department of Transportation Department of Aeronautics for reconstruction of the California Pines Airport runway. This would be a 10% match.

is received from Aloha Pettit Schaefer regarding the Cal Pines Airport.

Board members discuss the matter. The Cal Pines Runway is operated by the California Pines Community Services District. Board members advise Mr. Stone that this is the responsibility of the District and the Board is unable to allocate funds for the project. Mr. Maxwell will attend the meeting with Cal Trans Division of Aeronautics as he is familiar with the process.

FIXED ASSETS PURCHASES:

CAO Pennell reports that acquisition of vehicles for General Fund funded departments have been deferred for several years. The county vehicles are in need of being replaced. Most of the items proposed for acquisition by CAO Pennell were proposed in department budgets last year and were deleted from the budget. He recommends that the Board approve purchase of the following vehicles:

- ✓ Two 4x4 patrol vehicles of Sheriff's Office
- ✓ One pick-up for Public Works/Community Programs Department
- ✓ One front wheel drive vehicle for Probation Department *sedan*
- ✓ One pick-up for Building Inspector
- ✓ One extended cab pick-up for Assessor's Office

One riding lawn mower replacement for the approximate sum of \$5,000. for parks throughout the County.

The cost of the vehicles would be approximately \$140,000. to \$150,000.00. All of the departments report their present vehicles have in excess of 140,000 miles on them at the present time.

CAO Pennell recommends lease purchase of an IBM AS400 computer for use by several county departments. This would be a 5 year lease agreement for the amount of \$30,000.00 per year. Auditor Tedrick advises Board members that the present equipment does not meet the conditions recommended by firm that conducts the county audit.

Motion by Supervisor Jones, seconded by Supervisor Schreiber and carried, directing CAO to proceed with purchase of the vehicles as requested.

MODOC COUNTY HEALTH INSURANCE PROGRAM UPDATE:

Bill Golden and Rose Krepelka presents report on Modoc County Health Plan. Mr. Golden reports the plan is doing well. There is approximately \$265,000.00 in reserve funds at the present time. He discusses options that are available to reduce costs of the health care expenditures. Some of the savings would be to implement and enforce PPO, increase deductibles, re-evaluate dental and vision coverage and perhaps require employee contributions for excess above county allowance. Mr. Golden informs Board members that employee contributions may be on a pre tax basis. He expects an increase of 26% in the benefit plan. One

of the reasons for the projected increase is due to increasing cost of hospital and doctor care being increased by 20 to 25%. If PPO were in place this could be reduced to 18%.

Any changes in the County Health Insurance would require a "meet and confer" process with County Employee Associations. Mr. Golden recommends that all county employee groups should have the same plan and benefits.

CAO Pennell is directed to solicit insurance proposals in order to comply with MOU's.

MODOC MEDICAL CENTER-BOARD OF TRUSTEES MEMBER APPOINTMENT:

Hospital Administrator Mitchell advises members that the Hospital Board of Trustees has not submitted a name of a nominee for the vacancy created by the resignation of John Coulson. Supervisor Huffman is working with the committee regarding the matter.

REPORT RE: PRO-MED HEALTH INSURANCE:

Hospital Administrator Mitchell reports pursuant to request of the Board that he has checked on the amount owed by Pro-Med on claims to hospital employees. Approximately \$125,000.00 in claims have been submitted, it is estimated that the actual amount payable, less deductibles and other items, is \$92,426.00. Of the claims the liabilities to Modoc Medical Center is approximately \$35,500.00. Under the Pro-Med Program the amount owed to other providers is approximately \$57,500.00. He reports that Pro-Med bank accounts have been seized and it is estimated that adequate funds were seized to cover the claims. Pro-Med has until May 1, 1992 to post a bond under court order.

Hospital Administrator Mitchell will contact county employees to determine amount of claims filed by individual employees. He will work with District Attorney Sorensen as to proper release forms for employees to sign if it is deemed necessary. He will contact other hospitals and carriers regarding claims of employees and advise them of the problem that Pro-Med has declared bankruptcy.

Hospital Administrator Mitchell advises Board members that he has submitted a request for reassignment to BRIM and that he will continue to serve as Administrator until a new Administrator is selected.

Recruitment problems for registered nurses continued until a later date.

CAO Pennell submits a copy of a letter that he sent regarding an outstanding hospital account of county employee Becki Steward requesting an extension for payment of the account due to Pro-Med Insurance carrier filing bankruptcy.

Supervisor Schreiber reports on meeting with BRIM representatives at the retreat in Portland. He advises members that BRIM will pay one-third of the cost of recruitment cost for recruiting a physician/surgeon, being \$5,000.00. Supervisor Schreiber reports that BRIM recommended a 5% salary merit increase for Administrator Mitchell and recommended it be retro-active to August 1, 1991 when it was requested.

4:20 p.m. Board in recess.

4:30 p.m. Board meeting convenes in open session.

SHERIFF'S DEPARTMENT PROMOTION:

CAO Pennell recommends that the salary for Sergeant Mason who was promoted from Newell Resident Deputy position to Sergeant position at a reduced salary be increased retroactively effective January 1, 1992 from Range 44, Step C to Range 44, Step E. The cost of the salary increase is approximately \$200.00 plus fringe benefits.

Motion by Supervisor Huffman, seconded by Supervisor Jones and carried, to approve the salary increase of Sheriff's Sergeant Mike Mason retroactive to January 1, 1992, from Range 44, Step C to Range 44, Step E.

DEPARTMENT HEAD REPORTS:

Auditor Tedrick reports that AB 702 (PERS credit) which gave the state access to reserve PERS funds was challenged in Court by the Public Employee and Retiree Coalition. The suit claimed that the legislation appropriating the money from California Public Employees Retirement System accounts violated the state constitution. The suit was denied by 3rd District Court of Appeals. He reports that to date the county has impounded \$115,309.59 December through February PERS payments of that \$92,414.72 is General Fund money. PERS will be billed for PERS payments from July to November 1991, of that amount \$111,564.16 cents will be General Fund money. The total amount General Fund money will be \$203,978.88. This is employee benefits and should be General Fund moneys.

ROAD COMMISSIONER APPOINTMENT:

This matter is taken into consideration in open session. CAO Pennell reports that he checked into the background of the first choice candidate John Fisher, Redding, CA. He recommends that Supervisor Don Polson be appointed County Surveyor as Mr. Fisher does not have a surveyor's license. He suggests a salary be fixed for this when it is on the agenda. Supervisor Polson is acting County Engineer/Surveyor at this time.

Board members discuss re-location expenses. In the past moving expenses were not authorized.

CAO Pennell authorized to offer John Fisher the position of Road Commissioner at the salary currently set. He is to assume the position no later than July 1, 1992.

EXECUTIVE SESSION OFF CALENDAR:

District Attorney Sorensen advises Board members and CAO Pennell that GC Section 54957 is not the appropriate section to discuss salary recommendations for management, supervisory and confidential employees prepared by CAO Pennell at the direction of the Board. The GC Section is 54957.6 is the appropriate and should be placed on the agenda for discussion. Matter to be on the April 6, 1992 Board agenda.

NORCAL PLAN "B":

Supervisor Huffman reports on NorCal Plan "B", the plan is that if dividing the state doesn't come about that rural counties should have a plan to counteract the urban counties. She advises members that at the present time there is 11 counties in NorCal the coastal counties are not a part of NorCal.

No further business to come before the Board at this time, the meeting is adjourned to meet in regular session Monday, April 6, 1992 at 10:00 a.m.

5:20 p.m.


Maxine Madison, Clerk


Don E. Polson, Chairman