

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

May 9, 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
Chester Robertson	County Administration Officer	Present	10:00 AM
Scott McLeran	Deputy County Counsel	Remote	10:00 AM
Mickey Cole	Extra Help	Present	10:00 AM

Pledge of Allegiance

Moment of Prayer

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

Public Comment

Extra Help, Mickey Cole, reported a public hearing had been noticed in the paper to be held at 10:00 a.m. on May 9, 2023 but there had been a need to reschedule the public hearing to May 23, 2023 at 10:00 a.m.

Approval or Additions/Deletions to Agenda

Motion to approve the agenda as presented.

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

Correspondence

Extra Help, Mickey Cole, entered the following correspondence into the record: 1) Thank you card from the Lomakatsi Restoration Project to the Board of Supervisors; 2) A letter from Modoc County resident, Doreen Smith Power, regarding Lake City Use Permit UP#96-51.

Supervisor Cavasso reported she had received a news release from the Wildland Fire Leadership Council regarding the National Cohesive Wildland Fire Management Strategy Addendum Update.

- a. **Correspondence Received - California Fish and Game Commission notice of revised regulatory language concerning Klamath River Basin sport fishing.**

RESULT: ANNOUNCED

- b. **Correspondence Received - Lomakatsi Restoration Project Thank-You card to the Board of Supervisors.**

RESULT: ANNOUNCED

- c. **Correspondence Received - Letter from Doreen Smith-Power regarding Lake City Use Permit UP#96-51.**

RESULT: ANNOUNCED

- d. **Correspondence Received - Wildland Fire Leadership Council regarding the National Cohesive Wildland Fire Management Strategy Addendum Update.**

RESULT: ANNOUNCED

Department Head Reports

None.

1. Board of Supervisors Items:

- 1.a. **CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a proclamation to establish the month of May as Older American's Month. (Board of Supervisors)**

Supervisor Starr read the proclamation into the record.

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

2. Consent Agenda Items:

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

- 2.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign Amendment No. 9 to Agreement No. Y14-2376 between the County of Modoc and Regents of University of California, not to exceed \$15,000.00, effective July 1, 2023 through June 30, 2024. (Administrative Services)**

Contract# 2023-75

- 2.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a Memorandum of Understanding between the Siskiyou Modoc Regional Department of Child Support Services Office and Modoc County Department of Social Services, effective July 1, 2023 through June 30, 2027. (Social Services)**

Contract# 2023-76

3. Agriculture Items:

- 3.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a lease agreement between the County of Modoc, Duncan Family Farms, and Scarb Farms for the lease of one (1) dwelling unit at the Castle Rock Farmworker Center Housing, effective May 1, 2023 through October 31, 2023. (Agriculture)**

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

Supervisor Byrne reported there was a need to correct the spelling of Scarb Farm to Scarab Farm.

Ordered on a motion by Supervisor Starr, seconded by Supervisor Cavasso to approve as amended and authorize the Chair of the Board to sign a lease agreement between the County of Modoc, Duncan Family Farms, and Scarb Farms for the lease of one (1) dwelling unit at the Castle Rock Farmworker Center Housing, effective May 1, 2023 through October 31, 2023 with the addition of the following changes:

1) Change spelling of Scarb Farms to Scarab Farms.

Contract# 2023-77

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

4. Information & Technology Items:

- 4.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a Service Order Form Term between the County of Modoc and USCC Services, LLC for cellular service, effective May 9, 2023. (Information Technology)**

Assistant County Administrative Officer, Tiffany Martinez, provided a background on the proposed contract.

Contract# 2023-78

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

5. Recorder Items:

- 5.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign an updated contract between the County of Modoc and Permitium, LLC to facilitate the processing of electronic vital record requests, effective May 9, 2023 through March 31, 2024. (Recorder)**

Recorder, Kristen DePaul, provided a background on the proposed contract update.

Contract# 2023-79

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

6. Behavioral Health Items:

- 6.a. CONSIDERATION/ACTION: Requesting permission to rehire one (1) employee in their previous position of Behavioral Health Nurse II, Range 265: Step-B; \$4,301.00 monthly, effective June 1, 2023. (Behavioral Health)**

Director of Health Services, Stacy Sphar, provided a background on the request to rehire a previous employee with the effective date of June 1, 2023.

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

7. Health Services Items:

- 7.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a contract between the County of Modoc and JoAnn Lewis, IM USA International Trainer for a four (4) day infant massage instructor certification training, not to exceed \$7,250.00, effective May 30, 2023 through June 2, 2023. (Public Health)**

Director of Health Services, Stacy Sphar, provided a background on the proposal. Director of Health Services Sphar reported the state of California had been delayed with releasing of the funds and the funds must be expended by the end of the current fiscal year.

The item was approved with Supervisor Cavasso as the mover, and Supervisor Byrne as the seconder.

A discussion was held and questions were asked of Director of Health Services Sphar regarding expenses for the training such as lodging, textbooks, and training dolls.

Ordered on a motion by Supervisor Cavasso, seconded by Supervisor Byrne to amend the motion to approve as amended and authorize the Chair of the Board to sign a contract between the County of Modoc and JoAnn Lewis, IM USA International Trainer for a four (4) day infant massage instructor certification training, not to exceed \$7,250.00, effective May 30, 2023 through June 2, 2023 with the inclusion of the following changes:

1) Increase the "not to exceed" amount by up to \$1,000.00 to cover travel expenses.

Contract# 2023-80

RESULT:	APPROVED AS AMENDED [4 TO 1]
MOVER:	Elizabeth Cavasso, Supervisor District IV
SECONDER:	Geri Byrne, Supervisor District V
AYES:	Starr, Rhoads, Cavasso, Byrne
NAYS:	Coe

7.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and the Director of Health Services to sign a Professional Services agreement between the County of Modoc and First 5 Modoc for the purpose of providing home visiting outreach and education, not to exceed \$30,000.00, effective July 1, 2022 through June 30, 2023. (Public Health)

Director of Health Services, Stacy Sphar, provided a background on the proposed subcontract. Director of Health Services Sphar reported the project would be for training and for creating community interest in the curriculum.

A discussion was held regarding the effective dates and the budget.

Supervisor Cavasso provided comments she believed the project was worthwhile and the County was not at fault for the late funding and short implementation time due to delay in State funding.

County Administrative Officer (CAO), Chester Robertson, provided comments that he supports retroactively approving the subcontract. CAO Robertson reported the State was behind in funding in many county departments and retroactive approval was required in many cases. CAO Robertson reported that some expenditures had been necessary prior to receiving the delayed funding from the State.

Contract# 2023-81

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

8. Emergency Services Items:

8.a. CONSIDERATION/ACTION: Requesting approval of a Resolution to continue the existence of a local emergency in Modoc County due to flooding conditions. (Office of Emergency Services)

Deputy Director of the Office of Emergency Services (OES), Renae Sweet, provided a background on the continued existence of local flooding conditions within Modoc County.

Resolution# 2023-23

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

FINAL CERTIFIED RESOLUTION# 2023-23

RESULT:	ANNOUNCED
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- 8.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a contract between the County of Modoc and McComb's Electric for the purchase and installation of 800 kw generator, not to exceed \$116,360.00, effective May 9, 2023 through November 30, 2023. (Office of Emergency Services)**

Deputy Director of the Office of Emergency Services (OES), Renae Sweet, provided a background on the generator project and the installation timeline of the generator.

A discussion was held and questions were asked of OES Deputy Director Sweet regarding if sales tax was included in the bid.

Director of Health Services Sphar received a message during the meeting from Owner, Dane McComb, stating sales tax had been included in the bid.

County Administrative Officer, Chester Robertson, reported prevailing wage had been incorporated in the bid.

A discussion was held and questions were asked of Deputy Director of OES Sweet regarding supply chain issues.

A brief discussion was held and questions were asked of Deputy Director of OES Sweet regarding the installation location of the generator.

A brief discussion was held and questions were asked of Deputy Director of OES Sweet and Sheriff, Tex Dowdy, regarding plans for the remainder of the grant funds.

Contract# 2023-82

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

9. Sheriff/Coroner Items:

- 9.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a Memorandum of Understanding (MOU) between the Modoc County Sheriff's Office and California Health and Recovery Solutions for the provision of early access and stabilization services, effective June 1, 2023 through June 30, 2026. (Sheriff's Office)**

Sheriff, Tex Dowdy, provided a background on the proposed contract. Sheriff Dowdy detailed the ways the services would benefit individuals facing felony charges that were in behavioral health crisis in facilities. Sheriff Dowdy reported the goal was to re-establish the competency of these individuals to stand trial.

Contract# 2023-83

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

- 9.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign an Memorandum of Understanding (MOU) between the Modoc County Sheriff Office, Health Services, and the Department of State Hospitals (DSH) for handling and safeguarding health information provided by County to DSH, effective June 1, 2023 through June 30, 2026. (Sheriff's Office)**

Sheriff, Tex Dowdy, provided a background on the proposed contract and reported this would allow the sharing of medical information between Department of State Hospitals, Behavioral Health, and the Modoc County Sheriff's Office.

Contract# 2023-84

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

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.

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

10. Modoc County GSA Items:

10.a. CONSIDERATION/ACTION: Requesting approval of a Resolution to delegate authority to make findings required by the Governor's Drought Executive Order N-7-22 for all those portions of the Tulelake Groundwater Subbasin located within Modoc County. (Board of Supervisors)

County Administrative Officer, Chester Robertson, provided a background on the proposed resolution and reported the Memorandum of Understanding would allow the plan manager delegation of authority.

Extra Help, Mickey Cole, provided two handouts for items 10.a. and 10.b. which included: 1) March 2022 Executive Order N-7-22; 2) Frequently Asked Questions Document, Executive Order N-7-22 Action 9: Drought Well Permitting Requirements.

Resolution# 2023-24

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

Handout Provided - March 2022 Executive Order N-7-22.

RESULT:	ANNOUNCED
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Handout Provided - Frequently Asked Questions Document, Executive Order N-7-22 Action 9: Drought Well Permitting Requirements.

RESULT:	ANNOUNCED
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FINAL CERTIFIED RESOLUTION# 2023-24

RESULT:	ANNOUNCED
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10.b. CONSIDERATION/ACTION: Requesting approval of a Resolution to delegate authority to make findings required by the Governor's Drought Executive Order N-7-22 for all those portions of the Big Valley Groundwater Basin located within Modoc County. (Board of Supervisors)

County Administrative Officer (CAO), Chester Robertson, provided a background on the proposed resolution. CAO Robertson reported a previous Memorandum of Understanding (MOU) between the Lassen County Groundwater Sustainability Agency (GSA) and the Modoc County GSA stated that neither GSA would exercise authority in one other's jurisdiction. CAO Robertson reported that after various meetings with County staff, the recommendation was to use the permitting authority job classification within the County of Modoc to make the determination to sign off item 9.b. well applications.

A discussion was held and CAO Robertson was asked if appeals of findings would be allowed to be made to the Board of Supervisors after well-permit determinations had been issued.

Deputy County Counsel, Scott McLeran, replied that the Board of Supervisors would be in a position to review appeals of findings.

A discussion was held and questions were asked of CAO Robertson regarding the inclusion of basins that are not under a Groundwater Sustainability Agency (GSA) in item 9.b.

CAO Robertson recommended to return to the Board of Supervisors at the next meeting with a resolution to address the non-GSA basins.

Resolution# 2023-25

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

FINAL CERTIFIED RESOLUTION# 2023-25

RESULT:	ANNOUNCED
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Adjourn as the Modoc County Groundwater Sustainability Agency and reconvene as the Board of Supervisors.

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

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

11. Comments/Reports:

a. Public Comments

None.

b. Administrative Services Report

County Administrative Officer, Chester Robertson, reported on the following: 1) Upcoming meeting with insurance carrier and a review of all excess policies; 2) Staff had been assigned for the Broadband grant to meet with Barbara Hayes at Golden State Finance Authority (GSFA); 3) Initial consultant questionnaire regarding Smart Technology community goals.

c. Department Head Reports

Sheriff, Tex Dowdy, provided a report on the following: 1) License plate reader program cameras project in Modoc County with initial funding likely to come from the Homeland Security grant; 2) Requesting to develop a License Plate Reader (LPR) Ad Hoc Committee with one Board of Supervisor member to be assigned to the committee.

d. Board of Supervisors Reports

Supervisor Byrne reported on the following: 1) Rural County Representatives of California (RCRC), Golden State Finance Authority (GSFA) and Golden State Connect Authority (GSCA) Executive Committees meetings; 2) Tri-Counties meeting; 3) Rural County Representatives of California (RCRC) Legislative call; 4) Golden State Natural Resources (GSNR) Board of Directors meeting; 5) Klamath Water Users Association (KWUA) discussion and preparation for a three-county full board meeting; 6) Upcoming Rural County Representatives of California (RCRC), Golden State Finance Authority (GSFA) and Golden State Connect Authority (GSCA) Board of Directors/County of the Chair meetings.

Supervisor Starr reported on the following: 1) Rural Development state office meeting; 2) Code Enforcement Ad Hoc Committee meeting; 3) United States Forest Service (USFS) Coordination meeting; 4) Nevada-California-Oregon Railway open house.

Supervisor Cavasso reported on the following: 1) Northern Rural Training and Employment Consortium (NoRTEC) meeting, 2) Code Enforcement Ad Hoc Committee meeting; 3) Wildland Fire Leadership Council - Western Region leadership meeting; 4) Nevada-California-Oregon Railway open house.

Supervisor Coe reported on the following: 1) Modoc Fish, Game and Recreation Commission meeting; 2) Outdoor Sportsman's Exposition planned for June 24, 2023; 3) Tri-Counties meeting; 4) Rural County Representative of California (RCRC) Legislative call; 5) Surprise Valley Chamber mixer; 6) United States Department of Agriculture (USDA) Feasibility study meeting; 7) Golden State Natural Resources Board meeting; 8) Rural County Representatives of California (RCRC) meeting; 9) Western Interstate Region conference meetings; 10) A brief discussion regarding the deplorable situation with both land line and cellular phone outages in the county; 11) Provided information on the option in an emergency situation to text 911 if phone service is unavailable, and that if phone location services are turned on it will indicate the location of the caller.

Sheriff, Tex Dowdy, provided comments of a recent crisis at the Sheriff's Department due to telephone calls not going through to the Sheriff's Dispatch. Sheriff Dowdy reported that the Susanville California Highway Patrol (CHP) office had dealt with a similar telephone outages this week. Sheriff Dowdy reported the telephone outage problems were definitely a Northstate problem.

County Administrative Officer (CAO), Chester Robertson, reported that the County Administrative Office had received complaints from multiple agencies and members of the public regarding the lack of both cellular and land line service in the county. CAO Robertson reported there were multiple issues occurring simultaneously in relation to the loss of services. CAO Robertson discussed the differences between regulated utilities land line service versus non-regulated cellular service. CAO Robertson stated Frontier Communications had denied any knowledge of loss of regulated land line utilities for more than 24 hours although losses had been experienced. CAO Robertson stated the County had held discussions with US Cellular regarding the reported cell service outages and that US Cellular provided multiple factors for the outages including: 1) Abnormal weather conditions affecting equipment on towers; 2) Frontier Communications service interruptions to the cellular towers; 3) Nationwide conversion from CDMA technology required updates to phones in addition to some older phones no longer supported by the advancing technologies with the move away from CDMA technology. CAO Robertson recommended members of the public should understand the differences between regulated versus unregulated utilities, and if they experience a loss with their land line regulated utilities, they should report the loss to the Public Utilities Commission. CAO Robertson recommended that members of the public report loss of cellular services to their cell service carrier. CAO Robertson reported the County had requested that US Cellular provide a public notice advisory in the newspaper and continue open communication with their customers.

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

Supervisor Rhoads reported on the following: 1) Main Street procession for Ron Sherer; 2) Humane Society dinner and fund raising event; 3) Local Oral Health Advisory Committee monthly meeting; 4) United States Forest Service (USFS) Recreation meeting; 5) Canine fundraising dinner.

Supervisor Rhoads appointed Supervisor Cavasso to the new License Plate Reader Ad Hoc Committee.

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

11:06 a.m. Motion to go into Closed Session.

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

12. Closed Session:

12.a. CLOSED SESSION: Pursuant to CA Government Code 54957 (b) (1); Public Employment Conduct Interview; Title: Deputy Clerk of the Board I. (Clerk of the Board)

RESULT:	COMPLETED
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12.b. CLOSED SESSION: Pursuant to CA Government Code 54957; Performance Evaluation; Title: Director of Health Services. (Administrative Services)

RESULT:	EVALUATION HELD
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12.c. CLOSED SESSION: Pursuant to CA Government Code 54957; Performance Evaluation; Title: Road Commissioner. (Administrative Services)

RESULT:	EVALUATION HELD
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4:10 p.m. The Board reconvened and reported out of closed session with Supervisor Coe, Rhoads, Cavasso, Byrne and Starr present.

ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned to meet in regular session Tuesday, May 23, 2023 at 10:00 a.m.

Tiffany A. Martinez
Clerk of the Board

Kathie Rhoads
Chair, Modoc County Board of Supervisors