

NED COE
1st District

PATRICIA CULLINS
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

(530) 233-6201

April 13, 2021

10:00 AM Call to Order

Attendee Name	Title	Status	Arrived
Ned Coe	Supervisor District I	Present	10:00 AM
Patricia Cullins	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
Tiffany Martinez	Clerk of the Board/ACAO	Present	10:00 AM

Pledge of Allegiance

The Board of Supervisors, Modoc County Departments, and staff would like to observe a moment of silence in memory of Modoc County Watermaster, Wai Lee.

Moment of Prayer

Public Comment

Noelle Jones provided comments regarding the restrictions placed on the citizens of Modoc County by the Governor. Jones provided a historical account of the Healthy Communities Resolution and made comments regarding her dissatisfaction on the continued adherence to the recommended guidelines of the State of California Governor and local health officials.

Modoc County Library Advisory Board, Mark Steffek, provided comments on item 4.i. and reported the Library Advisory Board interviewed two candidates for the open position. Steffek provided a background on the Library Advisory Board, members, and Friends of the Library.

Jay Jones provided comments on the oath of office.

Clerk of the Board, Tiffany Martinez, read comments from a Doreen Smith Power on items 4.a., 4.b., 4.c, 4.d., 4.e., 4.f., 4.g., 4.h., 4.i., which included questions related to the contracts. Clerk of the Board Martinez reported all of the submitted comments were on file with the Clerk of the Board.

Approval or Additions/Deletions to Agenda

The Chair of the Board reported that Health Services has requested to remove item 9.b.

Motion to approve the agenda as amended.

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

Correspondence

The Chair of the Board entered a letter from the California Office of Emergency Services regarding the March 5, 2021 disaster designation due to drought for multiple counties and a letter from the California Office of Emergency Services regarding the U.S. Small Business Administration Economic Injury Disaster Loan Declaration due to a U.S. Department of Agriculture Disaster Declaration.

Clerk of the Board Martinez entered a letter from the Lassen County Board of Supervisors to the California Governor requesting an extension for the submittal of the Groundwater Sustainability Plan (GSP) for the Big Valley ground water basin.

Correspondence received - Lassen County Board of Supervisors to the California Governor regarding SGMA deadline

RESULT:	ANNOUNCED
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Department Head Reports

None.

1. Board of Supervisors Items:

- 1.a. CONSIDERATION/ACTION: Requesting approval of a Resolution in memory and profound appreciation of distinguished service by Wai Lee, Modoc County Watermaster. (Board of Supervisors)**

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

FINAL CERTIFIED RESOLUTION# 2021-11

RESULT:	ANNOUNCED
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2. PUBLIC HEARING - 10:00 A.M.:

2.a. PUBLIC HEARING: Establishing fees for industrial hemp cultivation. (Agriculture)

The Chair of the Board opened the public hearing at 10:27 a.m. and read the item into the record. Chairman Coe requested a staff report.

Agriculture Commissioner, Gary Fensler, provided a background on the proposed resolution to establish a fee for industrial hemp and recommended several amendments as recommended by the Supervisors.

Agriculture Commissioner Fensler detailed the proposed changes as follows:

1. "Travel less than fifty (50) miles" changed to "Travel is less than or equal to fifty miles".
2. "Starting point for travel and mileage would be the Agriculture Commissioners Office at 202 West 4th Street, Alturas, CA 96101

Supervisor Byrne asked for clarification on the mileage amount being one way or round trip.

Agriculture Commissioner Fensler reported the way the resolution is currently written, the mileage is one way.

Supervisor Byrne asked if the mileage amount needs to be specified.

Supervisor Cullins asked if the proposed fees are in addition to what the state charges.

Agriculture Commissioner Fensler stated Supervisor Cullins is correct that the proposed fees are in addition to what the state charges and the Modoc County Planning department.

Chairman Coe reported he felt the mileage needs to be clarified regarding one-way or round trip mileage.

The Chair of the Board asked for public comment.

Clerk of the Board Martinez read a public comment from a Doreen Smith-Power in regards to the challenges faced by farmers with the legalization of marijuana.

The Chair of the Board closed the public hearing at 10:30 a.m.

3. Agriculture Items:

3.a. CONSIDERATION/ACTION: Requesting approval of a Resolution to establish fees for industrial hemp cultivation as per Modoc County Code Section 8.10 allows for the cultivation of industrial hemp within the County of Modoc. (Agriculture)

A discussion was held and several questions were asked of Commissioner Fensler.

Supervisor Byrne requested to have the addition of the Tulelake Office as a starting point.

Agriculture Commissioner Fensler stated he agrees with the addition of the address as follows for the Tullake Office: 356 Tullake Branch Office or depending on a point of departure.

Chairman Coe requested to have the inclusion of the language "per inspection" to the resolution.

It was the consensus of the Board to have Agriculture Commissioner Fensler re-write the Resolution and bring it back to the board later in the agenda for approval.

The Chair of the Board postponed item 3.a. until 1:00 p.m.

The Chair returned to item 3.a. at 1:31 p.m.

Agriculture Commissioner, Gary Fensler, provided an updated Resolution with the requested changes.

Supervisor Cavasso requested to add the verbiage that if there are multiple inspections conducted in one day, fees will be divided equally among the applicants.

Supervisor Byrne requested to have "main" changed to "Main".

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Patricia Cullins, Supervisor District II
AYES:	Coe, Cullins, Rhoads, Cavasso, Byrne

FINAL CERTIFIED RESOLUTION# 2021-12

RESULT:	ANNOUNCED
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1:35 p.m. Motion to return to Closed Session.

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

3.b. CONSIDERATION/ACTION: Requesting approval and authorization to award 2021 Herbicide Bid for Noxious Weed Program to Helena Chemical Company, not to exceed \$36,067.87. (Agriculture)

Agriculture Commissioner, Gary Fensler, provided a background on the proposed bid.

County Administrative Officer, Chester Robertson, asked Agriculture Commissioner Fensler if the bid included rotating some of the chemicals on the roadside.

Agriculture Commissioner Fensler reported he purchased a chemical called Garlon 4C, which he stated was outside of the proposed bid, which will be utilized at a test plot.

CAO Robertson requested that when the test plots are completed he would like to be notified so the District Supervisors can review the results.

Chairman Coe asked if the test plots were to target Russian thistle.

Agriculture Commissioner Fensler reported the roadsides are building a resistance to 2,4-D and roundup and stated they are trying to think outside the box to find an alternate chemical that may work better.

Contract# 2021-45

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patricia Cullins, Supervisor District II
SECONDER:	Kathie Rhoads, Supervisor District III
AYES:	Coe, Cullins, Rhoads, Cavasso, Byrne

4. Consent Agenda Items:

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

- 4.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and Director of Health Services to sign the annual agreement between Modoc County Health Services and Crisis Support Services of Alameda County for after-hours support, not to exceed \$28,716.00, effective July 1, 2021 through June 30, 2022. (Behavioral Health)**

Contract# 2021-46

- 4.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and Director of Behavioral Health Services to sign the annual contract agreement between Modoc County Health Services and Modoc County Office of Education, not to exceed \$225,500.00, effective July 1, 2021 through June 30, 2022. (Behavioral Health)**

Contract# 2021-47

- 4.c. **CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board and Director of Behavioral Health Services to sign the annual contract agreement between Modoc County Health Services and Aurora Behavioral Healthcare – SANTA ROSA, LLC not to exceed \$80,000.00 annually, effective July 1, 2020 through June 30, 2022. (Behavioral Health)

Contract# 2021-48

- 4.d. **CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board and Director of Behavioral Health Services to sign the annual contract agreement between Modoc County Health Services and Visions of the Cross Inc. not to exceed \$50,000.00, effective July 1, 2021 through June 30, 2022. (Behavioral Health)

Contract# 2021-49

- 4.e. **CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board and Director of Behavioral Health Services to sign the annual contract agreement between Modoc County Health Services and Merced Behavioral Health Center not to exceed \$80,000.00, effective March 1, 2021 through February 28, 2022. (Behavioral Health)

Contract# 2021-50

- 4.f. **CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board and the Director of Health Services to sign the ongoing interagency agreement between Modoc County Public Health and Modoc County Office of Education, effective March 1, 2021. (Health Services)

Contract# 2021-51

- 4.g. **CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board and the Director of Health Services to sign a Memorandum of Understanding (MOU) between Modoc Early Head Start (EHS) and Modoc County Public Health, effective May 1, 2021 through May 1, 2023. (Health Services)

Contract# 2021-52

- 4.h. **CONSIDERATION/ACTION:** Requesting approval and authorization to remove one (1) 2015 570 Polaris ATV (Asset ID# 0800012) from Watermaster asset inventory list and grant permission to sell. (Watermaster)

- 4.i. **CONSIDERATION/ACTION:** Requesting appointment of Catherine (Cathy) Smitha as the District II Representative to the Modoc County Library Advisory Board with the effective date of April 13, 2021 through December 31, 2024, as recommended by the Library Advisory Board. (Library)

4.j. **CONSIDERATION/ACTION: Requesting approval of the February 9, 2021 Board of Supervisors meeting minutes. (Clerk of the Board)**

4.k. **CONSIDERATION/ACTION: Requesting approval of the February 23, 2021 Board of Supervisors meeting minutes. (Clerk of the Board)**

5. Road/Airport Items:

5.a. **CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign the annual contracts to purchase materials for use on County road projects for calendar year 2021. (Road/Airport)**

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

Clerk of the Board Martinez read a comment from a Doreen Smith-Power regarding the bid documents and the number of miles paved.

Contract# 2021-53

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth Cavasso, Supervisor District IV
SECONDER:	Kathie Rhoads, Supervisor District III
AYES:	Coe, Cullins, Rhoads, Cavasso, Byrne

6. Social Services Items:

6.a. **CONSIDERATION/ACTION: Requesting permission to rehire an employee in their previous position of Staff Services Analyst II, Range 240: Step-C; \$3,560.00 monthly, effective April 10, 2021. (Social Services)**

Director of Social Services, Tom Sandage, provided a background on the proposed re-hire.

Clerk of the Board Martinez read a comment from a Doreen Smith-Power regarding the proposed hire and the benefits for re-hires.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patricia Cullins, Supervisor District II
SECONDER:	Kathie Rhoads, Supervisor District III
AYES:	Coe, Cullins, Rhoads, Cavasso, Byrne

7. Probation Items:

7.a. **CONSIDERATION/ACTION: Requesting approval and authorization to remove one (1) protective vest (Asset ID# 22200113) from the Probation department inventory list and grant permission to donate the vest to the St. Michael's Shield Project. (Probation)**

Chief Probation Officer, Kim Wills, provided a background on the proposed donation.

Supervisor Cullins asked about the cost to retrofit the vest.

Chief Probation Officer Wills reported the vest is an unusual size, and would not be able to be altered for another officer in the Probation Department. Chief Probation Officer Wills reported she did not have the estimated costs to retrofit a vest.

Clerk of the Board Martinez read a comment from a Doreen Smith-Power regarding the disagreement of donation without proper tracking for the potential return of the item to the Probation Department.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kathie Rhoads, Supervisor District III
SECONDER:	Geri Byrne, Supervisor District V
AYES:	Coe, Cullins, Rhoads, Cavasso, Byrne

8. Health Services Items:

8.a. CONSIDERATION/ACTION: Requesting authorization to revise the Fiscal Year 2020-2021 Public Health personnel allocation table increasing the Health Specialist position allocations from 5.62 to six (6) allocations and fill the position as soon as possible. (Health Services)

Director of Health Services, Stacy Sphar, provided a background on the proposed allocation table change and requested to amend the verbiage from 5.62. to 5.52.

Supervisor Cavasso asked about the sustainability of the funding used to fund these positions.

Director of Health Services Sphar provided a background on the funding used for the positions.

Ordered on a motion by Supervisor Cullins, seconded by Supervisor Cavasso to approve as amended and authorize to revise the Fiscal Year 2020-2021 Public Health personnel allocation table increasing the Health Specialist position allocations from 5.52 to six (6) allocations and fill the position as soon as possible.

Clerk of the Board Martinez read a comment into the record from a Doreen Smith-Power asking several questions related to the funding and the status of the current employees.

Motion carried unanimously.

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Patricia Cullins, Supervisor District II
SECONDER:	Elizabeth Cavasso, Supervisor District IV
AYES:	Coe, Cullins, Rhoads, Cavasso, Byrne

9. Behavioral Health Items:

- 9.a. CONSIDERATION/ACTION: Requesting permission to add one (1) Behavioral Health Fiscal Officer Range 263: Step A-F; \$3,621.00 - \$4,622.00 monthly to the allocation table. (Behavioral Health)**

Director of Health Services, Stacy Sphar, provided a background on the proposed allocation table.

Ordered on a motion by Supervisor Cavasso, seconded by Supervisor Byrne to grant permission to add (.2) Behavioral Health Fiscal Officer Range 263: Step A-F; \$3,621.00 - \$4,622.00 monthly to the allocation table.

Motion carried unanimously.

RESULT:	APPROVE AS AMENDED [UNANIMOUS]
MOVER:	Elizabeth Cavasso, Supervisor District IV
SECONDER:	Geri Byrne, Supervisor District V
AYES:	Coe, Cullins, Rhoads, Cavasso, Byrne

- 9.b. CONSIDERATION/ACTION: Requesting approval of a budget modification for Fiscal Year 2020-2021 to Mental Health Fund 120-4517, adjusting revenues in the amount of \$90,515.00 and adjusting MHSA - MH Services Fund 4517 in the amount of \$90,515.00. - *Removed from the agenda by requesting department.* (Behavioral Health)**

RESULT:	WITHDRAWN
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10. Board of Supervisors Items:

- 10.a. DISCUSSION/INFORMATION: Discussion regarding COVID-19 with the following individuals: County Health Officer, County Counsel, County Administrative Officer, and Director of Health Services. (Board of Supervisors)**

The Director of Health Services provided an update on the following: 1) Honor the Public Health staff for Public Health Week and all their hard work during the COVID-19 pandemic; 2) Currently there are 488 cases with 1 hospitalization; 3) Vaccination 25% of the 16 plus population; 4) Notification to hold the Johnson and Johnson vaccine; 5) Provided 30 doses to several under the age of 16; 6) Modoc County Equity plan to address vulnerable populations; 7) Vaccinations in outlying communities is continuing; 8) Testing update and report there has been over 12,000 tests provided to the community; 9) Update on state COVID-19 guidance; 10) Reported Modoc County is currently in the orange tier; 11) Update on the tier system changes; 12) Departmental Operations Center (DOC) is open and currently meeting weekly; 13) State will be transition from the blueprint on June 15th and will be fully opening up.

A discussion was held and several questions were asked of Director of Health Services Sphar.

10.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to approve and sign a comment letter regarding the Department of Water Resources Draft California's Groundwater Update 2020: and Groundwater: Understanding and Managing this Vital Resource - Bulletin 118. (Board of Supervisors)

Assistant County Administrative Officer, Tiffany Martinez, provided a background on the draft letter.

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

11. Comments/Reports:

a. Public Comments

None.

b. Administrative Services Report

County Administrative Officer, Chester Robertson, provided a report on the following: 1) Initiation of union negotiation; 2) Completed the second insurance payments; 3) Report was provided on the inspection of the jail facility; 4) Update on the proposed Everywhen project; 5) Report on large amount of retirements and human resources issues within the county.

c. Department Head Reports

None.

d. Board of Supervisors Reports

Supervisor Cullins reported on the following: 1) Community Corrections Partnership (CCP) meeting was canceled for the second month; 2) Behavioral Health Advisory Board meeting; 3) Library Advisory Board meeting; 4) Forest Service Recreational Working Group meeting; 5) SB 287 legislation regarding DMV designation of horse trailers.

Supervisor Rhoads reported on the following: 1) Forest Service Coordination meeting; 2) Forest Service Recreational Working Group meeting; 3) Modoc County Transportation Commission (MCTC) meeting; 4) Modoc Transportation Agency (MTA) meeting; 5) Local Agency Formation Commission (LAFCo) meeting.

Supervisor Cavasso reported on the following: 1) Field visit with Modoc County Fire Safe Council fire break in California Pines; 2) Public Health Department Operations Center (DOC) COVID-19 meetings; 3) Modoc County Fish, Game & Recreation meeting; 4) Virtual learning series regarding residential HEPA filters for partnerships for vulnerable populations; 5) Sierra Eastside Regional Prioritization Group meeting; 6) Modoc County Transportation Commission (MCTC) meeting; 7) Modoc Transportation Agency (MTA) meeting; 8) Memorial Service for Watermaster, Wai Lee.

Supervisor Byrne reported on the following: 1) Big Valley Advisory Committee Public Outreach meeting; 2) Forest Service Coordination meeting; 3) Coalition of the Willing meeting; 4) Call regarding the Adin ambulance issues; 5) Big Valley Advisory Committee Ad Hoc call; 6) Golden State Natural Resources (GSNR); 7) Big Valley Advisory Committee meeting; 8) Meeting with Congressman LaMalfa regarding multiple issues related to Modoc County; 9) Call from a constituent regarding meters being installed on a property; 10) Meeting regarding Klamath Water issues with Siskiyou County and Klamath County Commissioners.

Supervisor Coe reported on the following: 1) Surprise Valley Chamber of Commerce meeting; 2) Attended the virtual scoping meeting for the ZAYO fiber optic project; 3) Public Health Department Operations Center (DOC) weekly meetings; 4) Virtual meeting with Superior California Economic Development (SCED) related to the strategic plan; 5) Modoc Washoe Environmental Stewardship meeting; 6) Superior California Economic Development Strategic action plan meeting; 7) Adin air ambulance meeting; 8) Golden State Natural Resources (GSNR) Board Meeting; 9) Congressman LaMalfa regarding multiple issues related to Modoc County; 10) Modoc County Cattlemen's Dinner.

The Chair of the Board read the closed session items into the record.

11:36 a.m. Motion to go into Closed Session.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Kathie Rhoads, Supervisor District III
AYES:	Coe, Cullins, Rhoads, Cavasso, Byrne

1:30 p.m. The Board reconvened with Supervisor Coe, Cullins, Rhoads, Cavasso and Byrne present. The Chair of the Board returned to item 3.a.

12. Closed Session:

12.a. CLOSED SESSION: Pursuant to CA Government Code 54957; Performance Evaluation; Title: Health Services Director. (Board of Supervisors)

RESULT:	EVALUATION HELD
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12.b. CLOSED SESSION: Pursuant to CA Government Code 54957; Performance Evaluation; Title: Chief Probation Officer. (Board of Supervisors)

RESULT:	EVALUATION HELD
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3:20 p.m. The Board reconvened and reported out of closed session with Supervisor Coe, Cullins, Rhoads, Cavasso and Byrne present.

ADJOURNMENT

Motion to adjourn.

Motion to adjourn the April 13, 2021 meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Geri Byrne, Supervisor District V
SECONDER:	Kathie Rhoads, Supervisor District III
AYES:	Coe, Cullins, Rhoads, Cavasso, Byrne

The meeting was adjourned at 3:21 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 27, 2021 at 10:00 a.m.

Tiffany A. Martinez
Clerk of the Board

Ned Coe
Chair, Modoc County Board of Supervisors