

NED COE
1st District

SHANE STARR
2nd District

KATHIE RHOADS
3rd District

ELIZABETH CAVASSO
4th District

GERI BYRNE
5th 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

April 11, 2023

10:00 AM Call to Order

Attendee Name	Title	Status	Arrived
Ned Coe	Supervisor District I	Present	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	Present	10:00 AM
Chester Robertson	County Administration Officer	Present	10:00 AM
Tiffany Martinez	Clerk of the Board/ACAO	Present	10:00 AM
Mickey Cole	Extra Help	Present	10:00 AM

Pledge of Allegiance

Moment of Prayer

Pastor of Rivers of Life, Mike Widby, offered a prayer.

Chair Rhoads asked for a moment of silence in memory of General Manager/Fire Chief - California Pines Community Service District, Ron Sherer.

Public Comment

None.

Approval or Additions/Deletions to Agenda

Motion to approve the agenda as presented.

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

Correspondence

None.

Department Head Reports

Executive Director of First 5 Modoc, Nicole Hinton, provided a background on the flavor ban Prop 31 which would likely lead to a reduction in the Prop 10 revenue to First 5 Modoc over the next four years. Executive Director Hinton reported to mitigate the steep decline in funding and to continue their vision of targeted support for Modoc families, they have been looking at restructuring their administrative and fiscal oversight. Executive Director Hinton reported this has been a twenty-three (23) year conversation since First 5 Modoc's inception and has not been taken lightly. Executive Director Hinton reported the administrative and fiscal service negotiations have been with local agencies as well as within the First 5 network. Executive Director Hinton reported tomorrow evening, the Commission would address these planning efforts and would also look at reducing there support from the County as well as potentially contracting with a separate First 5 Commission to provide administrative services. Executive Director Hinton reported that upon action by the Commission, and they would would formally come to the Board of Supervisors with an action plan to continue the great work Modoc First 5 does in Modoc County and with their partners.

1. Social Services Items:

Director of Health Services, Tom Sandage, provided a background on the proclamation. Supervisor Byrne read the proclamation into the record.

1.a. CONSIDERATION/ACTION: Requesting approval of a Proclamation to designate April 2023 as Child Abuse Prevention Month in Modoc County. (Social Services)

Director of Social Services, Tom Sandage, provided a background on the proclamation and reported on statistics for child abuse within Modoc County.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ned Coe, Supervisor District I
SECONDER:	Shane Starr, Supervisor District II
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

2. Victim Witness Items:

2.a. CONSIDERATION/ACTION: Requesting approval of a Proclamation to hereby proclaim the week of April 23 through April 29, 2023 as "Crime Victims' Week" throughout Modoc County. (Victim Services)

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

3. Auditor Items:

3.a. CONSIDERATION/ACTION: Requesting approval of a Resolution amending the Fiscal Year 2021-2022 appropriation subject to the limit under Article XIII B of the California Constitution for the County of Modoc. (Auditor)

Auditor, Stephanie Wellemeyer, provided a background on appropriation limit and the request from the State of California to amend the appropriation subject to the limit called "State Subventions".

Supervisor Cavasso asked about reporting due by March 1, 2023.

Auditor Wellemeyer reported the letter was not received by her office but once notified by the County Administrative Officer (CAO), she called the office who stated the report did not matter unless the County went over their appropriation limit and then a report would need to be submitted. Auditor Wellemeyer reported the County would not go over the appropriation limit so the County technically did not miss the deadline.

CAO Robertson provided a background on the how the State of California has amended a section of the State constitution. CAO Robertson reported the State also used a long education bill AB 130 at the end of 2021 to amend fundamental parts of the State code. CAO Robertson reported the reason the County received a letter from the Department of Finance was the State required an open and transparent process about the appropriation limit as do all agencies, but the open and transparent process was now occurring well after the appropriations were already expended. CAO Robertson provided a background on the Legislative Analyst's Office (LAO) report provided within the Board packet. CAO Robertson reported the action by the State is a very large concern for counties and reported he was also concerned because the County received no correspondence regarding the proposed change from the California State Association of Counties (CSAC), Rural Representatives of California (RCRC), Howard Jarvis Taxpayers Association, or the State and Assembly representatives. CAO Robertson reported on his frustration regarding the choice by the State to not use the excess funds to shore up local governments in preparations of future troubling times. CAO Robertson reported the State is using the excess capacity to facilitate the unrestrained growth of State government. CAO Robertson recommended the Board members alert CSAC and RCRC about this important issue that impacts all counties.

A discussion was held and several questions were asked of CAO Robertson and Auditor Wellemeyer.

Supervisor Cavasso stated she would make the motion to approve but would like it on the record that she is doing so under protest as the State of California has given the Board no other choice in the matter.

Resolution# 2023-17

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

FINAL CERTIFIED RESOLUTION# 2023-17

RESULT:	ANNOUNCED
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4. Clerk of the Board Items:

4.a. DISCUSSION/INFORMATION: Discussion regarding Modoc County Resolution# 2022-20 to establish emergency temporary measures to comply with the Governor's Executive Order N-7-22. (Clerk of the Board)

Clerk of the Board, Tiffany Martinez, provided a background on the determination by the agenda committee to approve of the request from the Tulnelake Irrigation District (TID) to have a discussion regarding Resolution# 2022-20. Clerk Martinez introduced the TID members who were present to address the Board of Supervisors.

Board member for the Tulnelake Irrigation District (TID), Scott Seus and Manager of TID, Brad Kirby, introduce the following members in the audience: Tulnelake Core Team member and TID board member, Gary Wright, Chair of the Tulnelake Core Team and TID staff member, Kraig Beasley, and TID board member, Walter Woodhouse, Mr. Seus reported the reason the group is here today, is due to a large misunderstanding or a gross overreach of what is being proposed in Resolution# 2022-20. Mr. Seus reported when they received the resolution, they were not sure why they were being asked to do what was in the resolution. Mr. Seus reported he feels TID has taken big steps with all the stakeholders to come up with a manageable groundwater program for the Tulnelake and Klamath basin. Mr. Seus reported on the complicated issues in the basin and stated TID is highly sensitive to all of these issues. Mr. Seus reported they have done as much as they could do to keep their farms going, provide water for waterfowl, for crops, for neighbors, and at the same time not impact domestic wells. Mr. Seus stated that unfortunately they have been put in the position too often to have to rely on wells to keep the basin going and their economy strong. Mr. Seus reported there are wells networked all throughout the basin and they are interlinked in some way or at some level that none of us understand completely but all of us witness impacts in different ways in different years which he cannot speak to. Mr. Seus stated they are not meant to be a groundwater basin but unfortunately they are more years than not.

Mr. Seus reported the ability to put a well in the best position in a field to provide water to the ditch or irrigation system, or to be able to connect electric lines to it without having to take on exorbitant costs trying to get power to that well site, are all things we as land owners have to take into account when we decide to drill a well. Mr. Seus stated Tulnelake is made up of a patchwork of seventy (70) to eighty (80) acre parcels on average and each one of those parcels had a homestead on the parcel at one time. Mr. Seus reported the homesteader who received their land from the lottery system used at the time to allocate land, had a house on the land and generally had a hand dug well. Mr. Seus

reported many of these wells are on the State of California Department of Water Resources (DWR) map and reported it is amazing at where some of the wells are located. Mr. Seus reported he farms over many of the wells listed on the DWR website which are not there anymore but are still listed on the map. Mr. Seus stated the map has created a problem for them when they look at this resolution because when they look at the 1,000 feet buffer language, it creates a problem. Mr. Seus reported they need to clean up a lot of the abandoned wells in the area that are not represented truly and are not being utilized, but stated it is a process they do not even know how to handle or where to start. Mr. Seus stated they know they need water now, in every year, in every spring, and in every fall they are depending on these wells.

Mr. Seus stated the ability for TID or a private land owner to drill a well where they see best situated for power delivery and the irrigation equipment is important to the design of the fields to prevent equipment being placed in the middle of a field. Mr. Seus stated the thousand (1,000) feet requirement does not work as it is not logical or effective. Mr. Seus stated they are not trying to impact neighbors and stated there is one thousand (1,000) to two thousand (2,000) feet of duck manure and tules which separate the geology underground and actually holds the water in the volcanic layer. Mr. Seus stated the Groundwater Sustainability Agency (GSA) and DWR recognizes there are two aquifers in the area. Mr. Seus stated there is the alluvial aquifer that is in the top and then there is the volcanic layer below which has various strata's in it. Mr. Seus stated if he is drilling an agriculture production well he goes to the rock and drills into the rock to try and extract water because that is where the most efficient water comes from. Mr. Seus stated if you go to anything shallower than that you are mucking your well and you do not get the efficient water. Mr. Seus stated the domestic wells TID and the Board are trying to protect are generally all in the forty (40) to sixty (60) foot range because if they drilled deeper it tasted like skunk water and it tasted a lot like a duck. Mr. Seus stated they are not trying to impact that on multiple levels as they do not want to impact domestic wells or cause subsidence in their high organic soils and is why they drill wells to the deeper volcanic layer. Mr. Seus stated, by design, TID has cased all the wells to bedrock, for the sole purpose of avoiding impacts to other wells. Mr. Seus stated as a well owner who has drilled multiple wells and had to depend on them more years than not, all of the wells are drilled and cased to bedrock to provide protection to other well owners. Mr. Seus stated this is how they try to protect their neighbors and have the most sustainable and stable water supply they can have. Mr. Seus stated the overreach of Resolution# 2022-20 is basically ignoring the fact of how the wells are set up and it is ignoring the fact the GSA is the body that should be trying to balance the system. Mr. Seus stated he does not want someone to come drill a well right next to him and a good neighbor would not do this, but by the same token stated he would generally work with his neighbors. Mr. Seus stated it is the small house wells that are the problem for them because they are random and scattered and they force them into a positions they do not want to be in to drill wells in the most inconvenient places.

Mr. Seus stated the idea of having to get around the one thousand (1,000) feet buffer and have to go to a hydrologist who can sign off on a report stating you are not going to impact another irrigator is impossible as there is no one who is going to complete this report. Mr. Seus provided an example of a consultant who works with TID who has declined to complete the report. Mr. Seus stated who could ever claim that you are not going to impact another nearby well and this is not what TID does but is being told to do. Mr. Seus provided a handout to the Clerk of the Board with examples from other counties and how they addressed the executive order. Mr. Seus reported there is only one county that requires a well applicant to go to a hydrologist to get the data so you can drill a well. Mr.

Seus stated they do not want to be anything like Sacramento County and he does not think the board wants to be either as this is Modoc County.

Mr Seus stated he thinks the reality of the situation is other agencies handled the executive order by the GSA signing off and stating you are not going to have a significant impact to the overall plan or to a neighbor, then the GSA's let them drill. Mr Seus stated this is the way it should be handled and there should not be criteria in the resolution that states if you are within a thousand (1,000) feet of a well you are unable to drill. Mr Seus stated the other examples are great, short, well thought out answers on how to deal with the well permitting process and stated that is all TID is asking for. Mr. Seus stated the reality of the situation is the deep water wells have been providing recharge for the shallow domestic wells. Mr Seus stated in Klamath County there are over three hundred (300) domestic wells which have gone dry due to not having deep wells to supply recharge water to the shallow domestic wells. Mr. Seus stated in Tulelake there are about fifteen (15) wells that have been reported dry. Mr. Seus stated TID is working to obtain funding to put in a public supply system to assist the dry well owners. Mr. Seus stated they are their neighbors and he does not want an employee coming into work mad or not be able to wave at someone on the road because they are mad at us because they think we are over drafting. Mr. Seus stated we are trying to take care of this as we live here and deal with the consequences of not dealing with things and so a little trust would go a long ways here.

Manager of TID Brad Kirby, stated Mr. Seus had covered the subject very well. Mr. Kirby reported on the executive orders and stated the county particularly focused on addressing 9.b. of the executive order but would like to ask the county to address only 9.a. and leave it to the GSA and GSP to determine well permits with no additional regulations. Mr. Kirby requested to have Resolution# 2022-20 rescinded and leave the determination to the GSP to govern.

Supervisor Coe responded to the comments on the executive order and reported both 9.a. and 9.b. apply to well permits and must be fulfilled.

Mr. Kirby provided comments on how the well permitting approval process should be handled through the Tulelake Core Team and the additional regulations should be removed.

Supervisor Coe stated he does not support what the Governor put in place but he mandated this process.

Supervisor Byrne stated she understands as she lives in the basin as well but unfortunately the county is having requirements placed on them as well. Supervisor Byrne read the following from the Frequently Asked Questions (FAQ) Document - Executive Order N-7-22 Action 9 Drought Well Permitting Requirements "***Can a well permit be approved based on Action 9a but not 9b, or vice versa?*** For proposed wells located in medium- and high-priority basins, both Action 9a and 9b are applicable and must be satisfied before a well permit is issued. For proposed wells located in basins that do not have a GSA, only Action 9b is applicable. Action 9b is applicable for every well permit application. Supervisor Byrne provided a background on the county's process to develop the resolution which was put in place to allow an avenue for wells to still continue to be drilled in Modoc County. Supervisor Byrne discussed the need for the county to follow 9.a. and 9.b. to reduce liability to the county. Supervisor Byrne requested County Counsel provide her recommendation on

9.a. and 9.b.

County Counsel Long reported her understanding with talking to other County Counsels up and down the State of California, is that it has always been the interpretation that both 9.a. and 9. b. apply and would continue to apply. County Counsel Long reported on the effort the Board has completed to adjust to the executive order but reported her job as County Counsel is to make sure the County does not put itself in a significant liability position. County Counsel Long reported in her discussions with other County Counsels and reviewing the executive orders, the State is very clear that both 9.a. and 9.b. apply. County Counsel Long reported the State has also been very clear that counties that are not going to enforce both 9.a and 9.b. as written have potential to be sued and have the potential to have all the other ramifications that come with being out of compliance with state mandates. County Counsel Long reported she apologizes to the Board as she knows the Board has worked very hard to find a solution around the executive order but the advice she is required to provide is that the county must comply with the state mandate.

A discussion was held on Executive Order N-7-22, Resolution# 2022-20, potential liability for the county, and potential solutions to assist with amending the resolution while still complying with the state mandates.

Director of Environmental Health, Warren Farnam, provided comments regarding the challenges for the county to comply with Executive Order N-7-22 and the methodology used to establish the requirements within Resolution# 2022-20. Director of Environmental Health Farnam provided a background on the well permitting process and the legal issues which have arisen throughout the state.

A lengthy discussion continued on Executive Order N-7-22, Resolution# 2022-20, potential liability for the county, and potential solutions to assist with amending the resolution while still complying with the state mandates.

TID Manager Kirby inquired if a report was completed using the model to create a model output or study which said if you are drilling deep water aquifer wells, any shallow wells within one thousand (1,000) feet would not adversely affect those wells or detrimentally affect those wells because there is not a direct connection. Mr. Kirby inquired if TID obtained a report signed off by an engineer using their model which stated it would not adversely impact the domestic well or any domestic well within the basin within one thousand (1,000) feet.

Director of Environmental Health Farnam stated this would be satisfactory as long as the report had the stamp from an engineering hydrologist.

The discussion continued on the requirements of the report and the executive order.

Supervisor Starr inquired how many wells TID was proposing to install in the district and around the basin.

TID Manager Kirby reported TID has three (3) wells proposed to serve patrons located in an area where no surface water was provided last year on the Modoc County side. TID Manager reported the

wells would be installed away from the state line on County Road 104. TID Manager Kirby reported these wells would provide a source of water for the area that TID cannot get water to when shut off from surface water. TID Manager Kirby reported the proposed wells would not be as large as the wells drilled in 2001. TID Manager Kirby reported there are a number of other permits from private individuals which he has approved as the authorized representative of the GSA's. TID Manager Kirby reported on the injunction which could prevent surface water from being delivered to the basin for the 2023 irrigation season.

Supervisor Byrne reported from the discussion she has heard two viable solutions: 1) Add language to the resolution from the FAQ "which could include using a third-party, certified hydrogeologists or other consultants to perform the analysis required in Action 9b" but specify what the other consultants would be; 2) Based on the report, a well could be located within the 1,000 feet as long as the report determines the new well is "not likely to interfere with the production and functioning of existing nearby wells".

TID Board Member, Gary Wright, asked if in an area where there are seventy (70) acre parcels, could you make a variance of 700 feet.

Supervisor Starr reported Mr. Wright's question goes back to his request for information regarding the obtaining a letter from a neighboring well owner and if the authorization letter would satisfy county and GSA liability from the neighboring well owner.

County Administrative Officer, Chester Robertson reported the direction from the Board and County Counsel to staff was to look at how we could incorporate land use configurations into the process.

Supervisor Byrne reported the group has found several solutions which still protect the county while providing the ability to move forward with a proposed well permit once a report is completed and submitted to the Environmental Health Department.

CAO Robertson reported the solutions reached today are more global solution rather than just addressing individual well permits, which if the additional legislation is passed, the solutions would apply basin wide for a more long term sustainable solution.

Supervisor Coe thanked TID for bringing the item to the Board and understanding the constraints the Board was under in having to deal with Governor's executive order.

Supervisor Cavasso stated she appreciates the relationship and willingness to find solutions between all parties. Supervisor Cavasso stated there are potential solutions in your hands and ours, and together we are stronger.

Mr. Seus thanked the Board and expressed appreciation to Supervisor Byrne for her contribution to the board and how well she represents Tulelake. Mr. Seus stated the most important thing they are trying to do is protect their water. Mr. Seus stated he hopes at some point the state and country would recognize the value of agriculture and the food and fiber it produces to feed the world.

Several members of the Board thanked the members of TID for attending the meeting and sharing

their thoughts and concerns with the Board.

5. Consent Agenda Items:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Ned Coe, Supervisor District I
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

- 5.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and the Director of Health Services to sign Agreement #22-11041 between the County of Modoc and the California Department of Public Health (CDPH) in the amount of \$1,045,646.72, effective July 1, 2022 through June 30, 2027. (Health Services)**

Contract# 2023-57

- 5.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and the Director of Health Services to sign a participation agreement between the County of Modoc and California Mental Health Services Authority (CalMHSA), not to exceed \$8,000.00, effective April 1, 2023 through March 31, 2025. (Behavioral Health)**

Contract# 2023-58

- 5.c. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and the Director of Health Services to sign an amendment to agreement No. 1286-BHQIP-2022-MOD between the County of Modoc and California Mental Health Services Authority (CalMHSA) for the Behavioral Health Quality Improvement Program for rollover of existing funds, effective June 16, 2022 through June 30, 2024. (Behavioral Health)**

Contract# 2023-59

- 5.d. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and the Auditor to sign a renewal contract between the County of Modoc and DebtBook to meet the requirements and track GASB 87 and 96 leases, not to exceed \$37,000.00, effective March 1, 2023 through February 28, 2026. (Auditor)**

Contract# 2023-60

- 5.e. CONSIDERATION/ACTION: Requesting the reappointment of Ken McGarva as a Director to the South Fork Irrigation District, Division 2, effective January 1, 2023 for a four-year term expiring December 4, 2026. (County Clerk)**

5.f. **CONSIDERATION/ACTION:** Requesting approval of the February 28, 2023 Board of Supervisors meeting minutes. (Clerk of the Board)

5.g. **CONSIDERATION/ACTION:** Requesting approval of the March 22, 2023 Board of Supervisors special meeting minutes. (Clerk of the Board)

6. Health Services Items:

6.a. **CONSIDERATION/ACTION:** Requesting approval to award bid and authorize the purchase of two (2) Toyota Highlander All Wheel Drive (AWD) sport utility vehicles (SUV's) to Lithia Toyota of Redding, in the amount of \$43,697.32 per vehicle. (Behavioral Health)

Director of Health Services, Stacy Sphar, provided a background on the proposed bid award.

Contract# 2023-61

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

Recess as the Board of Supervisors and convene as the Air Pollution Control District.

Recess as the Board of Supervisors and convene as the Air Pollution Control District.

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

7. Air Pollution Control District:

7.a. **CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board to sign grant agreement #G22-MCAP-13 between the Modoc County Air Pollution Control District and the California Air Resources Board (CARB), not to exceed \$136,096.30, effective December 30, 2022 through June 30, 2027. (Air Pollution Control District)

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

Contract# 2023-62

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

- 7.b. **CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign grant agreement #G21-CAPP-17 between the Modoc County Air Pollution Control District and the California Air Resources Board (CARB), not to exceed \$12,074.00, effective August 1, 2022 through June 30, 2026. (Air Pollution Control District)**

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

Contract# 2023-63

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Ned Coe, Supervisor District I
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

- 7.c. **CONSIDERATION/ACTION: Requesting approval of a budget modification for Fiscal Year 2022-2023 to Air Pollution Fund Number 675; modifying revenues in the amount of \$40,000.00 and expenditures in the amount of \$222,638.00. (Air Pollution Control District)**

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ned Coe, Supervisor District I
SECONDER:	Elizabeth Cavasso, Supervisor District IV
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

Adjourn as the Air Pollution Control District and reconvene as the Board of Supervisors.

Adjourn as the Air Pollution Control District and reconvene as the Board of Supervisors.

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

8. Treasurer/Tax Collector Items:

8.a. CONSIDERATION/ACTION: Requesting approval of a budget modification for Fiscal Year 2022-2023 to General Fund 001; Treasurer Unit 1140, and to General Unit 001; Tax Collector 1160, modifying expenditures for a net zero impact. (Treasurer/Tax Collector)

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth Cavasso, Supervisor District IV
SECONDER:	Ned Coe, Supervisor District I
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

8.b. CONSIDERATION/ACTION: Requesting approval of a Resolution to authorize and approve the use of EastSmartPay, a third-party service providing taxpayers with the option to pay secured property taxes in monthly installments. (Treasurer/Tax Collector)

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

Treasurer/Tax Collector, Cheryl Knoch, provided a background on the proposed resolution and provided several handouts.

A discussion was held and several questions were asked of Treasurer/Tax Collector Knoch.

Motion by Supervisor Coe, seconded by Supervisor Starr to approve as amended Resolution# 2023-18 to authorize and approve the use of EasySmartPay, a third-party service providing taxpayers with the option to pay secured property taxes in monthly installments.

Motion carried unanimously.

Resolution# 2023-18

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Ned Coe, Supervisor District I
SECONDER:	Shane Starr, Supervisor District II
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

Handout Provided - Easy Smart Pay

RESULT:	ANNOUNCED
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FINAL CERTIFIED RESOLUTION# 2023-18

RESULT:	ANNOUNCED
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9. Emergency Services Items:

- 9.a. **CONSIDERATION/ACTION: Requesting approval of a bid exemption pursuant to County Code 3.24.060 (B) (3) and authorization to purchase one (1) 2019 Ford F-150 4x4 pickup with emergency lights and sirens along with radio console from Ken Garff Ford, in the amount of \$47,734.16. (Office of Emergency Services)**

Sheriff, Tex Dowdy and Deputy Director of the Office of Emergency Services, Renae Sweet, provided a background on the proposed purchase.

A discussion was held and several questions were asked of Deputy Director of OES Sweet regarding the requested dollar amount of the vehicle.

Motion by Supervisor Coe, seconded by Supervisor Starr to approve as amended of a bid exemption pursuant to County Code 3.24.060 (B) (3) and authorization to purchase one (1) 2019 Ford F-150 4x4 pickup with emergency lights and sirens along with radio console from Ken Garff Ford, in the amount of \$50,902.41.

Motion carried unanimously.

Contract# 2023-64

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Ned Coe, Supervisor District I
SECONDER:	Shane Starr, Supervisor District II
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

- 9.b. **CONSIDERATION/ACTION: Requesting approval of a Resolution to authorize the Modoc County Sheriff/Corner/Director Office of Emergency Services to apply for Disaster Relief and Emergency Assistance due the Barnes Fire. (Office of Emergency Services)**

Sheriff, Tex Dowdy and Deputy Director of the Office of Emergency Services, Renae Sweet, provided a background on the proposed purchase.

Supervisor Coe stated that both name and title should be included on the resolution.

Motion by Supervisor Coe, seconded by Supervisor Cavasso to approve as amended of a Resolution# 2023-19 to authorize the Modoc County Sheriff/Corner/Director Office of Emergency Services, Tex Dowdy, to apply for Disaster Relief and Emergency Assistance.

Motion carried unanimously.

Resolution# 2023-19

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Ned Coe, Supervisor District I
SECONDER:	Elizabeth Cavasso, Supervisor District IV
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

FINAL CERTIFIED RESOLUTION# 2023-19

RESULT:	ANNOUNCED
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10. Road/Airport Items:

- 10.a. CONSIDERATION/ACTION: Requesting approval of a Resolution authorizing the Road Commissioner to sign documents pertaining to the Safe Streets and Roads for All grant awarded to Modoc County for implementing roadway safety improvements to County Roads 1 and 91. (Road/Airport)**

Road Commissioner, Mitch Crosby, provided a background on the proposed resolution.

Resolution# 2023-20

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Ned Coe, Supervisor District I
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

FINAL CERTIFIED RESOLUTION# 2023-20

RESULT:	ANNOUNCED
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- 10.b. CONSIDERATION/ACTION: Requesting approval of a Resolution confirming the 2023 County Maintained Road Mileage of 982.872 miles. (Road/Airport)**

Road Commissioner, Mitch Crosby, provided a background on the resolution.

Resolution# 2023-21

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

FINAL CERTIFIED RESOLUTION# 2023-21

RESULT:	ANNOUNCED
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- 10.c. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a letter of support for the Modoc County Road Department for their Clean California Local Grant Program grant applications. (Road/Airport)**

Road Commissioner, Mitch Crosby, provided a background on the support letter.

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

11. Administrative Services Items:

- 11.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a non-disclosure agreement between the County of Modoc and Iff Technologies, LLC regarding lease negotiations for property use, effective April 11, 2023. (Administrative Services)**

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

Contract# 2023-65

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth Cavasso, Supervisor District IV
SECONDER:	Ned Coe, Supervisor District I
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

2:09 p.m. Supervisor Rhoads turned the gavel over to Supervisor Starr and left the meeting room. Supervisor Coe also left the meeting room.

- 11.b. CONSIDERATION/ACTION: Requesting approval of a letter pursuant to Ca Gov Code Section 25211.3 (b) setting a public hearing regarding a resolution of application to form a County Service Area for Pest Abatement. (Administrative Services)**

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

A discussion was held and several questions were asked of CAO Robertson.

RESULT:	APPROVED [3 TO 0]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Elizabeth Cavasso, Supervisor District IV
AYES:	Starr, Cavasso, Byrne
RECUSED:	Coe, Rhoads

2:20 p.m. Supervisor Rhoads and Supervisor Coe returned to the meeting room. Supervisor Starr turned the gavel back to Supervisor Rhoads.

11.c. CONSIDERATION/ACTION: Requesting approval of the side letter of agreement between the County of Modoc and the Deputy Sheriff's Association (DSA Unit) regarding Attachment A. (Administrative Services)

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

Contract# 2023-66

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Ned Coe, Supervisor District I
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

12. Board of Supervisors Items:

12.a. 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)

County Administrative Officer, Chester Robertson, reported the 2022-2023 Budget Ad Hoc Committee determined the recommended amount would be \$20,000.00 for Fiscal Year 2022-2023 and to reevaluate for Fiscal Year 2023-2024.

A discussion was held on the method used to determine to reach the recommendation.

Ordered on a motion by Supervisor Starr, seconded by Supervisor Coe to approve as amended to accept the recommendation from the 2022-2023 Budget Ad Hoc Committee to fund \$20,000.00 for Fiscal Year 2022-2023 for the National Center for Public Lands Counties and a commitment from the Board of Supervisors to review the amount to be funded for the National Center for Public Lands Counties by the Board of Supervisors for Fiscal Year 2023-2024.

Motion carried unanimously.

Contract# 2023-67

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Shane Starr, Supervisor District II
SECONDER:	Geri Byrne, Supervisor District V
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

12.b. CONSIDERATION/ACTION: Requesting approval of a letter in opposition to AB 1168 (Bennett): Emergency Medical Services (EMS): prehospital EMS. (Board of Supervisors)

Supervisor Coe provided a background on the opposition letter.

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

13. Comments/Reports:

a. Public Comments

None.

b. Administrative Services Report

County Administrative Officer, Chester Robertson, provided a report on the following: 1) Meetings held on the "Continuous Coverage Unwinding" of the Medi Cal waiver; 2) Project manager interviews on broadband grant and update on broadband; 3) Southern Cascades Community Service District (CSD) meeting; 4) Meeting with a potential Cedarville airport mechanic; 5) Rush Creek Property owner petition; 6) Conducted several site visits with the Watermaster; 7) Meeting to address several issues in the Adin Community; 8) 711 Committee meeting for the Surprise Valley Elementary School building.

c. Department Head Reports

None.

d. Board of Supervisors Reports

Supervisor Coe reported on the following: 1) Big Valley Groundwater Advisory Committee (BVAC) meeting; 2) Tri-Counties meeting; 3) National Association of Counties (NACo) Rural Action Caucus meeting; 4) California State Association of Counties (CSAC) At Home Media Briefing; 5) National Association of Counties (NACo) West Region meeting; 6) Rural County Representatives of California (RCRC) follow up meeting with Department of Conservation (Williamson Act); 7) Meeting with the Chief of the Alturas Rural Fire Department; 8) Special Meeting of California State Association of Counties (CSAC) Board; 9) Meeting with the Secretary of Interior, Deb Haaland with the Klamath Water Users (KWUA); 10) Golden State Natural Resources (GSNR) meeting; 11) California State Association of Counties (CSAC) Executive Board meeting; 12) California State Association of Counties (CSAC) all counties briefing; 13) Rural County Representatives of California (RCRC) legislative call; 14) National Association of Counties (NACo) Public Lands monthly call; 15) Update from Superior California Economic Development (SCED) on the feasibility study for a livestock process facility in Modoc County.

Supervisor Cavasso reported on the following: 1) Modoc County Transportation Commission (MCTC) meeting; 2) Modoc Transportation Agency (MTA) meeting.

Supervisor Starr reported on the following: 1) First 5 Modoc meeting; 2) Sexual Harassment Training; 3) Forest Service Coordination meeting; 4) Museum Ad Hoc Committee meeting; 5) Meeting with the Chief of the Alturas Rural Fire Department; 6) Alturas Chamber of Commerce meeting; 7) Clean California Grant public hearing.

Supervisor Byrne reported on the following: 1) National Association of Counties (NACo) webinar on House Energy/permitting bill; 2) Rural County Representatives of California (RCRC) Officers Zoom; 3) Common Threads award dinner in Winters, CA; 4) 2022-2023 Budget Ad Hoc committee meeting; 5) Klamath Water Users Association Annual meeting.

Supervisor Rhoads reported on the following: 1) Museum Ad Hoc Committee meeting; 2) Forest Service Coordination meeting; 3) Modoc County Transportation Commission (MCTC) meeting; 4) Modoc Transportation Agency (MTA) meeting; 5) Forest Service Recreation meeting.

The Chair of the Board read the Closed session item into the record.

2:48 p.m. Motion to go into Closed Session.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Ned Coe, Supervisor District I
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

14. Closed Session:

14.a. CLOSED SESSION: Pursuant to CA Government Code 54957; Performance Evaluation; Title: First 5 Modoc Executive Director. (First 5 Modoc Commission)

RESULT:	EVALUATION CONTINUED
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3:44 p.m. The Board reconvened and reported out of closed session with Supervisor Coe, Rhoads, Cavasso, Byrne and Starr present.

ADJOURNMENT

Motion to adjourn.

Motion to adjourn the April 11, 2023 meeting.

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

The meeting was adjourned at 3:44 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 25, 2023 at 10:00 a.m.

Tiffany A. Martinez
Clerk of the Board

Kathie Rhoads
Chair, Modoc County Board of Supervisors