

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

October 22, 2024

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
Scott McLeran	Deputy 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

Moment of Prayer

Public Comment

Modoc County Assembly person for New California, Jay Jones, read a cease and desist letter provided to the Board of Supervisors.

Modoc County Chair of New California State, Noelle Jones, continued to read the cease and desist letter provided to the Board of Supervisors.

Approval or Additions/Deletions to Agenda

Supervisor Coe pulled item 3.b. from the consent agenda and requested to have the item placed under 9. Board of Supervisors as item 9.c.

Motion to approve the agenda as amended.

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

Correspondence

The Clerk of the Board entered the following into correspondence: 1) Cease and Desist letter regarding AB 969 from Noelle Jones, Modoc County Chair of New California State.

Correspondence received - Cease and Desist letter regarding AB 969 from Noelle Jones, Modoc County Chair of New California State.

RESULT:	ANNOUNCED
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Department Head Reports

Agricultural Commissioner/Sealer of Weights and Measures/Air Pollution Control Officer, Heather Kelly, provided the Board with an article regarding the recent judgment against Home Depot for false advertising. Agricultural Commissioner Kelly provided a background on the involvement of the Sealer of Weights and Measures to document and assist with consumer protection. Agricultural Commissioner Kelly provided an update on the grasshopper issue within Modoc County.

Handout provided - County Sealer of Weights and Measures Play Key Role in Recent Home Depot False Advertising Case.

RESULT:	ANNOUNCED
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1. Public Hearing - 10:00 AM:

1.a. PUBLIC HEARING: Amending Title 15 Building Regulations, Chapter 15.03 Agricultural Buildings to include greenhouses, hoop houses, and high tunnels. (Building and Safety)

The Chair of the Board opened the public hearing at 10:14 a.m. and requested a staff report.

Interim Chief Building Official, Scott Ward, provided a background on the proposed ordinance amendment.

Supervisor Coe asked about the possible need for a definition of light gauge steel.

Interim Chief Building Official Ward reported on the current building standards for light gauge steel.

Supervisor Byrne asked about the removal of the sheeting from greenhouses and hoop houses in the winter.

Interim Chief Building Official Ward reported ordinance does not require the sheeting to be removed from greenhouses, hoop houses, and high tunnels in the winter.

Proponents: Pam Cherney asked about the need for a building permit for greenhouses, hoop houses, and high tunnels and why this new practice of having to get a permit is being imposed on the public. Cherney asked if this is big government and stated there are greenhouses that are being run by the cartel that are being allowed to operate. Cherney stated it seems like this new regulation is reverse discrimination against the natural -citizens. Cherney stated that these are her concerns with the proposed ordinance.

Interim Chief Building Official Ward reported on the state law for building permits and provided the standards across other counties that require building permits for greenhouses, hoop houses, and high tunnels.

Jay Jones asked if a green house, hoop house, or high tunnel was inspected is the county be liable. Mr. Jones reported on his personal experience of installing a greenhouse where there was no permit required.

Pam Cherney asked if permits would be required for pre-existing greenhouses hoop houses, and high tunnels.

Interim Chief Building Official Ward reported there was no previous permitting process in the County of Modoc for greenhouses hoop houses, and high tunnels and they will require permits moving forward if the ordinance passes.

Opponents: University of California Cooperative Extensions Community Nutrition Health Food Systems Advisor, Laurie Wayne, provided comments on the impact of the proposed ordinance on food production within Modoc County.

Kay Antunez de Mayolo spoke on her experience of receiving a United State Department of Agriculture (USDA) and Natural Resources Conservation District (NRCS) grant to build a hoop house and her work with Modoc Harvest to begin the farmer market. Antuneze reported on the number of local food producers within the county which is under twenty (20) total local food producers. Antuneze stated adding the building permit fee to greenhouses, hoop houses, and high tunnels would deter other members of the community from becoming local food producers.

Interim Chief Building Official Ward provided further background on the need for the proposed ordinance update.

The Chair of the Board closed the public hearing at 10:33 a.m.

2. Building Department Items:

- 2.a. CONSIDERATION/ACTION: Requesting approval to waive the first reading of an Ordinance to amend Title 15 Building Regulations, Chapter 15.03 Agricultural Buildings and set the second reading for November 12, 2024. (Building and Safety)**

Interim Chief Building Official, Scott Ward, provided a background on the proposed ordinance amendment.

Supervisor Byrne asked about the possibility of the permit fee being included in the grant from NRCS.

University of California Cooperative Extensions Community Nutrition Health Food Systems Advisor, Laurie Wayne, provided a background on the NRCS and USDA grant process which is a cost-share program.

Supervisor Byrne asked about the possibility of a grant program for the financially disadvantaged.

Supervisor Cavasso reported on the difficulties of being a business owner in California and stated that the rules and regulations should be applied equally to all.

Pam Churney asked about the increase of property tax based on the square footage.

Interim Chief Building Official, Scott Ward, stated based on his experience the addition of a structure to a property would increase the property taxes as it would with the addition of any structure.

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

3. Consent Agenda Items:

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

- 3.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign the annual Memorandum of Understanding (MOU) between the County of Modoc and the California Department of Food and Agriculture (CDFA) for the California Seed Law inspection contract, effective July 1, 2024 through June 30, 2025. (Agriculture)**

Contract# 2024-177

- 3.b. CONSIDERATION/ACTION: Requesting approval of the August 27, 2024 Board of Supervisors meeting minutes. - *Pulled from consent agenda.* (Clerk of the Board)**

- 3.c. CONSIDERATION/ACTION: Requesting approval of the October 8, 2024 Board of Supervisors meeting minutes. (Clerk of the Board)**

4. Farm Advisor Items:

- 4.a. **CONSIDERATION/ACTION: Requesting approval of a budget modification for Fiscal Year 2024-2025 to 6210 Farm Advisor, modifying expenditures in the amount of \$10,000.00. (Farm Advisor)**

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

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

5. Behavioral Health Items:

- 5.a. **CONSIDERATION/ACTION: Requesting approval to award a bid and authorize the purchase of one (1) 2024 Toyota Sienna Hybrid LE with Vantage Mobility - REAR ENTRY from GoldenBoy Mobility, in the amount of \$72,420.64. (Behavioral Health)**

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

Contract# 2024-178

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

- 5.b. **CONSIDERATION/ACTION: Requesting approval to award a bid and authorize the purchase of two (2) 2025 Ford Police Interceptor Utility vehicles from 911 Rapid Response, in the amount of \$109,636.42. (Behavioral Health)**

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

Contract# 2024-179

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

6. Auditor Items:

6.a. CONSIDERATION/ACTION: Requesting acceptance of the 2022-2023 Financial Statements and Single Audit prepared by Clifton Larson Allen, LLC. (Auditor)

Auditor, Stephanie Wellemeyer, provided a background on the 2022-2023 financial statements and audit.

Contract# 2024-180

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

7. Information & Technology Items:

7.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a Statement of Work# 2024-02 between the County of Modoc and Patrick Gerard DBA Shasta Infrastructure Services in the amount of \$3,300.00. (Information Technology)

Assistant County Administrative Officer, Tiffany Martinez, provided a background on the proposed Statement of Work.

Contract# 2024-181

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

7.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a three (3) year contract between the County of Modoc and ePlus Technology Inc. for CrowdStrike Falcon Complete with threat graph standard, not to exceed \$30,796.97 per year, effective October 27, 2024 through October 26, 2027. (Information Technology)

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

Contract# 2024-182

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

- 7.c. **CONSIDERATION/ACTION: Requesting permission to promote from within one (1) Information Systems Analyst II: Range 279-F, \$5,604.00 monthly to an Information Systems Analyst III: Range 299-E, \$5,900.00 monthly, effective November 1, 2024. (Information Technology)**

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

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

10:52 a.m. Motion for a five minute recess.

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

10:57 a.m. The Board reconvened with Supervisor Coe, Rhoads, Starr, Cavasso, and Byrne present.

8. Administrative Services Items:

- 8.a. **CONSIDERATION/ACTION: Requesting approval of a salary increase for the Agricultural Commissioner/Sealer of Weights and Measures/Air Pollution Control Officer from \$9,427.00 monthly to \$9,898.35 monthly, effective October 1, 2024. (Administrative Services)**

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

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

8.b. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign the response letter in regards to the 2023-2024 Modoc County Grand Jury Report. (Administrative Services)

County Administrative Officer, Chester Robertson, provided a background on the response to the 2023-2024 Grand Jury report and reported on two technical corrections to the response. County Administrative Officer Robertson reported the address needed to be updated to the current post office box for the Modoc County Grand Jury and under R5, Direction to staff the following sentence "Individuals with behavioral health issues are spending more time than necessary in county jail facilities but the additional time is necessarily due to the mental health staffing." needed to be amended to "Individuals with behavioral health issues are spending more time than necessary in county jail facilities but the additional time is not necessarily due to the mental health staffing."

Scott Swasey thanked the Board of Supervisors for their very careful consideration of this matter. Mr. Swasey stated he was unable to attend the Board of Supervisors meeting where the Grand Jury report was discussed but he reported that he did listen to the audio and there was a very thoughtful conversation on the report. Mr. Swasey stated he appreciated the response and the Grand Jury would be meeting to discuss the response.

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

8.c. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a contract between the Law Office of Stephen King and the County of Modoc for Public Defender Services in the amount of \$29,941.46 monthly, effective November 1, 2024 through October 31, 2025. (Administrative Services)

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

Stephen King provided comments on the proposed contract.

Supervisor Cavasso asked if the proposed contract would impact the current family law services currently provided in the county.

Mr. King reported he spoke with Judge Dier and Judge Dier stated there would be no issue as she had historically provided both services to the county.

Contract# 2024-183

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

9. Board of Supervisors Items:

9.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a letter of support for the restoration of the Pit River Greenhouse Complex through a Tribal Climate Resilience grant. (Board of Supervisors)

Supervisor Starr provided a background on the proposed letter.

A discussion was held on the details of the grant application.

Motion by Supervisor Coe, seconded by Supervisor Byrne to approve and authorize the Chair of the Board to sign a letter for the restoration of the Pit River Greenhouse Complex through a Tribal Climate Resilience grant with a condition that the details of the grant must be provided to the Board of Supervisors prior to the letter being sent.

Supervisor Starr stated the timeline for the submittal of the grant application may not allow for the information to be provided.

A discussion was held on the timeline of the grant application.

Supervisor Coe and Supervisor Byrne rescinded their motion and second due to the time constraints of the grant application.

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 letter of intent for the County of Modoc to support the Northern California EMS, Inc. to move forward with discussions, development, and participation of a proposed transition from a nonprofit public benefit corporation to a Joint Powers Agency (JPA). (Board of Supervisors)

County Administrative Officer, Chester Robertson, provided a background on the request for a letter of intent.

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

9.c. Requesting approval of the August 27, 2024 Board of Supervisors meeting minutes.

Supervisor Coe requested a correction to 6.a. vote within the narrative to match the vote within the voting box.

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

10. Comments/Reports:

a. Public Comments

None.

b. Administrative Services Report

County Administrative Officer, Chester Robertson, provided a report on the following: 1) Meeting with state regulators regarding a compliance review on SB 1383 for organics waste collection; 2) Provided comments on the obligated and unobligated balances within the 2022-2023 Audit and Financial statements.

c. Department Head Reports

None.

d. Board of Supervisors Reports

Supervisor Coe reported on the following: 1) Local Agency Formation Commission (LAFCo) meeting; 2) National Association of Counties (NACo) Rural Action Caucus monthly call; 3) California State Association of Counties (CSAC) Executive Committee retreat; 4) National Association of Counties (NACo) Public Lands Committee meeting; 5) Hosted California State Association of Counties (CSAC) President, Bruce Gibson and California State Association of Counties (CSAC) Chief Operating Officer, Chastity Benson, on a visit to Modoc County; 6) Modoc Republican Committee and the California Republican Chair meeting.

Supervisor Cavasso reported on the following: 1) Participated in the Information Systems Analyst III Interview Panel; 2) Wildland Fire Leadership Council - Western Region Futuring meetings; 3) Wildland Fire Leadership Council and Western Region 2024 Fall meeting.

Supervisor Byrne reported on the following: 1) ADP Time and Attendance demonstration; 2) Tri Counties meeting; 3) Management Team Charter Input-Modoc/Kearns West meeting; 4) Rural County Representatives of California (RCRC) Williamson Act Ad Hoc Committee meeting; 5) Questica Budget demonstration meeting; 6) Golden State Natural Resources (GSNR) Draft Environmental Impact report is now available for public comment.

Supervisor Rhoads reported on the following: 1) Local Agency Formation Commission (LAFCo) meeting; 2) ADP Time and Attendance demonstration; 3) Behavioral Health Advisory Committee meeting; 4) Questica Budget demonstration meeting; 5) Received several calls regarding the Likely Church.

Supervisor Starr reported on the following: 1) Local Agency Formation Commission (LAFCo) meeting; 2) Public Service Administration to Area Agency on Aging.

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:	Kathie Rhoads, Supervisor District III
AYES:	Coe, Starr, Rhoads, Cavasso, Byrne

11. Closed Session:

11.a. CLOSED SESSION: Public Employee Performance Evaluation (Pursuant to CA Government Code 54957): Title: Director of Health Services. (Administrative Services)

RESULT:	EVALUATION HELD
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1:03 p.m. The Board reconvened with Supervisor Coe, Rhoads, Starr, Cavasso, and Byrne present.

ADJOURNMENT

Motion to adjourn.

Motion to adjourn the October 22, 2024 meeting.

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

The meeting was adjourned at 1:04 PM

There being no further business to come before the Board at this time, the meeting was adjourned to meet in regular session Tuesday, November 12, 2024 at 10:00 a.m.

Tiffany A. Martinez
Clerk of the Board

Shane Starr
Chair, Modoc County Board of Supervisors