

9:00 a.m. EXECUTIVE SESSION:

The Board of Supervisors of Modoc County met in Executive Session this 2nd day of December 1991, with all members present regarding Government Code Section 54957.1.

10:00 a.m. Executive Session Adjourned.

The Board of Supervisors of Modoc County met in regular session this 2nd day of December, 1991, there being present Supervisors John Schreiber, Melvin L. "Andy" Anderson, Don E. Polson, M.W. "Mick" Jones and Nancy J. Huffman. County Administrative Officer Larry Pennell and Deputy Clerk Cindy Jackson also present.

Meeting called to order pursuant to law by Chairman Schreiber. Chairman Schreiber announces that no action was taken in Executive Session. Flag Salute. Chairman notes agenda was posted November 27, 1991.

MATTERS INITIATED BY THE PUBLIC:

No matters initiated by the public.

CONSENT AGENDA ITEMS:

Supervisor Huffman requests consent agenda item 1(c) be removed for further discussion. Supervisor Polson requests item 1(e) be removed for further discussion, Supervisor Schreiber requests items 1(f & g) be removed for further discussion, and Supervisor Anderson requests item 1(h) be removed for further discussion.

Motion by Supervisor Jones, seconded by Supervisor Polson and unanimously carried, that the following Consent Agenda Items be approved as presented. Chairman and/or Clerk authorized to execute/record any necessary documents.

1(a) Minutes of November 4, 1991 and November 18, 1991 meetings are approved.

1(b) Social Services' request for a Lease/Purchase agreement for a Xerox Copier from Goebels for 36 months at \$164.80 per month with a buy out of \$1,400.00, is approved.

1(d) Three-year Surplus Property Agreement Renewal between the Department of General Services and Road Department is approved.

1(i) the Road Department's recommendation to promote Charles O'Coy to the position of Senior Maintenance Worker (Leadman) with a salary adjustment from \$1,483.00 per month to \$1,595.00 per month is approved.

CONSENT AGENDA ITEM 1(c):

CAO Pennell discusses the purchase of a 1992 GMC 1½-ton cab/chassis from Carsten Motors for the amount of \$19,734.19, for the Road Department. Only one other proposal was received and it was higher.

Motion by Supervisor Jones, seconded by Supervisor Anderson and unanimously carried, to approve the purchase of a 1991 GMC 1½-ton cab/chassis from Carsten Motors, in the amount of \$19,734.19.

CONSENT AGENDA ITEM 1(e):

CAO Pennell discusses the replacement of an inadequate propane heater at the Chamber of Commerce building with an efficient fuel oil stove. The initial cost totals \$1,721.00, but will save the County on monthly fuel consumption, with the new stove estimated to use around \$40.00 per month compared to \$200.00 per month for the existing propane stove.

Motion by Supervisor Jones, seconded by Supervisor Polson and unanimously carried, to approve the purchase of a new heating system for the Chamber of Commerce in the amount of \$1,721.00.

CONSENT AGENDA ITEM 1(f):

District Attorney Ruth Sorensen discusses the difficulty she has had in keeping the position of Legal Secretary filled in her office. Mrs. Sorensen requests permission to hire at Step C as the person who will be filling the position is qualified and is currently in the Step C range.

Motion by Supervisor Jones, seconded by Supervisor Anderson and carried, to allow District Attorney Sorensen to hire a Legal Secretary at a Step C.

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

CONSENT AGENDA ITEM 1(g):

CAO Pennell discusses the Local Vendor preference that will be in all bid packets regarding the Road Departments request to call for bids for the 1992 Fuel Contract.

Motion by Supervisor Huffman, seconded by Supervisor Anderson and unanimously carried, to approve the call for bids for the 1992 Fuel Contract requested by the Road Department.

CONSENT AGENDA ITEM 1(h):

CAO Pennell, on behalf of County Librarian, Betty Chism, is recommending a 5% salary adjustment for Branch Librarian Margaret Schreiber in recognition of her 17 years of service. CAO Pennell explains that originally the Branch Librarians were not included on the 6-step salary merit plan.

Motion by Supervisor Polson, seconded by Supervisor Jones and carried, to approve the 5% salary increase for Branch Librarian Margaret Schreiber.

AYES: Supervisors Polson, Jones and Huffman.

NOES: Supervisor Anderson.

ABSTAIN: Supervisor Schreiber.

Motion carries.

10:35 a.m. 5 Minute Break

10:40 a.m. Meeting resumes with all members present.

PUBLIC WORKS ITEMS:

Due to most of the audience being present regarding the new roof for the Veterans Building, Item 2(e), was heard first.

REPORT AND BID AWARD - VETERANS BUILDING:

Public Works Director Maxwell reports on the bids received for the roof on the Veterans Building. Two bids were received for the roof. The low bid of \$16,980.00 was received from All Weather Contractors out of Redding. The other bid received was still \$3,980.00 over what had been budgeted for and requests that the additional money be allocated from the Contingency Fund.

Motion by Supervisor Jones, seconded by Supervisor Anderson and unanimously carried, to transfer \$3,980.00 from the Contingency Fund into the Buildings and Grounds Fund to cover the new roof of the Veterans Building, to be done by All Weather Contractors out of Redding.

REPORT RE: FEE WAIVER FOR EL RANCHO REHAB. PROJECT:

Director Maxwell reports that I"SOT would like the County to waive the building permit fees and the planning fees for their El Rancho rehabilitation Project. Mr. Joseph Tolbert was to be present at this mornings meeting to answer any questions that the Board might have, but at this time he was absent.

Matter is tabled until the afternoon session in hopes that Mr. Tolbert will be able to attned the meeting.

SECOND READING AND ADOPTION OF ORDINANCE RE: BUILDING PERMIT FEES:

Director Maxwell presents proposed Ordinance No. 221-A, regarding Building and Mobile Home Regulations. This is the second reading of the proposed Ordinance.

Motion by Supervisor Jones, seconded by Supervisor Polson and carried, to waive the 2nd reading of the proposed Ordinance and to adopt Ordinance No. 221-A, by title only.

AYES: Supervisors Schreiber, Polson, Jones and Huffman.

NOES: Supervisor Anderson.

REPORT RE: M.J.U.S.D. PROTEST OF SOLID WASTE ASSESMENT:

Public Works Director Maxwell reports on the M.J.U.S.D. protest of the Solid Waste Assessment. Mr. Maxwell states that he talked to County Counsel, Ruth Sorensen regarding a letter he received from the Law Offices of Melbourne N. Gwin, Jr., out of Merced, CA. Mrs. Sorensen discusses with the Board that there is no basis for exemption.

Mr. Maxwell asks the Board for direction to respond to Mr. Gwin's letter explaining why M.J.U.S.D. is not exempt from the Solid Waste Assessment. Motion by Supervisor Jones, seconded by Supervisor Polson, and unanimously carried, directing staff to respond to Mr. Gwin's letter.

REPORT RE: SOLID WASTE ASSESMENT:

Chairman Schreiber reads part of a letter he received from a citizen in Surprise Valley regarding the Solid Waste Assessment. This person sent a letter to all his tenants explaining the raise as being because of the Solid Waste Assessment. Chairman Schreiber states that if this person wants to raise the rents, that's fine, but don't raise each individual \$50. per month, per space, and do it at the County's expense. Chairman Schreiber says; "These people are on set incomes and we made preparations, when the Board passed the Solid Waste Assessment, that if people on fixed incomes couldn't pay for it that they would get a cut-back of some kind, yet these people, the landowners, are turning right around and taking advantage of these people, the tenants, and raising the rent to each one of them, and then we are the fall guy, and I find it unexcusable."

Director Maxwell reports that he received 284 requests for appeal forms, 238 of which have been returned. Director Maxwell states that he doesn't feel these numbers are in excess.

ROAD CLOSURES:

Marcel Capik of Davis Creek reports on a problem that other people and himself are having in Davis Creek with Lakeshore Ranch. He states that a road, previously used by all, now has locks and trenches to keep people out. County Counsel Sorensen informs the Board that they have no authority to make Lakeshore Ranch open the road back up. The County, as such, has no interest in this dispute, Mrs. Sorensen says that the County can do something on behalf of themselves but not on behalf of individuals.

Matter is tabled.

U.P.S. LEASE AGREEMENT:

Bill Thompson, the representative for U.P.S. is present and reports to the Board their plans for the 4th Street property, if the County agrees to rent it to them. CAO Pennell points out three advantages to the County by renting this property to U.P.S.; \$4,500.00 in annual payments; the installation of stubbed utilities and U.P.S. will be in a more convenient location for the public.

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book A 16
Pg 1*

SEE
CORRECTION
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BOOK 16
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Motion by Supervisor Jones, seconded by Supervisor Polson and carried, to authorize the Chairman to sign the Lease Agreement with U.P.S. The agreement is for a 5-year term with an annual payment of \$4,500.00, payable in monthly installments of \$375.00 each payable in advance on or before the first day of each calendar month, beginning December 1, 1991 through December 31, 1996.

SECOND READING AND ADOPTION - INSPECTION FEES:

Interim Agricultural Commissioner Leslie Green presents a proposed Ordinance regarding Inspection Fees. This is the second reading on the proposed Ordinance.

Motion by Supervisor Jones, seconded by Supervisor Polson and carried to adopt Ordinance No. 280-A, amending Ordinance No. 280.

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

REPORT AND VIDEO PRESENTATION RE: "A CRY IN THE WOODS":

Superintendent of Schools, Carol Harbaugh presents a report regarding the timber receipts. She also presents a video called "A Cry in the Woods" that Siskiyou County Office of Education paid to have taped. Mrs. Harbaugh left the tape for the Board to look at in the afternoon as time was short in the morning session.

12:25 p.m. LUNCH BREAK

2:05 p.m. Meeting reconvenes with all members present.

MODOC MEDICAL CENTER RE: COST REPORT ISSUES:

Paul Fayollat reports to the Board on the Cost Report Issues. He reports on the State of California and the Health Care Department's agreement with merging Warner Nursing Home and the Hospital together. Mr. Fayollat also reported on the estimated medical days and the room rate change.

MODOC MEDICAL CENTER RE: OCTOBER 1991 FINANCIAL & STATISTICAL REPORT:

Hospital Administrator Mitchell and John Dederick give the financial and statistical report for the month of October 1991. Mr. Mitchell reports on the year to date totals of the combined facilities as being a net income of \$42,276.00, compared to a budgeted loss of \$15,574.00. He also reports an operating profit of \$53,026.00 and a non-operating income of \$16,179.00. Mr. Mitchell and Mr. Dederick state that they are pleased with the financial looks of the facilities.

MODOC MEDICAL CENTER RE: BAD DEBT WRITE-OFF RECOMMENDATION:

Hospital Administrator Mitchell asks permission to remove from the accounts receivable 154 past due accounts totaling \$23,478.01. These accounts have been turned over to a collection agency.

Motion by Supervisor Polson, seconded by Supervisor Huffman and carried, to grant the hospital permission to remove the asked for, 154

past due accounts totaling \$23,478.01 from accounts receivable.

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

BOARD OF SUPERVISORS:

Supervisor Huffman reports that she will be unable to attend the R.C.R.C. meeting in Sacramento on December 12, 1991. Supervisor Huffman asks if any other Board member will be able to attend on behalf of the County? She received no response.

Chairman Schreiber discusses the possibility of using the Office of Education's building for the Clinic, Physical Therapy and Out-patient facilities. Hospital Administrator Mitchell and John Dederick to check into the matter.

COUNTY ADMINISTRATIVE OFFICER:

At this time CAO Pennell requests that the discussion of the fee waiver for El Rancho Rehabilitation Project be continued until the December 16, 1991 meeting, as Mr. Tolbert has not arrived at the meeting yet.

Matter continued until December 16, 1991, meeting.
CAO Pennell also gives the Board some information from Siskiyou County regarding additional support needed from Counties in opposition to Governmental agencies acquiring property with a potential loss of tax dollars to County

No action was taken.

CAO Pennell discusses the discrepancy in Chairman Schreiber's motel bill for the CSAC meeting he attended in Monterey. It was regarding the difference between a single room rate and double room rate. During the discussion it was brought to the Board's attention that Chairman Schreiber had not received the brochure on the meeting, including room rates, as Supervisor Jones was the one to originally attend the meeting and since Supervisor Jones had already made room reservations, Chairman Schreiber took over those reservations.

Motion by Supervisor Polson, seconded by Supervisor Jones and carried to direct Auditor Tedrick to reimburse the motel bill's double room rate difference to Chairman Schreiber.

3:26 p.m. EXECUTIVE SESSION

Executive Session regarding Personnel matter--Government Code Section 54957.6 & 54957.1. Instructions to Management Bargaining Team--Government Code Section 54957.6 and Pending Litigation--Government Code Section 54956.9.

4:25 P.M. Board meeting reconvenes in open session with all members present. CAO Pennell and County Clerk Madison also present.

Chairman announces that no action was taken during the closed session.

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CORRECTION
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Motion by Supervisor Jones, seconded by Supervisor Polson, and unanimously carried, to appoint Leslie Wright to the position of Agricultural Commissioner/Sealer of Weights and Measures, annual salary \$30,960.00 plus vehicle to be furnished. Appointment effective December 1, 1991.

There being no further business to come before the Board at this time the meeting is adjourned to meet in regular session Monday, December 16, 1991 at 10:00 a.m.

Cindy Jackson John Schreiber
CINDY JACKSON, Deputy County Clerk JOHN SCHREIBER, Chairman