

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

VACANT  
2<sup>nd</sup> 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 10, 2022

### 10:00 AM Call to Order

| Attendee Name     | Title                         | Status  | Arrived  |
|-------------------|-------------------------------|---------|----------|
| Ned Coe           | Supervisor District I         | 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 | 10:04 AM |
| Mickey Cole       | Extra Help                    | Present | 10:00 AM |
| Chester Robertson | County Administration Officer | Present | 10:00 AM |
| Margaret Long     | County Counsel                | Present | 10:00 AM |

### Pledge of Allegiance

### Moment of Prayer

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

### Public Comment

The Vice-Chair of the Board, Supervisor Rhoads, opened the meeting. Supervisor Rhoads then handed the gavel to the Chair of the Board, Supervisor Byrne.

Doreen SmithPower provided comments on integrity, honesty, justice, liberty, and civil rights and discussed a resolution regarding telephonic communication which was approved on March 8, 2022, by the Board of Supervisors.

Representative of the New California State Movement, Noelle Jones, provided a background on the New California State Movement and its formation. Representative Jones reported the New California State Movement had found statistical anomalies in ballot tabulations in the November 2020 General Election and the 2021 Recall Election. Representative Jones provided comments regarding the New California State serving a legal request letter to the County Auditor, Stephanie Wellemeyer. Representative Jones reported she had come to the Board of Supervisors meeting to read the letter into the record, and provided a handout of the letter to the Board of Supervisors. Representative Jones requested all voting in the precinct be done by paper ballots.

Representative of the New California State Movement, Jay Jones, continued to read a portion of the letter regarding paper ballots and storage of paper ballots.

Modoc County Resident, James Kelly, continued to read a portion of the letter regarding electronically stored data and preserving data and forensic data.

Adin resident, Laurel Ybarra, read the last portion of the letter. Laurel Ybarra reported on the movie "2,000 Mules" and provided a link where it could be viewed online.

### **10:04 a.m. Supervisor Byrne entered the meeting room**

### **Approval or Additions/Deletions to Agenda**

#### **Motion to approve the agenda as presented.**

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|------------------|----------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Ned Coe, Supervisor District I         |
| <b>SECONDER:</b> | Kathie Rhoads, Supervisor District III |
| <b>AYES:</b>     | Coe, Rhoads, Cavasso, Byrne            |

### **Correspondence**

- a. **Correspondence received - Letter from the United States Department of the Interior Bureau of Land Management, Applegate Field Office: 2022 public lands grazing season amidst existing drought conditions.**

Clerk of the Board Extra Help, Mickey Cole, reported on a letter received from the United States Department of Agriculture regarding the Modoc National Forest seeking public comments on the County Road 91 Fuel Break Project.

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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### **Department Head Reports**

None.

#### **1. Recorder Items:**

- 1.a. **PRESENTATION: Presentation on AB 1466 regarding restrictive covenant modifications and the bill's impact on the Recorder's Office. (Recorder)**

Assessor/Recorder, Kristen DePaul, provided a presentation on Assembly Bill AB1466 regarding restrictive covenant modifications. Assessor/Recorder DePaul provided a historical account of racial or restrictive covenants and a history of the bill which she reported had been passed into law in 2021. Assessor/Recorder DePaul detailed the procedures the Recorder's office would be required to implement, including the following: 1) Recorders are now required to redact offensive language on copies of a deed; 2) Upon receiving a copy of a deed, the public would be provided a request form to

have offensive information redacted; 3) On July 1, 2022, the Recorder's office would be required to implement and report on the way in which the Recorder's office would delete offensive language, provide a timeline of when portions of the program would be implemented, and relay how the Recorder's office would track and maintain a record of unlawfully restrictive covenants once those had been identified; 4) As of January 1, 2022, the Recorder's office was required to begin indexing restrictive covenant items as well as make the index available to the public online; 5) After January 1, 2022, members of the public could request to have offensive language removed from a deed. The original document would be preserved and would be re-recorded with the offensive language removed, and the new document would be indexed; 6) All re-recorded documents would pass through County Counsel for approval; 7) Restrictive language would no longer be visible or readable, and the original document would be retained; 8) There was currently an allowed two dollar (\$2.00) fee which could be charged for the first page of each document, but the Modoc County Recorder's office had chosen not to charge the fee at this time. If adopted in the future, the fee would sunset in 2027; 9) Restrictive covenant modification information must be available online on July 1, 2022. Assessor/Recorder DePaul provided a report of two options for the July 1, 2022 portion of the program, including: 1) Manual search for offensive words; 2) Software/computer search for offensive words. Assessor/Recorder DePaul reported scanning the documents would be time-consuming and costly but would be more efficient than a manual search. Assessor/Recorder DePaul reported California had been the first state to make this process a legal requirement. Assessor/Recorder DePaul stated Washington found about sixty (60) words of offensive nature, and the list would be utilized if the Recorder's office moved forward with the electronic search.

A discussion followed regarding the process and procedure to complete documents, and the time required to complete a document search with Optical Character Recognition (OCR) software versus the time required to complete a document search manually.

A discussion followed regarding the cost to complete documents.

Supervisor Coe expressed disappointment regarding the unfunded State mandate.

Assessor/Recorder DePaul reported the Assessor's records had been digitized in the past, but the Recorder's records had not been digitized.

Supervisor Coe asked if this would provide a digital backup of the Recorder's records for the future.

Assessor/Recorder DePaul replied this would provide a digital backup for the Recorder's records.

## **2. Consent Agenda Items:**

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

- 2.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and the Director of Behavioral Health Services to sign the contract amendment between Modoc County Health Services and California Institute for Behavioral Health Solutions (CIBHS) not to exceed \$1,000.00, effective November 1, 2021 through June 30, 2022. (Behavioral Health)**

**Contract# 2022-72**

- 2.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and the County Administrative Officer to sign a contract between the County of Modoc and Columbia Telecommunications Corporation for the provision, installation and maintenance of advanced network services not to exceed \$15,192.00, effective May 10, 2022 through May 10, 2023. (Library)**

**Contract# 2022-73**

- 2.c. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and the Director of Health Services to sign a Parity Amendment to the contract between Modoc County Behavioral Health and the Department of Health Care Services, effective date is the date approved by the Department of Health Care Services. (Behavioral Health)**

**Contract# 2022-74**

### **3. Health Services Items:**

- 3.a. CONSIDERATION/ACTION: Requesting permission to add one (1) Administrative Assistant range 203: Step A-F, \$2,684.00-\$3,425.00 to the allocation table and advertise with all county departments and fill the position in accordance to the County Memorandum of Understanding. (Health Services)**

Director of Health Services, Stacy Sphar, provided a background on the Public Health Allocation table.

Supervisor Cavasso asked if the verbiage indicated the position would be advertised within Modoc County only or if the position would also be advertised outside of Modoc County.

Director of Health Services Sphar replied the position would be advertised internally only per the Memorandum of Understanding (MOU).

County Administrative Officer, Chester Robertson, provided comments the position would be advertised internally only in order to not increase the number of positions within the county.

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

#### **4. Board of Supervisors Items:**

**4.a. CONSIDERATION/ACTION: Requesting approval of a Resolution to establish the "Ag Pass Program" for agriculture producers in the event of an emergency or disaster. (Board of Supervisors)**

Farm Advisor, Laura Snell, provided a background on the resolution.

Supervisor Coe thanked Farm Advisor, Laura Snell, Agricultural Weights and Measures Inspector II, Jolene Moxon, Deputy Director of the Office of Emergency Services, Heather Hadwick, Assistant County Administrative Officer, Tiffany Martinez, Supervisor Cavasso, and Sheriff Tex Dowdy for their work to implement the Ag PASS and meet Modoc County's unique needs.

Supervisor Cavasso provided comments the Modoc County Ag PASS included bees as well as livestock.

##### **Resolution# 2022-19**

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Kathie Rhoads, Supervisor District III |
| <b>SECONDER:</b> | Ned Coe, Supervisor District I         |
| <b>AYES:</b>     | Coe, Rhoads, Cavasso, Byrne            |

##### **FINAL CERTIFIED RESOLUTION# 2022-19**

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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**4.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a letter of support for Del Logging Inc.'s grant application for CAL FIRE's Business Development Grant. (Board of Supervisors)**

Supervisor Byrne provided a background on the letter of support.

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

**4.c. CONSIDERATION/ACTION: Requesting approval of a Resolution to establish emergency temporary measures to comply with the Governors' Executive Order N-7-22 to consider potential impacts of well interference and groundwater basin subsidence prior to the issuance of a non-domestic well construction permit. (Board of Supervisors)**

Director of Environmental Health, Warren Farnam, provided a background on the resolution. Director of Environmental Health Farnam reported there was a one-page addendum that would be included in the resolution application.

Supervisor Coe thanked Director of Environmental Health Farnam for his work on the resolution.

Supervisor Byrne thanked Director of Environmental Health Farnam for his work on the resolution.

**Resolution# 2022-20**

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

**FINAL CERTIFIED RESOLUTION# 2022-20**

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| <b>RESULT:</b> | <b>ANNOUNCED</b> |
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**5. Library Items:**

**5.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to accept the Quality Counts North State/Modoc First 5 grant in the amount of \$2,400.00 for children's environment improvements in all Modoc County Library sites. (Library)**

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

A discussion followed regarding the budget numbers and allocation amounts to four (4) Modoc County library sites.

**Ordered on a motion by Supervisor Cavasso, seconded by Supervisor Coe to approve as amended with a request for the department to report back at the next Board of Supervisors**

meeting what the actual grant amount is and how it will be distributed between the four (4) library sites.

**Contract# 2022-75**

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| <b>RESULT:</b>   | <b>APPROVE AS AMENDED [UNANIMOUS]</b>     |
| <b>MOVER:</b>    | Elizabeth Cavasso, Supervisor District IV |
| <b>SECONDER:</b> | Ned Coe, Supervisor District I            |
| <b>AYES:</b>     | Coe, Rhoads, Cavasso, Byrne               |

**6. Administrative Services Items:**

- 6.a. **CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board and the County Administrative Officer to sign an amendment between the County of Modoc and Shasta Cascade Hazardous Materials Response Team Letter of Understanding (LOU) to extend the LOU in its current format per section VIII on page 8 by an additional 5 years, effective July 1, 2022 to June 30, 2027. (Administrative Services)

County Administrative Officer (CAO), Chester Robertson, provided a background on the amendment. CAO Robertson reported no changes had been made to the previous contract.

**Contract# 2022-76**

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Ned Coe, Supervisor District I         |
| <b>SECONDER:</b> | Kathie Rhoads, Supervisor District III |
| <b>AYES:</b>     | Coe, Rhoads, Cavasso, Byrne            |

- 6.b. **CONSIDERATION/ACTION:** Requesting approval to reclassify the job classification and salary for the Probation Officer I, Range 213: Step A-F; \$2,822.00-\$3,602.00 to a tiered salary with a minimum Range 246; Step A-F; \$3,326.00-\$4,245.00 monthly as non-exempt position and a maximum Range 251: Step A-F; \$3,411.00-\$4,353.00 monthly as non-exempt position, subject to determination of range placement by qualifications identified in the class specification, effective May 10, 2022. (Administrative Services)

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

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

- 6.c. **CONSIDERATION/ACTION: Requesting approval to reclassify the job classification and salary for the Probation Officer II, Range 232: Step A-F; \$3,101.00-\$3,959.00 to Range 260: Step A-F; \$3,567.00-\$4,552.00 monthly as non-exempt position, effective May 10, 2022. (Administrative Services)**

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

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

- 6.d. **CONSIDERATION/ACTION: Requesting approval to create the position and establish the job classification and salary of the Probation Officer III, Range 274: Step A-F; \$3,825.00-\$4,881.00 monthly as a non-exempt employee, effective May 10, 2022. (Administrative Services)**

County Administrative Officer, Chester Robertson, reported this was a creation of a new position in the Probation Department.

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

- 6.e. **CONSIDERATION/ACTION: Requesting approval to create the positions and establish the job classifications and salary of the Supervising Probation Officer, Range 288: Step A-F; \$4,101.00-\$5,233.00 monthly as a non-exempt employee, and the Supervising Probation Officer, Range 323: Step A-F; \$5,200.00-\$6,233.00 monthly as an exempt employee. (Administrative Services)**

County Administrative Officer, Chester Robertson, provided a background on the creation of two classification series of both exempt and nonexempt status, and the qualifications of each classification.

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

## **7. Comments/Reports:**

### **a. Public Comments**

Doreen SmithPower provided comments regarding tabling an item and returning to it in the future for clarity. SmithPower also provided comments on the Assessor's AB 1466 presentation and the importance of maintaining the integrity of documents.

#### **b. Administrative Services Report**

County Administrative Officer, Chester Robertson, provided a report on the following: 1) Position for Wildlife Services Agent available and the creation of an Extra Help position; 2) Review of Pit River Levee by Army Corp of Engineers; 3) Chief Probation Officer position currently flying; 4) Agricultural Commissioner position currently flying; 5) Librarian position currently flying; 6) Meeting with California State Assemblywoman Megan Dahle's office; 7) Meeting with Rural County Representatives of California (RCRC) President, Patrick Blacklock; 8) Mid-Year Budget Review Committee meetings; 9) Labor Union meetings.

#### **c. Department Head Reports**

None.

#### **d. Board of Supervisors Reports**

Supervisor Coe provided a report on the following: 1) Rural County Representatives of California (RCRC) Board of Directors meeting; 2) Rural County Representatives of California (RCRC) monthly legislative update call; 3) Meeting with Rural County Representatives of California (RCRC) President, Patrick Blacklock; 4) Western Interstate Region and National Association of Counties (NACo) Public Lands Committee monthly meeting; 5) Public Health monthly COVID-19 Update meeting 6) Ag PASS Ad Hoc Committee meeting; 7) Tri-Counties meeting; 8) Rural County Representatives of California (RCRC), Trinity County and Modoc County meeting.

Supervisor Cavasso provided a report on the following: 1) Northern Rural Training and Employment Consortium (NoRTEC) meeting; 2) Local Oral Health Program (LOHP) Advisory Committee and Maternal Child Adolescent Health (MCAH) Collaborative meeting; 3) Ag PASS Ad Hoc Committee meeting; 4) Call from Canby Constituent regarding community health and stability concerns; 5) Upcoming June 2, 2022 meeting to discuss concerns and opportunities for the Canby community.

Supervisor Rhoads provided a report on the following: 1) Completion of assistance in editing the 2020 Crop report; 2) Local Oral Health Program (LOHP) Advisory Committee and Maternal Child Adolescent Health (MCAH) Collaborative meeting; 3) Behavioral Health Advisory Committee meeting; 4) Mid-Year Budget Review Committee meetings; 5) High School Scholarship Committee meeting; 6) Resource Advisory Committee (RAC) meeting; 7) United States Forest Service (USFS) Recreation meeting; 8) Modoc County Transportation Commission (MCTC) meeting

Supervisor Byrne provided a report on the following: 1) Rural County Representatives of California (RCRC) meeting; 2) Rural County Representatives of California (RCRC) legislative call; 3) Meeting with Rural County Representatives of California (RCRC) President, Patrick Blacklock; 4) Mid-year Budget Review Committee meetings; 5) Code Enforcement Ad Hoc Committee meeting; 6) Tri-Counties meeting; 7) Meeting with California State Assemblywoman Megan Dahle's office; 8) Rural County Representatives of California (RCRC), Trinity County and Modoc County meeting; 9) Golden State Natural Resources (GSNR) public meeting in Bieber.

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

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

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

**8. Closed Session:**

- 8.a. CLOSED SESSION: Pursuant to CA Government Code 54957 (b) (1); Conduct Interviews for Employee Appointment; Title: Librarian. (Administrative Services)**

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| <b>RESULT:</b> | <b>COMPLETED</b> |
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- 8.b. CLOSED SESSION: Pursuant to CA Government Code 54957.6 - Conference with Labor Negotiator Mr. Scott McLeran and Pam Randall. (Administrative Services)**

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| <b>RESULT:</b> | <b>DIRECTION GIVEN</b> |
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- 8.c. CLOSED SESSION: Closed Session Pursuant to CA Government Code 54957; Performance Evaluation; Title: County Administrative Officer. (Board of Supervisors)**

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| <b>RESULT:</b> | <b>EVALUATION HELD</b> |
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**3:58 p.m. The Board reconvened and reported out of closed session with Supervisor Coe, Rhoads, Cavasso and Byrne present.**

**ADJOURNMENT**

**Motion to adjourn.**

Motion to adjourn the May 10, 2022 meeting.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>            |
| <b>MOVER:</b>    | Kathie Rhoads, Supervisor District III |
| <b>SECONDER:</b> | Ned Coe, Supervisor District I         |
| <b>AYES:</b>     | Coe, Rhoads, Cavasso, Byrne            |

The meeting was adjourned at 3:59 PM

**There being no further business to come before the Board at this time, the meeting was adjourned to meet in regular session Tuesday, May 24, 2022 at 10:00 a.m.**

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Tiffany A. Martinez  
Clerk of the Board

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Geri Byrne  
Chair, Modoc County Board of Supervisors