

NED COE  
1<sup>st</sup> District

SHANE STARR  
2<sup>nd</sup> District

KATHIE RHOADS  
3<sup>rd</sup> District

ELIZABETH CAVASSO  
4<sup>th</sup> District

GERI BYRNE  
5<sup>th</sup> District



TIFFANY A. MARTINEZ  
CLERK OF THE BOARD  
OF SUPERVISORS

204 S. COURT STREET  
ALTURAS, CALIFORNIA 96101

PHONE: (530) 233-6201

## BOARD OF SUPERVISORS MEETING REGULAR MEETING

March 28, 2023

### 10:00 AM Call to Order

| Attendee Name     | Title                         | Status  | Arrived  |
|-------------------|-------------------------------|---------|----------|
| Ned Coe           | Supervisor District I         | Remote  | 10:00 AM |
| Shane Starr       | Supervisor District II        | Present | 10:00 AM |
| Kathie Rhoads     | Supervisor District III       | Present | 10:00 AM |
| Elizabeth Cavasso | Supervisor District IV        | Present | 10:00 AM |
| Geri Byrne        | Supervisor District V         | Present | 10:00 AM |
| Margaret Long     | County Counsel                | Remote  | 10:00 AM |
| Chester Robertson | County Administration Officer | Present | 10:00 AM |
| Mickey Cole       | Extra Help                    | Present | 10:00 AM |

### Pledge of Allegiance

### Moment of Prayer

Senior Pastor of Christian Life Assembly, Clarence McCarty, offered a prayer.

### Public Comment

Modoc County Resident, Clayton Oilar, provided a handout and expressed concern over mountain lions in Modoc County. Modoc County Resident Oilar stated he believed there was a declining number of deer and antelope in Modoc County.

### Handout Provided - Clayton Oilar.

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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### Approval or Additions/Deletions to Agenda

The Chair of the Board requested to pull item 3.a., item 6.a, and item 6.b. from the agenda at the request of the presenting parties.

**Motion to approve the agenda as amended.**

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | Geri Byrne, Supervisor District V   |
| <b>SECONDER:</b> | Shane Starr, Supervisor District II |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne  |

**Department Head Reports**

None.

**Correspondence**

Extra Help, Mickey Cole, added the following into the record: 1) United States Forest Service (USFS) Fremont-Winema National Forest regarding an invitation to review and comment on the East Zone Ranger District's proposals for multiple projects.

- a. **Correspondence Received - California Fish and Game Commission notice of proposed changes in Klamath River Basin sport fishing regulations.**

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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- b. **Correspondence Received - California Fish and Game Commission notice of proposed changes in Central Valley Sport Fishing Regulations.**

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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**Correspondence Received - United States Forest Service (USFS) Fremont-Winema National Forest regarding an invitation to review and comment on the East Zone Ranger District's proposals for multiple projects.**

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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**1. Board of Supervisors Items:**

- 1.a. **CONSIDERATION/ACTION: Requesting approval of a Resolution in appreciation of distinguished service by J. Michael Colbert for his years of service to Modoc County as a United States Department of Agriculture (USDA) Loan Specialist. (Board of Supervisors)**

Supervisor Starr read the resolution into the record and presented the resolution to Michael Colbert.

Representative from Senator Brian Dahle and Assemblywoman Megan Dahle's offices, Jennifer Andrea, read a resolution and presented the framed resolution to Michael Colbert.

## Resolution# 2023-13

|                  |                                           |
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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Geri Byrne, Supervisor District V         |
| <b>SECONDER:</b> | Elizabeth Cavasso, Supervisor District IV |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne        |

## FINAL CERTIFIED RESOLUTION# 2023-13

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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### 1.b. **CONSIDERATION/ACTION: Discussion and potential approval of a one-time contribution to fund the establishment of a National Center for Public Lands Counties. (Board of Supervisors)**

Supervisor Coe provided a background on the proposed one time contribution to fund the establishment of a National Center for Public Lands Counties. Supervisor Coe provided a handout which detailed the objectives, fundraising goals, and governance. Supervisor Coe reported the goal would be to establish a fifteen million dollar endowment fund which would be housed with the National Association of Counties research foundation. Supervisor Coe reported the funds would be provided through voluntary contributions by public lands counties.

Several questions were asked of Supervisor Coe and a discussion was held on the funding, budget and priorities of the committee who would govern the endowment fund.

Supervisor Byrne stated she supported the concept but would like to have a debate on the amount of voluntary contribution from the County of Modoc.

County Administrative Officer, Chester Robertson, reported on the challenges for a contribution by the County of Modoc and recommended if a voluntary contribution is made, to have the contribution be prorated over a two year period.

Several questions were asked of Supervisor Coe and a discussion was held on the messaging, research, and funding restrictions.

A discussion was held on the concerns of the voluntary contribution impacting the general fund.

Supervisor Starr asked how much would the dollar amount be for a 1% voluntary contribution.

CAO Robertson reported the amount would be just under \$52,000.00 and stated the county would not be able to afford the 1% amount as a lump sum. CAO Robertson recommended to not exceed a \$20,000.00 contribution each year for a two year period.

A discussion was held on the proposal to provide a contribution over a two year period.

Supervisor Cavasso stated she supports the approach of some donation this year and reviewing the amount in the next fiscal year. Supervisor Cavasso recommended a \$10,000.00 contribution.

Supervisor Rhoads stated the Board needs to keep in mind the voluntary contribution would be from the general fund.

Supervisor Byrne requested the suggested dollar amount be reviewed by the 2022-2023 Budget Committee and return at the next meeting with a recommendation to the Board.

**Supervisor Cavasso requested to table the topic until the April 11, 2023 Board of Supervisors meeting and requested the Budget Ad Hoc Committee review and recommend the appropriate funding sources to be used for the possible contribution to the National Center for Public Lands Counties.**

**Contract# 2023-53**

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| <b>RESULT:</b>   | <b>TABLED [UNANIMOUS]</b>                 | <b>Next: 4/11/2023 10:00 AM</b> |
| <b>MOVER:</b>    | Elizabeth Cavasso, Supervisor District IV |                                 |
| <b>SECONDER:</b> | Shane Starr, Supervisor District II       |                                 |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne        |                                 |

**Handout Provided - National Center for Public Lands Counties.**

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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- 1.c. CONSIDERATION/ACTION: Requesting approval for a letter of support for the Community Project Funding request submitted to Congressman LaMalfa's office by the Nevada California Oregon Railway to complete environmental remediation and community redevelopment. (Board of Supervisors)**

County Administrative Officer, Chester Robertson, provided a background on the letter of support.

Modoc County Resident, Pat Cantrall, provided comments in support of preservation of the history of the railroad.

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| <b>RESULT:</b>   | <b>APPROVED [3 TO 0]</b>               |
| <b>MOVER:</b>    | Geri Byrne, Supervisor District V      |
| <b>SECONDER:</b> | Kathie Rhoads, Supervisor District III |
| <b>AYES:</b>     | Coe, Rhoads, Byrne                     |
| <b>ABSTAIN:</b>  | Starr, Cavasso                         |

**Recess as the Board of Supervisors and convene as the Modoc County Groundwater Sustainability Agency.**

**Recess as the Board of Supervisors and convene as the Modoc County Groundwater Sustainability Agency.**

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|------------------|-------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Elizabeth Cavasso, Supervisor District IV |
| <b>SECONDER:</b> | Geri Byrne, Supervisor District V         |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne        |

## **2. Modoc County GSA Items:**

- 2.a. CONSIDERATION/ACTION: Requesting approval of a Resolution authorizing the submittal of the Big Valley Groundwater Basin Annual Report for Water Year 2022 to the Department of Water Resources, per requirements of the Sustainable Groundwater Management Act. (Administrative Services)**

Assistant County Administrative Officer, Tiffany Martinez, provided a background on the Big Valley Groundwater Basin Annual Report for 2022, and reported the report due date was April 1, 2023.

Farm Advisor and University of California Cooperative Extension, Laura Snell, provided a background on the annual report.

Supervisor Byrne expressed appreciation for the hard work. Supervisor Byrne asked if the Big Valley Groundwater Advisory Committee (BVAC) had approved the report.

Farm Advisor Snell said the BVAC had voted their approval of the report.

### **Resolution# 2023-14**

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Geri Byrne, Supervisor District V         |
| <b>SECONDER:</b> | Elizabeth Cavasso, Supervisor District IV |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne        |

### **FINAL CERTIFIED RESOLUTION# 2023-14**

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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- 2.b. CONSIDERATION/ACTION: Requesting approval of a Resolution authorizing the submittal of the Tule Lake Subbasin Groundwater Annual Report for Water Year 2022 to the Department of Water Resources (DWR), per requirements of the Sustainable Groundwater Management Act (SGMA). (Administrative Services)**

Assistant County Administrative Officer (CAAO), Tiffany Martinez, provided a background on the report. CAAO Martinez provided comments that MBK Consulting had completed the report.

**Resolution# 2023-15**

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Elizabeth Cavasso, Supervisor District IV |
| <b>SECONDER:</b> | Shane Starr, Supervisor District II       |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne        |

**FINAL CERTIFIED RESOLUTION# 2023-15**

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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**Recess as the Board of Supervisors and convene as the Modoc County Groundwater Sustainability Agency.**

**Adjourn as the Modoc County Groundwater Sustainability Agency and reconvene as the Board of Supervisors.**

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | Geri Byrne, Supervisor District V   |
| <b>SECONDER:</b> | Shane Starr, Supervisor District II |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne  |

**3. Clerk of the Board Items:**

- 3.a. PRESENTATION: Update from Alliance for Workforce Development, Inc. (AFWD) regarding the Modoc County operations and program highlights for 2021-2022. - *Canceled at the request of the presenting party.* (Clerk of the Board)**

**4. Consent Agenda Items:**

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Geri Byrne, Supervisor District V         |
| <b>SECONDER:</b> | Elizabeth Cavasso, Supervisor District IV |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne        |

- 4.a. CONSIDERATION/ACTION: Requesting approval of the February 14, 2023 Board of Supervisors meeting minutes. (Clerk of the Board)**

## **5. Planning Department Items:**

### **5.a. CONSIDERATION/ACTION: Requesting approval of the Housing Element Annual Progress Report (APR) mandated by the Department of Housing and Community Development (HCD) for 2022. (Planning)**

Associate Planner, Jackie Froeming, and Planning Consultant, Gary Price, provided a background on the 2022 Housing Element annual progress report. Planning Consultant Price requested to provide opportunity for public comment and for the approval of the annual report.

A lengthy discussion was held regarding the state-based methodology and formula used in the report and several questions were asked of Associate Planner Froeming and Planning Consultant Price.

A discussion was held regarding a recommendation to discuss the state population-based methodology with Rural County Representatives of California (RCRC) and California State Association of Counties (CSAC).

A discussion was held regarding the necessity to demonstrate capacity in order to meet the requirement.

Planning Consultant Price recommended to meet with staff immediately in order to meet the Regional Housing Need Allocation (RHNA).

Planning Consultant Price requested to allow opportunity for public comment.

The Chair of the Board opened the floor for public comment.

Modoc County Resident, Pat Cantrall, recommended utilizing the community of Likely, California (CA) in the research.

Planning Consultant Price said the community of Likely, CA had been included in the unincorporated communities within the report. Planning Consultant Price thanked Modoc County Resident Cantrall for the public comment.

Supervisor Starr requested an electronic copy of the report be sent to the Board of Supervisors.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Elizabeth Cavasso, Supervisor District IV |
| <b>SECONDER:</b> | Shane Starr, Supervisor District II       |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne        |

**11:16 a.m. Motion for a five minute recess.**

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | Shane Starr, Supervisor District II |
| <b>SECONDER:</b> | Geri Byrne, Supervisor District V   |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne  |

**11:23 a.m. The Board reconvened with Supervisor Rhoads, Cavasso, Byrne and Starr present. Supervisor Coe was present by remote location.**

**6. Recorder Items:**

- 6.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a contract between the County of Modoc and Kofile Technologies, Inc. for an overage amount to complete contracted record digitization contract, not to exceed \$1,817.33, effective March 28, 2023. - *Removed from the agenda by requesting department.* (Recorder)**

**Contract# 2023-54**

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|----------------|------------------|
| <b>RESULT:</b> | <b>NO ACTION</b> |
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- 6.b. CONSIDERATION/ACTION: Requesting approval of a budget modification for Fiscal Year 2022-2023 to Modernization 282; modifying expenditures in the amount of \$1,404.21. - *Removed from the agenda by requesting department.* (Recorder)**

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| <b>RESULT:</b> | <b>NO ACTION</b> |
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**7. Emergency Services Items:**

- 7.a. CONSIDERATION/ACTION: Requesting approval of a Resolution to authorize an amendment of the 2019 Emergency Operations Plan, Section IV: Annexes, to incorporate the Utilities Disruption Annex. (Office of Emergency Services)**

Deputy Director of the Office of Emergency Services, Renae Sweet, and Office Assistant of the Office of Emergency Services, Janie Bell, provided a background on the proposed amendment.

**Resolution# 2023-16**

|                  |                                           |
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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Geri Byrne, Supervisor District V         |
| <b>SECONDER:</b> | Elizabeth Cavasso, Supervisor District IV |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne        |

## FINAL CERTIFIED RESOLUTION# 2023-16

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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### **8. Sheriff/Coroner Items:**

- 8.a. CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board and the Modoc County Sheriff to sign an annual operating agreement (21-LE-11051360-006 MOD 6) between the Modoc County Sheriff's Office and United States Department of Agriculture Forest Service for patrol and dispatch services, effective August 11, 2022 through September 30, 2025, unless modified during the annual review. (Sheriff's Office)

Sheriff, Tex Dowdy, provided a background on the annual funding.

A brief discussion was held regarding how many hours of patrol had accrued in previous years under the agreement.

Modoc County Resident, Pat Cantrall, thanked the Sheriff, Sheriff's Department and Sheriff's Dispatch for their work.

#### **Contract# 2023-55**

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Geri Byrne, Supervisor District V         |
| <b>SECONDER:</b> | Elizabeth Cavasso, Supervisor District IV |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne        |

- 8.b. CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board and the Modoc County Sheriff to sign an operating agreement (21-LE-11051360-006-MOD 6) between the Modoc County Sheriff's Office and United States Department of Agriculture, Forest Service for controlled substances operations, effective as of the last signature through September 30, 2025, unless modified during the annual review. (Sheriff's Office)

Sheriff, Tex Dowdy, provided a background on the proposed agreement.

#### **Contract# 2023-56**

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Shane Starr, Supervisor District II       |
| <b>SECONDER:</b> | Elizabeth Cavasso, Supervisor District IV |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne        |

**Upon completion of the item, the Chair of the Board moved to item 11.a.**

**11:32 a.m. Motion to go into Closed Session.**

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Geri Byrne, Supervisor District V         |
| <b>SECONDER:</b> | Elizabeth Cavasso, Supervisor District IV |
| <b>AYES:</b>     | Coe, Starr, Rhoads, Cavasso, Byrne        |

**9. Administrative Services Items:**

**9.a. CONSIDERATION/ACTION: Requesting permission to promote from within one (1) Interim Watermaster as an exempt employee; \$5,373.34 monthly, effective March 1, 2023. (Administrative Services)**

County Administrative Officer, Chester Robertson, provided a background on the proposed promotion.

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| <b>RESULT:</b>   | <b>APPROVED [4 TO 0]</b>                  |
| <b>MOVER:</b>    | Geri Byrne, Supervisor District V         |
| <b>SECONDER:</b> | Elizabeth Cavasso, Supervisor District IV |
| <b>AYES:</b>     | Starr, Rhoads, Cavasso, Byrne             |
| <b>AWAY:</b>     | Coe                                       |

**10. Comments/Reports:**

**a. Public Comments**

None.

**b. Administrative Services Report**

County Administrative Officer, Chester Robertson, reported on the following: 1) The existence of a petition in District V to adopt a number of roads into the county road system within Rush Creek subdivision; 2) Southern Cascades Community Service District meeting; 3) Meeting with the Federal Aviation Administration (FAA) with a site visit and tour; 4) Sub-Committee meeting with City of Alturas; 5) Meeting with Tullake Fire District; 6) Scheduled 711 Committee's public hearing meeting on April 11, 2023 at 6:30 p.m. at the Surprise Valley (SV) High School regarding the repurposing of the Surprise Valley Elementary School building; 7) Grants for Clean California work was being done; 8) Planned attendance to the upcoming legislative conference between California State Association of Counties (CSAC) and League of Cities regarding the governor's several changes to the Mental Health Services Act; 9) Discussion of the need to create a Modoc County Historical Museum Ad Hoc Committee and add it to the Board of Supervisors Ad Hoc Committee's list.

**Supervisor Rhoads appointed Supervisor Rhoads and Supervisors Starr to serve on the Modoc County Historical Museum Ad Hoc Committee.**

**c. Department Head Reports**

None.

**d. Board of Supervisors Reports**

Supervisor Cavasso reported on the following: 1) Wildland Fire Leadership Council (WFLC) field tour and business meeting; 2) Wildland Fire Leadership Council Western Region - Cohesive Strategy monthly meeting; 3) Modoc County Board of Supervisors special meeting; 4) Discussion with Public Health regarding the 2023 wildfire season; 5) Five-million dollar check photo opportunity; 6) Modoc County Transportation Commission meeting; 7) Local Oral Health and Maternal Child Adolescent meeting; 8) National Cohesive Wildland Fire Management Strategy addendum update; 9) Truck driving and heavy equipment training meeting with Training, Employment and Community Help (TEACH).

Supervisor Starr reported on the following: 1) Rural Development meeting; 2) Advancing Modoc open house event; 3) Meeting with Sarah Merrick from Training, Employment and Community Help (TEACH); 4) PSA2 Area Agency on Aging Executive meeting; 5) Meeting with the Director of Health Services; 6) United States Department of Housing and Urban Development (HUD) meeting; 7) Wood species analysis at University of Oregon, Corvallis; 8) Truck driving and heavy equipment training meeting with Training, Employment and Community Help (TEACH); 9) California State Association of Counties (CSAC) homeless program update.

Supervisor Byrne reported on the following: 1) Tri-counties meeting; 2) Rural County Representatives of California (RCRC) Williamson Act meeting; 3) Secretary of the Interior meeting with county leadership and Klamath Water Users Association (KWUA) tour; 4) Rural County Representatives of California (RCRC) Officers' call; 5) Press release photo for the funds received to assist with the hospital legacy debt; 6) Golden State Natural Resources (GSNR) meeting; 7) Klamath Water Users Association (KWUA) annual meeting.

Supervisor Rhoads reported on the following: 1) Behavioral Health meeting; 2) California Department of Transportation (Caltrans) meeting; 3) Board of Supervisors special meeting; 4) Participation on the interview panel for the Jail Sergeant position; 5) Local Oral Health and Maternal Child Adolescent meeting; 6) Review of two sets of Board of Supervisors meeting minutes; 7) Modoc County Historical Museum meeting.

Upon completion of item 10.a. there was a motion to adjourn.

**11. Closed Session:**

**11.a. CLOSED SESSION: Pursuant to CA Government Code 54957; Performance Evaluation; Title: Health Services Director. (Administrative Services)**

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| <b>RESULT:</b> | <b>EVALUATION HELD</b> |
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**1:46 p.m. The Board reconvened and reported out of closed session with Supervisor Rhoads, Cavasso, Byrne and Starr present.**

**The Chair of the Board moved to item 9.a.**

## **ADJOURNMENT**

### **Motion to adjourn.**

Motion to adjourn the March 28, 2023 meeting.

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| <b>RESULT:</b>   | <b>APPROVED [4 TO 0]</b>            |
| <b>MOVER:</b>    | Geri Byrne, Supervisor District V   |
| <b>SECONDER:</b> | Shane Starr, Supervisor District II |
| <b>AYES:</b>     | Starr, Rhoads, Cavasso, Byrne       |
| <b>AWAY:</b>     | Coe                                 |

The meeting was adjourned at 2:01 PM

**There being no further business to come before the Board at this time, the meeting was adjourned to meet in regular session Tuesday, April 11, 2023 at 10:00 a.m.**

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Tiffany A. Martinez  
Clerk of the Board

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Kathie Rhoads  
Chair, Modoc County Board of Supervisors