

Modoc Local Agency Formation Commission
Meeting Minutes
October 13, 2020

1. Call to order / Pledge of Allegiance

Chair Coe called the meeting to order at 4:00 p.m. in City Council Chambers at 200 W. North Street in Alturas, CA. Commissioner Rhoads, Commissioner Lewis, Commissioner Steffek and Chair Coe were present. Commissioner Nelson, Commissioner Byrne, and Commissioner Neer were absent. Public attending one person.

Staff Present: John Benoit, Executive Officer and Macey Binning, Clerk.

Pledge of Allegiance.

2. Approval of the Agenda (Additions and Deletions)

Commissioner Steffek made the motion to approve the agenda as presented; seconded by Commissioner Rhoads. In favor were Commissioners Rhoads, Lewis, Steffek, and Chair Coe. Motion passed unanimous

3. Appoint Public Member and Public Member Alternate to serve for a term ending in May 2024

Executive Officer Benoit reports to the Commissioners that he published a notice in the paper to fill the Public Member and Public Member alternate. Mr. Benoit only received one letter of interest from Marie Neer. Mr. Benoit is still looking for an alternate and advises the Commissioners if they know of a person that may be interested to contact Mr. Benoit.

Commissioner Rhoads made the motion to appoint Marie Neer as the Public Member to serve through May of 2024 to fill the unexpired term; seconded by Commissioner Lewis. In favor were Commissioners Rhoads, Lewis, Steffek, and Chair Coe.

Motion passed unanimous

4. Correspondence: Calafco Elections 2020

Executive Officer Benoit informs Commissioners that the CALAFCo elections will be taking place this year and it will be a virtual event. The Northern Region only has one candidate running for the City representative and one candidate for the Public Member representative. During the August 11, 2020 LAFCo meeting Commissioners authorized the Chair to vote on behalf of Modoc LAFCo.

5. Consider Minutes for the August 11th, 2020 LAFCo meeting

Commissioner Steffek made the motion to approve the August 11, 2020 LAFCo meeting minutes; seconded by Commissioner Rhoads. In favor were Commissioners Rhoads, Lewis, Steffek, and Chair Coe.

Motion passed unanimous

6. Public Comment- None

7. Authorize payment of Claims for August 2020 and September 2020

Commissioner Rhoads made the motion to authorize the payment claims for August 2020 and September 2020 with the amendment to remove the line item for June 9, 2020 meeting stipends. Total amount of \$6,814.34 was correct; seconded by Commissioner Steffek. In favor were Commissioners Rhoads, Lewis, Steffek, and Chair Coe.

Motion passed unanimous

8. Daphnedale CSD

On September 23, 2020 Executive Officer John Benoit attended a meeting regarding the Daphnedale Service District. Mr. Benoit was asked to provide a letter to review the Municipal Service Review for the Daphnedale Service District. Modoc County Clerk was also asked to provide the district with a letter requesting to review their financial records. Mr. Benoit has provided the letter to the Commissioners for their review. Mr. Benoit advises the Commissioners that the next step should be reaching out to the Daphnedale Service District board and review their current status.

Commissioner Steffek inquires if the board was asked to attend the LAFCo meeting.

Mr. Benoit has reached out in the past but he did not at this meeting. However, he advises Commissioner Steffek the City should be having the meeting with Daphnedale Service District not Modoc LAFCo.

Commissioner Steffek would like to propose changing the letter to ask the service district to respond in 30 days rather than 60 days. If they need to request for an extension they can do so. However, he would like for them to respond within the 30 days.

Chair Coe requests the list of documents that they are requesting could be incorporated into the letter. Mr. Coe is also concerned if the letter is sent via certified to a post office box will the post office return after a certain amount of days.

Commissioner Rhoads wonders if hand delivering the letter to the last known board members instead of sending certified would be more appropriate in this case.

The Commissioners agree that they will send the letter certified to the post office box for Daphnedale Service District along with individual certified copies of the letter to the last known board members.

Commissioner Steffek made the motion to authorize the Modoc LAFCo Chair Ned Coe to sign the Municipal Service Review and Sphere of Influence update letter for the Daphnedale Service District with amendments of incorporation the requested documentation into the letter and the time to respond from 60 days to 30 days; seconded by Commissioner Lewis. In favor were Commissioners Rhoads, Lewis, Steffek, and Chair Coe.

Motion passed unanimous

9. Consolidation of Districts vs. Establishment of a Joint Powers Authority (JPA)

Executive Officer Benoit wanted to discuss the difference between consolidating districts vs. establishing a joint powers authority. If you consolidate the districts there is only one board and one requirement for things like audits and elections. If a joint powers authority is formed each district would have to provide their own separate audits and elections. Mr. Benoit has seen joint powers authority take place before annexation occurs. Other joint powers authority has been formed for districts to still have control over their area. Mr. Benoit informs Commissioners that Wheatland and Williams have both been successful at forming a joint powers authority and can be used for examples. Mr. Benoit also explains joint powers authority can be formed for a single purpose.

Chair Coe explained the reason for this discussion is recently there was a Fire Chiefs meeting for the thirteen fire departments within Modoc County not including the City of Alturas Fire Department. During this meeting it was discussed consolidating the fire districts or forming a joint powers authority to eliminate every district having to comply with district requirements. This would also combine resources.

Executive Officer Benoit mentioned that the districts could combine geographically. For an example all the district is Surprise Valley area could combine and make a single district. Mr. Benoit also advised that a board cannot be made of thirteen board members. Which may discourage the fire districts because they may feel they can't properly represent their district.

County Administrative Officer Chester Robertson informs Commissioners he is currently concerned with not having fire departments in the rural areas that can meet the demands because they are limited on resources and made up of volunteers. This last fire season proved the concern when multiple fires occurred and additional resources were needed. His other concern is fire hazards are not being enforced which all these can increase the insurance cost to the residents in the rural area. Mr. Robertson believes if the districts combine together, or even have a County Fire Marshal that can provide enforcement to out of compliance areas this could resolve some of the issue Modoc County will be facing in the near future. Especially since Modoc County just received notice the Devil's Garden Conservation Camp will be closing.

10. Executive Officer's Report

Executive Officer Benoit reports that he will be reviewing and updating the fee schedule, application forms and the records retention policy. Once he has reviewed and updated these items, he will present them to the Commissioners for approval.

11. Commissioner Reports – None

There being no further business to come before the Commission. Motion made by Commissioner Rhoads to adjourn at 5:08 p.m.; seconded by Commissioner Lewis. In favor were Commissioners Rhoads, Lewis, Steffek, and Chair Coe.

Motion passed unanimous