

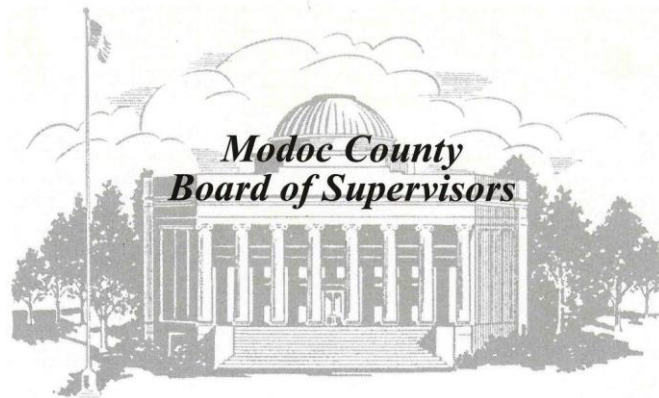
NED COE  
1<sup>st</sup> District

VACANT  
2<sup>nd</sup> District

KATHIE RHOADS  
3<sup>rd</sup> District

ELIZABETH CAVASSO  
4<sup>th</sup> District

GERI BYRNE  
5<sup>th</sup> District



TIFFANY A. MARTINEZ  
CLERK OF THE BOARD  
OF SUPERVISORS

204 S. COURT STREET  
ALTURAS, CALIFORNIA 96101

PHONE: (530) 233-6201

## **SPECIAL MEETING**

**November 30, 2021**

### **10:00 AM Call to Order**

| Attendee Name     | Title                         | Status  | Arrived  |
|-------------------|-------------------------------|---------|----------|
| Ned Coe           | Supervisor District I         | Remote  | 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                | Remote  | 10:00 AM |
| Mickey Cole       | Extra Help                    | Present | 10:00 AM |
| Tiffany Martinez  | Clerk of the Board/ACAO       | Present | 10:00 AM |

Due to Supervisor Coe being in a remote location, Supervisor Byrne was the acting Chair of the Board for the duration of the meeting.

### **Pledge of Allegiance**

### **Moment of Prayer**

### **Public Comment**

Doreen SmithPower provided comments on the Board of Supervisors meeting minutes.

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

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

|                  |                                           |
|------------------|-------------------------------------------|
| <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               |

### **Correspondence**

None.

## Department Head Reports

Interim Chief Probation Officer, Terry Lee, provided a background of his previous work experience which included thirty (30) years as the Trinity County Chief Probation Officer. Interim Chief Probation Officer Lee provided a report on the activities of the Modoc County Probation Department.

Farm Advisor, Laura Snell, provided a report on the proposed statewide position call and provided copies of the following draft position descriptions: 1) Agricultural Engineer Advisor; 2) Community and Economic Development Advisor; 3) Forest and Woods Product Position; 4) Irrigated Grass and Water Systems Area Advisor; 4) Community Nutrition Health and Food Systems Advisor. Farm Advisor Snell reported these position descriptions must be finalized by December 10, 2021.

A discussion was held and several questions were asked of Farm Advisor Snell.

### **1. Consent Agenda Items:**

|                  |                                           |
|------------------|-------------------------------------------|
| <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               |

- 1.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and the Director of Health Services to amend the approved Evaluation Agreement with Strategies By Design in the amount of \$108,786.32, effective July 1, 2017 through December 31, 2021 as required by the Tobacco Program. (Health Services)**

**Contract# 2021-158**

- 1.b. CONSIDERATION/ACTION: Requesting the reappointment of Dr. Edward Richert as a Commissioner to the First 5 Modoc for a three (3) year term, effective as of November 30, 2021. (First 5 Modoc Commission)**
- 1.c. CONSIDERATION/ACTION: Requesting the reappointment of Delane Funk as a Commissioner to the First 5 Modoc for a three (3) year term, effective as of November 30, 2021. (First 5 Modoc Commission)**
- 1.d. CONSIDERATION/ACTION: Requesting the reappointment of Alice Lybarger as a Commissioner to the First 5 Modoc for a three (3) year term, effective as of November 30, 2021. (First 5 Modoc Commission)**
- 1.e. CONSIDERATION/ACTION: Requesting the reappointment of Debbie Mason as a Council Member to the Area Agency on Aging Advisory Council for a four (4) year term, effective as of December 2021. (Clerk of the Board)**

**1.f. CONSIDERATION/ACTION: Requesting approval of the November 15, 2021 Special Board of Supervisors meeting minutes. (Clerk of the Board)**

**2. 10:00 A.M. - Public Hearings**

**2.a. PUBLIC HEARING: Fourth scheduled public hearing of the Redistricting of the Board of Supervisor districts to review the final district proposals as presented by FLO Analytics. (Board of Supervisors)**

The Vice Chair of the Board read the item into the record and opened the public hearing at 10:14 a.m.

FLO Analytics Project Manager, Kent Martin and Senior GIS Analyst, Kate Doiron, provided a presentation on the following: 1) Introduction of FLO Analytics team; 2) Redistricting timeline; 3) High-level process flow; 4) Final map options; 5) Final map; 6) The redistricting process; 7) Baseline district boundaries; 8) Proposed district boundaries; 9) Population balancing; 10) Redistricting timeline; 11) Overview of final maps.

FLO Analytics Senior GIS Analyst Doiron presented Final Map A and Final Map B boundary options as the final options to balance Modoc County's population. Senior GIS Analyst Doiron reported on the geographical changes for both maps. Senior GIS Analyst Doiron reported Map A would take Canby from District 4 to District 5 and adjustments in Alturas for an overall 5.9% deviation. Senior GIS Analyst Doiron reported Map B would take a portion of California Pines from District 4 to District 5 and adjustments in Alturas for an overall 8.4% deviation. Senior GIS Analyst Doiron reported the map selected by the Board of Supervisors would be in place for the next ten (10) years.

FLO Analytics Communications Specialist, Kathryn Murdock, reported a seven (7) day public comment period is required on the final map option before a vote could occur by the Board of Supervisors. Communications Specialist Murdock provided the website address for the public to access information and provide public comments on the final map option. Communications Specialist Murdock reported public input must be received by 5:00 pm on Tuesday, December 7, 2021.

Supervisor Cavasso inquired if there were statistical information available on the square mileage per district as well as the number of miles of roads per district.

FLO Analytics Senior GIS Analyst Doiron reported they do not have this calculated but reported they could obtain the information.

Supervisor Cavasso requested to have the square miles and miles of roads per district calculated for the final map adoption.

Supervisor Byrne reported she would like to have the square mileage and number of miles of roads per district calculated.

FLO Analytics Senior GIS Analyst Doiron reported they would calculate and provide the requested information to the board at the next meeting.

Clerk of the Board, Tiffany Martinez, entered the following correspondence into the record:

1) Letter received from the Modoc County Office of Education, Mike Martin - Thank you for the opportunity to provide public comment on the redistricting process of the Modoc County BOS. The purpose of my comment is to provide information about the redistricting of the Modoc County Board of Education and to weigh in on the current draft maps as provided in the Redistricting Public Hearing #3 presentation. The Modoc County Board of Education has traditionally adopted the same district boundaries as the Modoc County BOS, and that is the direction this current board is moving in. With that, if at all possible the board would like to stay intact. In reviewing the draft maps, there are two that would keep the current board intact, those being Draft Map A or Draft Map B. I would ask that you consider either Draft Map A or Draft Map B as the new district boundaries for the Modoc County BOS. Respectfully, Mike Martin

2) Letter received from acting President/Treasurer of Modoc County Farm Bureau (MCFB), Sean Curtis, - The Modoc County Farm Bureau is a non-governmental, non-profit voluntary membership organization whose purpose is to protect and promote agricultural interests in Modoc County and find solutions to the problems of the farm, farm home, and rural communities through the responsible stewardship of natural resources. To that end, the MCFB submits the following comments on the draft redistricting of the county's supervisorial districts. Agriculture is the primary private economic activity in Modoc County. MCFB believes the redistricting of the supervisorial districts should strive to maintain a resource-based constituency in each of the five districts. Our members, the agricultural community and Modoc County will be best served by including agriculturally interested voters in each district. It appears to use that Map B would do the best job of the above. Including all of the West side of Goose Lake in District II would add some agricultural/natural resources perspective to a district lacking in that currently. We appreciate your consideration of our concerns. Sincerely, Sean Curtis.

Auditor/County Clerk, Stephanie Wellemeyer, reported that she is in favor of Map A for the following reasons: 1) Canby logistics; 2) Concern that elections software does not have the capability to be hooked up to Geographic Information System (GIS) at this time; 3) Due to lack of GIS every road within the boundary area of California Pines would have to be manually moved and entered in the existing computer software.

Doreen SmithPower provided comments regarding the final map option boundaries and recommended the Board of Education- Modoc County Office of Education and Modoc County Transportation Commission each be consulted in how boundary changes might affect transportation for school children.

Proponents:

None.

Opponents:

None.

The Vice-Chair of the Board closed the public hearing at 10:40 a.m.

**2.b. PUBLIC HEARING: Update of Recorder Fee Schedule to comply with California Department of Public Health fee change for vital records to commence January 1, 2022. (Recorder)**

The Vice-Chair of the Board read the item into the record and opened the public hearing at 10:41 a.m.

Assessor/Recorder, Kristen DePaul provided a staff report on the proposed recorder fee update.

Proponents:  
None.

Opponents:  
None.

There being no public present to speak on the matter, the Vice-Chair of the Board closed the public hearing at 10:42 a.m.

**3. Recorder Items:**

**3.a. CONSIDERATION/ACTION: Requesting approval of a Resolution updating the fee schedule for the Recorder's office, effective January 1, 2022. (Recorder)**

Assessor/Recorder, Kristen DePaul, provided a report on the proposed resolution.

**Resolution# 2021-59**

|                  |                                           |
|------------------|-------------------------------------------|
| <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               |

**FINAL CERTIFIED RESOLUTION# 2021-59**

|                |                  |
|----------------|------------------|
| <b>RESULT:</b> | <b>ANNOUNCED</b> |
|----------------|------------------|

**4. Board of Supervisors Items:**

**4.a. CONSIDERATION/ACTION: Requesting to select and adopt the final map for supervisorial district area boundaries for Modoc County. (Board of Supervisors)**

Supervisor Cavasso provided comments on the final map determination as follows: 1) Reported on the preference for an easily identifiable feature to serve as the supervisorial map boundary between

District 5 and District 4, rather than a legal boundary; 2) Reported fire location identification is one reason a visible geographic boundary would be preferred; 3) Reported the need for District 5 Supervisor to travel long distances on roads to reach all portions of their district should not determine the map selection as large geographic area exist within all Modoc County supervisorial districts; 3) Reported on the need to maintain a balanced resource-based district map.

Supervisor Coe reported Map B is the only map option which complies with the requirements for redistricting. Supervisor Coe reported Map B keeps the community of Canby intact, which he stated is critical. Supervisor Coe expressed that unfortunately Map B will increase the travel time within a district, but the county districts are already large in nature.

Supervisor Byrne reported even though she advocated for Map A at the last meeting, she feels Map B makes more sense due to maintaining the resource-based issues within each district, rather than the selection of a final map based on drive-time inconvenience or inconvenience of manually moving voters in computer programs. Supervisor Byrne reported she agrees with the rest of the Board of Supervisors, that Map B should be the final selection as it is the best selection for the constituents of Modoc County.

Ordered on a motion by Supervisor Coe, seconded by Supervisor Rhoads for the Modoc County Board of Supervisors to adopt Map B as the final map for supervisorial district area boundaries for Modoc County.

The Clerk of the Board asked a question of clarification on the motion to have the approval of Map B adopted on December 14, 2021 to allow for the seven (7) day public comment period.

Supervisor Byrne requested direction from County Counsel as to the process for adoption of the supervisorial map.

County Counsel, Margaret Long, reported the first reading of an ordinance to update the county code with the supervisorial district boundaries of draft Map B is required to be held prior to December 15, 2021.

Supervisor Byrne asked if the motion should be to move draft Map B forward with approval at the December meeting.

County Counsel Long reported this would be the correct action and reported on the need to either amend the ordinance or rescind the ordinance. County Counsel Long reported the board would need to provide direction to staff for Map B to be presented at the next meeting for final approval.

County Clerk Wellemeyer requested to have the first reading of the ordinance on December 7, 2021 so the second reading and adoption could occur on December 14, 2021. County Clerk Wellemeyer reported that she could not start the twenty-eight (28) day period until after the board conducts their second reading of the ordinance.

County Counsel Long reported the Attorney General (AG) provided a decision as problems were arising with timing in relation to redistricting for the purpose of counties being able to move forward

with the redistricting process. County Counsel Long reported the first reading is all the State of California will require for the County of Modoc to be compliant for the adoption of an ordinance to set the supervisorial districts. County Counsel Long reported from a legal perspective, if the board chooses to have the first reading on December 7, 2021 and follow with a second reading on December 14, 2021, this process would also be in compliance.

**Motion by Supervisor Coe, seconded by Supervisor Rhoads to approve as amended and direct staff to present Map B as the final option for the Modoc County Supervisorial Districts at the December 14, 2021 Board of Supervisors meeting.**

**Motion carried unanimously.**

Supervisor Byrne reported the staff could work the details out regarding the dates of the first and second reading of the ordinance to update the county code related to supervisorial districts.

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|------------------|----------------------------------------|
| <b>RESULT:</b>   | <b>APPROVE AS AMENDED [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            |

**4.b. CONSIDERATION/ACTION: Discussion and determination on the 2022 and 2023 County of Modoc holiday schedule. (Administrative Services)**

County Administrative Officer, Chester Robertson, provided a report on the county holiday schedule anomaly issues between the Deputy Sheriff's Association (DSA) Memorandum of Understanding (MOU) and the General Unit Memorandum of Understanding (MOU).

CAO Robertson reported a discussion was held with the United Public Employees of California (UPEC) for a recommendation on fairness to all county employees for the holiday schedule. CAO Robertson reported UPEC stated they do not have a recommendation regarding particular language related to the holiday schedule as they have received comments from their members in support of both options.

CAO Robertson detailed how the calendar anomaly occurs in future years. CAO Robertson detailed what other agencies are doing to address the holiday issue.

CAO Robertson recommended the original calendar schedule of providing fourteen (14) holidays to county employees.

Supervisor Coe reported it is clear there are fourteen (14) listed holidays on the calendar, and most of the listed holidays are not impacted by the day of the week on which they occur. Supervisor Coe provided a recommendation for the upcoming calendar year as well as a future update to the Memorandum of Understanding (MOU) to add additional language to the General Unit MOU item 12.12.D clarifying an observed holiday shall fall in the same calendar year that the actual holiday occurs.

Supervisor Byrne requested clarification for the update to the holiday schedule for 2021 and 2022.

Auditor/County Clerk, Stephanie Wellemeyer, provided comments related to the holiday schedule and the problems which would occur with the calendar.

A discussion was held regarding the 2021 and 2022 holiday calendars.

Supervisor Cavasso expressed agreement with Chairman Coe in adhering to previously published calendar and recognized that employees will not always receive long weekends when these holiday anomalies occur but employees can elect to use some of their leave as this is their personal choice. Supervisor Cavasso reported the board will never be able to accommodate what everyone would like individually. Supervisor Cavasso reported the board can strive to find the solution that serves the greatest good in terms of employees and administration.

Supervisor Byrne asked what the State of California has posted for their holiday schedule.

Supervisor Cavasso reported the federal calendar has fewer holidays than the county and all federal holidays have been scheduled as a Monday or Friday.

A discussion was held regarding the 2021 calendar and the State determination of holidays.

**Ordered on a motion by Supervisor Coe, seconded by Supervisor Cavasso to make the board determination that the observed holidays must occur within the calendar year that the actual holiday is occurring in and be reflected on the County of Modoc holiday schedule.**

Doreen SmithPower provided comments recommending the school calendar be referenced in selecting holidays.

CAO Robertson reported there appears to be two versions of the 2021 calendar circulated which is where some of the holiday schedule confusion could be occurring.

Supervisor Byrne inquired about a previously published revised calendar and asked if the calendar should have been approved by the Board of Supervisors.

County Counsel, Margaret Long, reported when the Board of Supervisors (BOS) adopts the Memorandum of Understanding (MOU) the calendar is typically set through the verbiage detailed in the MOU which states "The Office of Administration/HR shall issue in January of each year a schedule of holidays pursuant to the provisions of this section."

A discussion then followed and several questions were asked of staff.

**Motion carried unanimously.**



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|------------------|-------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVE AS AMENDED [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               |

## **5. Clerk of the Board Items:**

### **5.a. CONSIDERATION/ACTION: American Legion #163 requests approval for the use of a liquor license at the American Legion Post# 163 events held at the Veterans Hall, effective March 1, 2021 through February 28, 2022. (Administrative Services)**

Representative of the American Legion Post #163, Gordon Bailey, provided a background on the request to renew the liquor license for the American Legion Post #163 which is utilized at the county owned Veterans Hall building.

County Administrative Officer, Chester Robertson, provided a background on the American Legion Post #163 request to renew their license. CAO Robertson reported the Post previously requested the approval of thirty (30) events and the number of approved events has now been exceeded. CAO Robertson reported the Post has provided an updated insurance certificate as requested by the Office of Administration.

Assistant County Administrative Officer, Tiffany Martinez, reported on the past process for approval of the American Legion Post# 163 liquor license.

Supervisor Cavasso reported constituents have expressed concern at the amount of alcohol being served and consumed in a government facility.

Supervisor Rhoads asked for clarification as to why there is a new request and what that cutoff date would be under the request.

CAO Robertson detailed the request for the upcoming renewal for the 2022 license year.

A lengthy discussion was held regarding the number of events and the time frame of the request being on a calendar year or in correlation with the license year.

Doreen SmithPower provided comments regarding the number of event dates for the American Legion Post #163 and recommended going into closed session to make a determination due to the perceived risks involved. Doreen SmithPower reported she does not agree with backdating what has already happened.

A further discussion occurred regarding the number of events for the calendar year versus the license year.

Supervisor Coe asked how many events occurred in 2021.

American Legion Post#163 Representative Bailey could not provide a number of events for 2021.

Supervisor Byrne recommended the approval of three (3) days for December 2021 to raise funds.

Supervisor Cavasso reported she could support three (3) additional days in January with the Post returning for approval of a calendar covering the entirety of the license dates.

**Ordered on a motion by Supervisor Cavasso, seconded by Supervisor Rhoads to approve as amended the American Legion Post #163 for the use of their liquor license in the post for three (3) days in the month of December 2021, as long as the Post is properly insured and the liquor licenses is current, with a request the American Legion Post #163 return in January 2022 to present a proposal to adjust the permit and the currently permitted number of days of thirty (30) events per calendar to something that the Post requests.**

Supervisor Coe recommended to amend the recommendation to include two (2) event days in January 2023.

Supervisor Cavasso recommended to remain with the original motion.

The amended motion dies for lack of a second.

**Motion carried unanimously.**

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|------------------|-------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVE AS AMENDED [UNANIMOUS]</b>     |
| <b>MOVER:</b>    | Elizabeth Cavasso, Supervisor District IV |
| <b>SECONDER:</b> | Kathie Rhoads, Supervisor District III    |
| <b>AYES:</b>     | Coe, Rhoads, Cavasso, Robertson           |

## **6. Probation Items:**

- 6.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board and the Probation Chief to sign a contract between the County of Modoc and Paul Mueller for facilitation of the Batterer's Intervention Program (BIP) at the rate of \$60.00 per hour not to exceed \$17,280.00, effective July 1, 2021. (Probation)**

Interim Chief Probation Officer, Terry Lee, provided a background on the proposed contract.

**Contract# 2021-159**

|                  |                                           |
|------------------|-------------------------------------------|
| <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               |

## **7. Emergency Services Items:**

- 7.a. CONSIDERATION/ACTION: Requesting approval for the Chair of the Board and the Sheriff to sign the proposed Resolution between the Pit River Tribe and the Modoc County Sheriff's Office effective November 30, 2021 and authorize the County of Modoc to reallocate their allotment of \$290,190.00 Community Development Grant Program funds to the Pit River Tribe for the building of an Emergency Services Training Facility. (Office of Emergency Services)**

Deputy Director of the Office of Emergency Services, Heather Hadwick, provided a background on the proposed resolution.

Supervisor Byrne requested to have the language on item two (2) of the resolution removed which reads "and record such encumbrances against the County's real property."

OES Deputy Director Hadwick stated the verbiage was requested language for the resolution by Community Development Block Grant (CDBG) but it could be removed.

County Administrative Officer (CAO), Chester Robertson, provided comments on the required language and also recommended the section should be removed since improvements would not be installed on county property. CAO Robertson recommended this section be removed from the resolution.

County Counsel, Margaret Long, concurred the section should be removed from the resolution.

Supervisor Coe requested clarification regarding the grant applicant language in the resolution which seems to be unclear as to who is the applicant and delegate applicant.

CAO Robertson reported the County of Modoc is the applicant and the Pit River Tribe is the delegate applicant. CAO Robertson reported the language listing the Pit River Tribe as the delegate applicant on behalf of the county cannot be removed from the resolution. CAO Robertson reported if the Pit River Tribe is allowed to be the counties delegate applicant and there is an adverse outcome with the project, the application would be shown on the County of Modoc's Community Development Block Grant (CDBG) record. CAO Robertson provided background that CDBG scores grant recipients and any adverse project outcome could affect the county's record for future grant eligibility.

Supervisor Byrne reported she had previously requested OES contact a tribal member with the invited to attend the Board of Supervisors meeting to show their support of this project. Supervisor Byrne reported having a tribal member speak in support of the project and provide an approved resolution from the Pit River Tribe would assist with her willingness to vote in favor of the proposed resolution and project.

OES Deputy Director Hadwick reported the Pit River Tribe holds their board meetings at the same time as the Modoc County Board of Supervisor meetings and therefore, a Pit River Tribe representative would not be able to attend to show support of the project.

Supervisor Byrne requested the following: 1) Verbiage corrections to the resolution; 2) Attendance to the Board of Supervisors meeting by a Tribal Representative to show support of the project via Zoom if necessary to accommodate schedule constraints.

Supervisor Rhoads stated due to irregularities in the language of the proposed resolution, the resolution could not be approved today. Supervisor Rhoads stated if the Pit River Tribe feels this project is of importance to them, they should be willing to show support of the project by attending the Board of Supervisors meeting.

OES Deputy Director Hadwick asked the time frame when paperwork language would be corrected and reported she had previously submitted the paperwork to legal counsel and is not personally able to make those language corrections.

Supervisor Cavasso asked County Counsel if language could be added to the resolution reflecting the parallel approval of a resolution by the Pit River Tribe and the county.

CAO Robertson clarified that in section four (4) of the resolution, it states the County of Modoc does not intend to submit a separate application on their own behalf for program funding. CAO Robertson asked Supervisor Cavasso if she would like to have verbiage that states the Pit River Tribe must have an accompanying resolution to allow the project to move forward.

Supervisor Byrne asked if the Pit River Tribe does not go through with the building of the proposed Emergency Training Facility project, may the delegation of the project funds be transferred to another entity.

Assistant County Administrative Officer, Tiffany Martinez, provided sample verbiage for the updated resolution and suggested to have OES Deputy Director Hadwick return to present the corrected paperwork at the December 14, 2021 Board of Supervisors.

Supervisor Cavasso requested adjustment to the agenda schedule on December 14, 2021 to allow a tribal member to join and show support for the proposed project via Zoom.

CAO Robertson clarified the following changes to the resolution: 1) Correction to the County and Tribe being inverted under section D; 2) Section two removing any language on county real property; 3) Verbiage to include a supporting resolution from the Pit River Tribe in order for the funds to be designated.

Supervisor Coe reported he supports the language changes to the resolution and stated he feels the board needs to work with the tribal leadership to allow for their attendance at the Board of Supervisor meeting to show support of the project.

**Motion by Supervisor Rhoads, seconded by Supervisor Cavasso to approve as amended and grant permission for the Chair of the Board to sign the proposed Resolution between the Pit River Tribe and the Modoc County Sheriff's Office effective November 30, 2021 and authorize the County of Modoc to reallocate their allotment of \$290,190.00 Community Development Grant Program funds to the Pit River Tribe for the building of an**

**Emergency Services Training Facility, contingent upon the review and approval from County Counsel and the Chair of the Board of the updated Resolution to section D and section two (2) and to add the requirement of an approved resolution from the Pit River Tribe for the project be provided to the Board of Supervisors and submitted with the final documents.**

Doreen SmithPower provided comments on paperwork shortfalls, proper permitting in place, and suggested tribal members join via Zoom to express support of this proposed project.

**Motion carried unanimously.**

**Resolution# 2021-60**

|                  |                                           |
|------------------|-------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVE AS AMENDED [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               |

**FINAL CERTIFIED RESOLUTION# 2021-60**

|                |                  |
|----------------|------------------|
| <b>RESULT:</b> | <b>ANNOUNCED</b> |
|----------------|------------------|

- 7.b. **CONSIDERATION/ACTION: Requesting approval for the Chair of the Board and the Sheriff to sign the proposed Memorandum of Understanding (MOU) between the Pit River Tribe and Modoc County Sheriff's Office effective November 30, 2021 and authorize the County of Modoc to reallocate their allotment of \$290,190.00 Community Development Grant Program funds to the Pit River Tribe for the building of an Emergency Services Training Facility. (Office of Emergency Services)**

Deputy Director of the Office of Emergency Services, Heather Hadwick, reported the requested changes had been made to the Memorandum of Understanding and provided a background on the MOU.

A discussion was held and several questions were asked of staff.

Doreen SmithPower recommended that a member of the Board of Supervisors attend a Pit River Tribal board meeting to observe their show of support.

**Contract# 2021-160**

|                  |                                           |
|------------------|-------------------------------------------|
| <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               |

## **8. Administrative Services Items:**

- 8.a. CONSIDERATION/ACTION: Requesting approval and authorization for the Chair of the Board to sign a Service Agreement Health Reimbursement Arrangement to grant permission to add MidAmerica Health Reimbursement Account (HRA) for annuitants PEMCHA, effective December 1, 2021 through November 30, 2024 with and automatic renewal for one year terms. (Administrative Services)**

County Administrative Officer, Chester Robertson, provided a background on the service agreement for retired annuitants.

Supervisor Coe expressed appreciation for the work done to help our retirees.

### **Contract# 2021-161**

|                  |                                           |
|------------------|-------------------------------------------|
| <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               |

- 8.b. CONSIDERATION/ACTION: Requesting approval of a Resolution amending the base pay of elected officials, effective January 1, 2022. (Administrative Services)**

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

A lengthy discussion was held in regards to the effective date of the resolution and the addition of language to clarify the effective date of the resolution for compensation to January 1, 2023.

**12:36 p.m. Ordered on a motion by Supervisor Cavasso, seconded by Supervisor Rhoads for the Board to recessed for a lunch break.**

**Motion carried unanimously.**

**1:53 p.m. The Board reconvened with Supervisor Byrne, Rhoads, and Cavasso present. Supervisor Coe and County Counsel Long were present by remote location.**

County Administrative Officer Robertson reported during the break, staff added the following verbiage to paragraph five (5) of the proposed resolution: 5. All Elected Officials covered under "Exhibit A - Elected Officials Salaries" of a resolution adopted on November 30, 2021, will take effect on the first Monday of January 2023.

County Legal Counsel, Margaret Long, provided a legal perspective on need for the resolution to take effect simultaneous for all board members.

A lengthy discussion was held on the history and future of the 4% increase for each elected official.

Doreen SmithPower asked a question regarding the 4% increase to several positions within the county.

**Ordered on a motion by Supervisor Rhoads, seconded by Supervisor Coe to approve of a resolution as amended to amend the base pay of elected officials to include the following verbiage: 5. All Elected Officials covered under "Exhibit A - Elected Officials Salaries" of a resolution adopted on November 30, 2021, will take effect on the first Monday of January 2023.**

Assistant County Administrative Officer, Tiffany Martinez, asked a question of clarification regarding the boards desired to strike the verbiage "effective January 1, 2022" from the agenda item.

Supervisor Rhoads and Supervisor Coe concurred with the removal of the January 1, 2022 effective date.

**Motion carried unanimously.**

**Resolution# 2021-61**

|                  |                                        |
|------------------|----------------------------------------|
| <b>RESULT:</b>   | <b>APPROVE AS AMENDED [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# 2021-61**

|                |                  |
|----------------|------------------|
| <b>RESULT:</b> | <b>ANNOUNCED</b> |
|----------------|------------------|

**9. Comments/Reports:**

**a. Public Comments**

None.

**b. Administrative Services Report**

None.

**c. Department Head Reports**

Assistant County Administrative Officer, Tiffany Martinez, reported on the upcoming special meeting of the Board of Supervisors on December 15, 2021, at 3:00 p.m. at the Adin Community Hall for the adoption of the Groundwater Sustainability Plan (GSP) for the Big Valley groundwater basin.

**d. Board of Supervisors Reports**

Supervisor Coe: None.

Supervisor Cavasso reported on the following: 1) Special meeting of the Board of Supervisors; 2) Superior California Economic Development (SCED) meeting.

Supervisor Rhoads reported on the following: 1) Modoc County Farm Bureau dinner; 2) Treasury Oversight Committee meeting was canceled; 3) Oral Health Committee meeting was canceled; 4) Behavioral Health Committee meeting; 5) Forest Service Coordination meeting.

Supervisor Byrne reported on the following: 1) Forest Service Coordination meeting.

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

#### **2:19 p.m. Motion to go into Closed Session**

|                  |                                           |
|------------------|-------------------------------------------|
| <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               |

#### **10. Closed Session:**

- 10.a. CLOSED SESSION: Existing Litigation - Conference with legal counsel pursuant to Government Code § 54956.9, subdivision (d) (1) concerning litigation that has been formally initiated. Case Name: National Prescription Opiate Litigation, U.S. District Court, Northern District of Ohio, Case No. 1:17-md-02804-DAP. (County Counsel)**

|                |                        |
|----------------|------------------------|
| <b>RESULT:</b> | <b>DIRECTION GIVEN</b> |
|----------------|------------------------|

**2:26 p.m. The Board reconvened and reported out of closed session with Supervisor Rhoads, Cavasso and Byrne present. Supervisor Coe was present by remote location.**

#### **ADJOURNMENT**

##### **Motion to adjourn**

Motion to adjourn the November 30, 2021 meeting.

|                  |                                        |
|------------------|----------------------------------------|
| <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            |

The meeting was adjourned at 2:28 PM



**There being no further business to come before the Board at this time, the meeting was adjourned to meet in regular session Tuesday, December 14, 2021 at 10:00 a.m.**

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Tiffany A. Martinez  
Clerk of the Board

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Ned Coe  
Chair, Modoc County Board of Supervisors