**Local Agency Formation Commission of Modoc County**

**Meeting Minutes**

**October 19, 2021**

1. **Call to order / Pledge of Allegiance**

Chair Mark Steffek called the meeting to order at 5:00 p.m. in City Council Chambers at 200 W. North Street in Alturas, CA. Commissioner Rhoads, Commissioner Nelson, Commissioner Neer, Commissioner Coe and Chair Steffek were present. Commissioner Lewis, and Commissioner Byrne were absent. Public attending 3.

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

1. **Approval of the Agenda (Additions and Deletions)**

Commissioner Coe made the motion to approve the agenda as presented; seconded by Commissioner Rhoads. In favor were Commissioners Rhoads, Nelson, Neer, Coe and Chair Steffek.

Motion passed unanimous.

**3. Correspondence**

Executive Officer Benoit provided the Commissioners with an event calendar for CALAFCo. Even though the CALAFCo annual conference has been cancelled. Some activities will still be offered virtually.

**4. Consider Minutes for the August 10, 2021 LAFCO meeting**

This item will be placed on the December LAFCO agenda.

**5. Public Comment – None**

**6. Authorize payment of Claims**

Commissioner Rhoads made the motion to authorize the payment of claims for August, 2021 and September, 2021; seconded by Commissioner Coe. In favor were Commissioners Rhoads, Nelson, Neer, Coe and Chair Steffek.

Motion passed unanimous.

**7.** **Policies, Standards and Procedures Amendment regarding Indemnification and Expiration of Applications.**

Executive Officer Benoit reminds the Commissioners they reviewed the policies, standards and procedures amendment regarding indemnification and expiration of applications during the August LAFCo meeting. Updating the policies could help protect Modoc LAFCo in the future.

Commissioner Coe is concerned with the proposed expiration of LAFCo proceedings. He believes the two year is adequate time. However, is concerned with notifying the applicant at least 30 days before termination to give the applicant the opportunity to request an extension when LAFCo meets every other month. Commissioner Coe would like to propose 75 days.

Commissioner Coe made the motion to adopt **Resolution #2021-0006** to amend its policies, standards, and procedures to include a policy regarding indemnification agreements and expiration of LAFCO proceedings with the amendment to change notifying the applicant of termination from 30 days to 75 days; seconded by Commissioner Neer. In favor were Commissioners Rhoads, Nelson, Neer, Coe and Chair Steffek.

Motion passed unanimous.

**8. Cedarville County Water District Request for Information**

Executive Officer Benoit drafted a letter to the Cedarville County Water District requesting basic information to complete a Municipal Service Review and Sphere of Influence for the district. This draft letter requests the requested information by November 30, 2021.

Commissioner Nelson asks if the letter should be certified.

Executive Officer Benoit prefers that this letter was sent as regular mail.

Chair Steffek inquires if requested documentation is not received what would be the next step of the process.

Mr. Benoit explains that they would follow up and if they still do not cooperate, they would document that they were not cooperating in the Municipal Service Review.

Commissioner Coe suggests that under the general information request to separate agency email address and agency website to help prevent confusion and avoid being missed.

Commissioner Neer inquires if the LAFCo or the State of California provided a generic template or provided a hosting website?

Mr. Benoit replies that there are agencies that help small districts that are very limited on funds create and maintain websites. One that is used is called streamline.

Commissioner Coe made the motion to authorize the LAFCo Chair to sign the letter to Cedarville County Water District to request information to complete a Municipal Service Review and Sphere of Influence with the amendment under the general information request to separate agency email address and agency website; seconded by Commissioner Rhoads. In favor were Commissioners Rhoads, Nelson, Neer, Coe and Chair Steffek.

Motion passed unanimous.

**9. LAFCo 201: Discussion Calafco White Paper – “The Metamorphosis of Special Districts: Current Methods for Consolidation, Dissolution, Subsidiary District Formation and Mergers.**

Executive Officer Benoit wanted to make the Commissioners aware that CALAFCo is making changes to the protest provisions. Commissioners can visit the CALAFCo website to view the white paper.

**10. Executive Officer’s Report**

Executive Officer Benoit informs the Commissioners he has a new contact number. He recently switched from a landline to adding a line on his cellphone. This will be cost efficient and allow Mr. Benoit to answer on the go.

Mr. Benoit asks commissioners if they’re interested in the AB361 that was signed by Governor Newsom to allow the flexibility of remote meetings during the proclaimed emergency. This will need to be revisited every 30 days.

The Commissioners are interested in creating a resolution to allow for remote meetings.

Mr. Benoit informs the Commissioners he will be attending a conference call next week with Modoc County Officials. This meeting will discuss the REAP Grant. This is an entitlement grant of $120,000.00 to allow Municipal Service Review and Sphere of Influence to be conducted and funded for the City of Alturas, Alturas Municipal Sewer District, Adin and Canby.

**11. Commissioner Reports**

Executive Officer Benoit asks the Commissioners if the County or City has anything new to report.

Clerk Binning announces the City of Alturas will have a Finance Director/City Treasurer start November 1, 2021.

Chair Steffek reports the Alturas Municipal Sewer District is moving forward with starting individual accounts and will need to set a meeting with Modoc County to finalize the dissolution of Daphnedale. The pool committee has applied for a grant for the new swimming pool and is waiting to hear if they’ve been awarded. The City is working on a new site for the Waste Water Treatment Plant which will come before LAFCo further in the process.

Commissioner Coe reports Modoc County is in the process of redistricting. This process was delayed due to the Census data being released later than anticipated. The County has a hard deadline to complete this process by December 2021. They must conduct serval public hearings. The County has a mapping tool located on their website that the public can utilizes to submit their proposed changes. The district lines will change due to decrease of population in District 5.

**12. Adjourn to the next regular meeting on December 14, 2021.**

There being no further business to come before the Commission. Motion made by Commissioner Nelson to adjourn at 6:05 p.m.; seconded by Commissioner Neer. In favor were Commissioners Rhoads, Nelson, Neer, Coe and Chair Steffek.

Motion passed unanimous.