

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 23, 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
Margaret Long	County Counsel	Present	10:20 AM
Mickey Cole	Extra Help	Present	10:00 AM

Pledge of Allegiance

Moment of Prayer

Supervisor Rhoads offered a prayer.

Public Comment

Doreen SmithPower provided comments regarding correspondence she had sent to the Board of Supervisors addressing concern with environmental laws, mines and zoning.

Representatives of the Junior Livestock Show Board, Jozie Hannah and Molly Teuscher, extended an invitation to the Board to attend the Modoc County Junior Livestock Show, June 12-16, 2023.

Modoc County Resident, Jay Jones, read a letter regarding the national security of future elections.

Modoc County Resident, Noelle Jones, provided a handout and continued to read the letter regarding the national security of future elections.

Approval or Additions/Deletions to Agenda

The Chair of the Board reported item 8.a will be removed from the agenda.

County Administrative Officer, Chester Robertson, requested to postpone 2.b. until later in the meeting to allow County Counsel to be present for the item.

Motion to approve the agenda as amended.

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

Correspondence

- a. **Correspondence Received - Letter from Doreen Smith-Power regarding Hindle Pit Use Permit-98-12 and California Mine ID # 91-25-0007.**

RESULT:	ANNOUNCED
----------------	------------------

- b. **Correspondence Received - Letter from Doreen Smith-Power regarding Lake City Use Permit UP #96-51 and California Mine # 91-25-0014.**

RESULT:	ANNOUNCED
----------------	------------------

- c. **Correspondence Received - United States Forest Service regarding seeking comments on the Modoc West Plantation Fuels Reduction Project.**

RESULT:	ANNOUNCED
----------------	------------------

- d. **Correspondence Received - Treasurer of the State of California, Fiona Ma, regarding the California Kids Investment and Development Savings Program (CalKIDS).**

RESULT:	ANNOUNCED
----------------	------------------

Department Head Reports

None.

1. Public Hearing - 10:00 AM:

- 1.a. **PUBLIC HEARING: Formation of a County Service Area (CSA) for Pest Abatement Services with benefit zones. (Board of Supervisors)**

10:14 a.m. The Chair of the Board opened the public hearing.

County Administrative Officer (CAO), Chester Robertson, provided a background on the resolution requesting the Local Agency Formation Commission (LAFCo) adopt a Sphere of Influence and County Service Area (CSA) for pest and rodent abatement. CAO Robertson reported on services that would be provided, benefit zones, and, the process through LAFCo.

Proponents: None.

Opponents: None.

10:19 a.m. The Chair of the Board closed the public hearing.

2. Administrative Services Items:

2.a. CONSIDERATION/ACTION: Requesting approval of a Resolution initiating proceedings to establish a sphere of influence and form a County Service Area (CSA) for Pest Abatement. (Administrative Services)

County Administrative Officer, Chester Robertson, reported the legal description and map would be added in written form as an additional exhibit to the resolution.

Supervisor Coe requested a correction be made to the date in the fourth (4th) "Whereas" paragraph to read May 23, 2023.

Ordered on a motion by Supervisor Byrne, seconded by Supervisor Coe to approve as amended of a Resolution initiating proceedings to establish a sphere of influence and form a County Service Area (CSA) for Pest Abatement with the addition of the following change:

1. In paragraph four (4) change the date to May 23, 2023.

10:20 a.m. County Counsel, Margaret Long, entered the meeting room.

Resolution# 2023-26

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

FINAL CERTIFIED RESOLUTION# 2023-26

RESULT:	ANNOUNCED
----------------	------------------

- 2.b. **CONSIDERATION/ACTION: Requesting approval of a Resolution authorizing and approving the transfer, approving the form of agreement for the transfer of land and property between the Last Frontier Health Care District and the County of Modoc, and authorizing the execution thereof and such other action related to the transfer. (Administrative Services)**

County Administrative Officer (CAO), Chester Robertson, provided a background on the resolution request. CAO Robertson detailed the resolution would approve the form of agreement, delegate authority to engage in the transaction and would establish successive items from both entities required to accomplish the completion of the transfer agreement. CAO Robertson reported that Last Frontier Healthcare District was disputing two (2) of the items on the Preliminary Title Report and the hospital board would be meeting this week and to review the request. CAO Robertson detailed the challenges the title company had faced in creating the complicated preliminary title report. CAO Robertson requested delegated authority for County Counsel to approve of the hospital district's legal counsel changes regarding the County's request of provision for due diligence.

A discussion was held and questions were asked of CAO Robertson regarding the preliminary title report, appraisal, and budget for retrofitting the facility.

Resolution# 2023-27

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

FINAL CERTIFIED RESOLUTION# 2023-27

RESULT:	ANNOUNCED
----------------	------------------

- 2.c. **CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a modification of agreement between Northern California EMS, Inc. and the County of Modoc for EMS services, effective July 1, 2022 through June 30, 2024. (Administrative Services)**

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

Contract# 2023-85

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

3. Clerk of the Board Items:

3.a. CONSIDERATION/ACTION: Requesting approval of a Resolution for the Modoc County Arts Council, Inc. to apply for the California Arts Council (CAC) 2024-2025 program funding. (Clerk of the Board)

Clerk of the Board, Tiffany Martinez, provided a background on the resolution request. Clerk of the Board Martinez requested the addition of a letter of support for the Modoc County Arts Council.

Modoc County Resident, Jay Jones, thanked the board for their support of the Arts in Modoc County.

Ordered on a motion by Supervisor Coe, seconded by Supervisor Starr to approve as amended of a Resolution for the Modoc County Arts Council, Inc. to apply for the California Arts Council (CAC) 2024-2025 program funding with the addition of the following:

1. Also sign a letter of support.

Resolution# 2023-28

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

Support Letter for the Modoc County Arts Council.

RESULT:	ANNOUNCED
----------------	------------------

FINAL CERTIFIED RESOLUTION# 2023-28

RESULT:	ANNOUNCED
----------------	------------------

4. Consent Agenda Items:

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

4.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and the Director of Health Services to sign a recurring contract between the County of Modoc and I.D.E.A. Consulting not to exceed \$75,000.00, effective July 1, 2023 through June 30, 2024. (Behavioral Health)

Contract# 2023-86

- 4.b. **CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board and the Director of Health Services to sign a recurring contract between the County of Modoc and Vista Pacifica Enterprises, Inc., not to exceed \$300,000.00, effective July 1, 2023 through June 30, 2024. (Behavioral Health)

Contract# 2023-87

- 4.c. **CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board and the Director of Health Services to sign a contract between the County of Modoc and Empire Recovery Center, not to exceed \$50,000.00, effective July 1, 2023 through June 30, 2025. (Behavioral Health)

Contract# 2023-88

- 4.d. **CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board to sign an annual Agreement# 23-0156-000-SA between the County of Modoc and the California Department of Food & Agriculture (CDFA) for the Fuels, Lubricants and Automotive Products Program, not to exceed \$900.00, effective July 1, 2023 through June 30, 2024. (Agriculture)

Contract# 2023-89

- 4.e. **CONSIDERATION/ACTION:** Requesting the appointment of Corey Wolter as a Commissioner to the Likely Fire District with the effective date of May 1, 2023 to fill the unexpired term until December 4, 2026. (County Clerk)

5. Health Services Items:

- 5.a. **CONSIDERATION/ACTION:** Requesting approval and authorization for the Chair of the Board to sign a contract between the County of Modoc and Cornerstone Door and Windows Inc. for the purchase and installation of 2 (two) new front doors and entry way, not to exceed \$53,370.00 and approve of a bid exemption pursuant to County Code 3.24.060 (B) (2), effective May 23, 2023. (Public Health)

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

A brief discussion was held and questions were asked of Director of Health Services Sphar regarding the location of the doors and sales tax.

Contract# 2023-90

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

6. Information & Technology Items:

- 6.a. CONSIDERATION/ACTION: Requesting permission to add one (1) Information Systems Analyst I, Range 269: Step A-J; \$4,178.00 - \$6,483.00 to the allocation table, effective May 23, 2023. (Administrative Services)**

Assistant County Administrative Officer, Tiffany Martinez, provided a background on the allocation table request.

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

7. Emergency Services Items:

- 7.a. CONSIDERATION/ACTION: Requesting approval of a budget modification for Fiscal Year 2022-2023 to Homeland Security Grant Program Fiscal Year 2022 Fund 156, modifying revenue in the amount of \$83,289.00. (Office of Emergency Services)**

Deputy Director of the Office of Emergency Services, Renae Sweet, provided a background on the budget modification request.

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

8. Sheriff/Coroner Items:

- 8.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and the Modoc County Sheriff's Office to sign a purchase agreement between the County of Modoc and Axon Enterprise, Inc. for the purchase of (12) Axon Body Worn Cameras and equipment, not to exceed \$99,009.14, effective upon signature by all authorized representatives through June 2027. - *Removed from the agenda by requesting department.* (Sheriff's Office)**

Contract# 2023-91

RESULT:	NO ACTION
----------------	------------------

- 8.b. CONSIDERATION/ACTION: Requesting approval of a budget modification for Fiscal Year 2022-2023 to General Fund 001; Tribal Safety Tax Unit 2120, modifying expenditures in the amount of \$20,000.00. (Sheriff's Office)**

Sheriff, Tex Dowdy, provided a background on the budget modification request.

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

9. Road/Airport Items:

- 9.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a contract between the County of Modoc and Albina Asphalt for the purchase of road maintenance materials for calendar year 2023, effective May 23, 2023 through October 26, 2023. (Road/Airport)**

Deputy Road Commissioner - Administration and Projects, Lillian Toetolu, provided a background on the contract.

Contract# 2023-92

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

- 9.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a contract between the County of Modoc and Hat Creek Construction and Materials, Inc. for the purchase of road maintenance materials for calendar year 2023, effective May 23, 2023 through December 31, 2023. (Road/Airport)**

Deputy Road Commissioner - Administration and Projects, Lillian Toetolu, provided a background on the contract.

Contract# 2023-93

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

- 9.c. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a contract between the County of Modoc and Rocky Mountain Construction for the purchase of road maintenance materials for calendar year 2023, effective May 23, 2023 through December 31, 2023. (Road/Airport)**

Deputy Road Commissioner - Administration and Projects, Lillian Toetolu, provided a background on the contract.

A brief discussion was held and questions were asked of Deputy Road Commissioner of Administration and Project Toaetolu regarding local bidder preference.

Contract# 2023-94

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

10. Air Pollution Control District:

- 10.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign grant agreement #G22-MSR-02 between the County of Modoc and the California Air Resources Board (CARB) for the Carl Moyer Memorial Air Quality Standards Attainment Program-State Reserve (Moyer Year 25), not to exceed \$200,000.00, effective May 22, 2023 through December 31, 2027. (Air Pollution Control District)**

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

Contract# 2023-95

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

- 10.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign grant agreement# G22-MRAP-04 between the Modoc County Air Pollution Control District and the California Air Resources Board (CARB) for the Carl Moyer Rural Assistance Program (Moyer Year 25), not to exceed \$108,868.00, effective May 5, 2023 through December 31, 2027. (Air Pollution Control District)**

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

Contract# 2023-96

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

11. Board of Supervisors Items:

- 11.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 basins located within Modoc County which are not designated as medium or high priority basins. (Board of Supervisors)**

Assistant County Administrative Officer, Tiffany Martinez, provided a background on the resolution request.

Resolution# 2023-29

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

FINAL CERTIFIED RESOLUTON# 2023-29

RESULT:	ANNOUNCED
----------------	------------------

12. Comments/Reports:

a. Public Comments

None.

b. Administrative Services Report

County Administrative Officer (CAO), Chester Robertson, provided a report on the following: 1) Coordination with Caltrans to schedule upcoming dump days; 2) Meeting with PRISM insurance

and full onsite visit; 3) Meeting with Enterprise software consultants and Auditor; 4) Meeting with consultants regarding 115 trusts; 5) Assembly Bill 112; 6) Meeting with Day Wireless and the Sheriff's Department.

A discussion was held and questions were asked of CAO Robertson regarding the upcoming Caltrans cleanup day and if that would include the disposal of tires and cars.

c. Department Head Reports

Sheriff, Tex Dowdy, and Deputy Director of the Office of Emergency Services, Renae Sweet, provided a report on the following: 1) Planned visits meetings to roll out Zone Haven and Genasys (previously Code Red); 2) Body Camera Program; 3) Future project regarding radar unit installation in patrol cars; 4) License Plate Reader (LPR) Ad Hoc Committee meeting; 5) New bloodhound K-9 had been purchased for the Sheriff's Office; 6) Jail was at slightly over 50% capacity.

A discussion was held and recommendations were made regarding public outreach on Zone Haven and Genasys.

Sheriff Dowdy expressed appreciation to the Information Technology Department for their assistance in the Sheriff's Office.

d. Board of Supervisors Reports

Supervisor Cavasso reported on the following: 1) License Plate Reader (LPR) Ad Hoc Committee meeting; 2) Wildland Fire Leadership Counsel Western Region meeting; 3) Sierra Nevada Conservancy North Subregion check-in call; 4) Modoc County Board of Supervisors Special meeting.

Supervisor Coe reported on the following: 1) Rural County Representatives of California (RCRC) Board meeting; 2) Western Interstate Region Conference meetings; 3) Modoc County Board of Supervisors Special meeting.

Supervisor Starr reported on the following: 1) PSA 2 Area Agency on Aging meeting; 2) Rotary Spring Fling; 3) Superior California Economic Development (SCED) Board meeting; 4) Modoc County Board of Supervisors Special meeting; 5) Resource Advisory Committee (RAC) meeting.

Supervisor Byrne reported on the following: 1) Rural County Representatives of California (RCRC), Golden State Finance Authority (GSFA) and Golden State Connect Authority (GSCA) Board of Directors meetings; 2) Modoc County Board of Supervisors Special meeting; 3) Calls from constituents in Lookout regarding zoning issues.

Supervisor Rhoads reported on the following: 1) Listened to the Bureau of Reclamation Klamath Water issues meeting; 2) Office of Emergency Disaster Council Plan update meeting; 3) Treasury Oversight Committee meeting; 4) Modoc County Board of Supervisors Special meeting; 5) Resource Advisory Committee (RAC) meeting; 6) Reclassification and Salary Adjustment Committee meeting; 7) Local Oral Health Program (LOHP) Advisory Committee and Maternal Child Adolescent Health (MCAH) Collaborative meeting.

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

11:38 a.m. Motion to go into Closed Session.

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

13. Closed Session:

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

Supervisor Rhoads reported out on the item and stated it would be referred to the Modoc First 5 Ad Hoc Committee.

RESULT:	DIRECTION GIVEN
----------------	------------------------

**13.b. CLOSED SESSION: Pursuant to CA Government Code 54957; Performance Evaluation;
Title: Chief Probation Officer. (Administrative Services)**

RESULT:	EVALUATION HELD
----------------	------------------------

**13.c. CLOSED SESSION: Pursuant to CA Government Code 54957; Performance Evaluation;
Title: County Administrative Officer. (Board of Supervisors)**

RESULT:	EVALUATION HELD
----------------	------------------------

4:37 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, June 13, 2023 at 10:00 a.m.

Tiffany A. Martinez
Clerk of the Board

Kathie Rhoads
Chair, Modoc County Board of Supervisors