

**Local Agency Formation Commission of Modoc County**  
**Meeting Minutes**  
**October 22, 2019**

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

Chair Read called the meeting to order at 3:02 p.m. in the Board of Supervisor's Room at 204 S. Court St., Room 203 in Alturas, CA. Commissioner Coe, Commissioner Rhoads, Commissioner Nelson, and Commissioner Neer were present. Commissioner Irvin and Commissioner Byrne were absent. Commissioner Steffek attended at 3:48 p.m.

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

Pledge of Allegiance.

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

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

Motion passed unanimous

**3. Correspondence - Calafco Dues update Information**

Executive Officer Benoit requests this item to be discussed later in the meeting when Commissioner Steffek arrives, since Commissioner Steffek will be attending the Calafco Annual Conference on the behalf of Modoc LAFCo.

**4. Consider Minutes from the August 27, 2019 LAFCo meeting**

Commissioner Coe recommended amending the minutes on Item 8 Healthcare Service Review and Sphere of Influence – Discussion and Public Workshop. Commissioner Coe requests amending the following sentence “Executive Officer Benoit agreed and reported that he will separate the 2 districts and each will have their own service review.” Commissioner Coe recommends adding “With both service reviews remaining active.”

Motion made by Commissioner Coe to approve the minutes with the amendment; seconded by Commissioner Rhoads. In favor were Commissioners Coe, Rhoads, Nelson, and Read.

Motion passed unanimous

**5. Public Comment** – Jeanne Goldman notified the LAFCo Board that in the back of the Board of Supervisor's Room they are unable to hear. She is grateful they are recording the Meeting so she can revisit. Ms. Goldman is with the Surprise Valley Health Care District. Ms. Goldman is concerned that a recent survey was sent out and no information on this survey has been provided. Ms. Goldman attended the February 2018 meeting, which was the same time LAFCo began reviewing the Surprise Valley Health Care District. Ms. Goldman brought a few concerns she had regarding the Surprise Valley Health Care District. Ms. Goldman's first concern was items added after an agenda was posted. She noticed on February 27, 2019 a contract for a new doctor, and an item regarding a Plumas Bank loan of \$350,000 was added to the agenda the day of the meeting and had action taken. July 17, 2019 during public comment the Surprise Valley Health Care District President allowed 6 minutes of disparaging remarks regarding a public member. The public member was accused of inaccurate records to the LAFCo MSR and included an accusation of LAFCo Executive Director working together. The board President did not intervene. August

14, 2019 Ms. Goldman attempted three requests to schedule a public meeting to inform district members the status of the Surprise Valley Health Care District. February 2019 Surprise Valley Health Care District filed bankruptcy and claims were being submitted. Ms. Goldman helped another individual file a claim. During that time, it was discovered after the Hospital failed an inspection report that the Hospital had a new loan in the amount of \$214,000. However, no record was found regarding the loan in public records or financial reports. The \$214,000 loan was provided by the individual Ms. Goldman helped file a claim. Ms. Goldman believes even though the Surprise Valley Health Care District does not follow process properly, the Surprise Valley Health Care District does a great job providing care for patients.

Executive Officer Benoit introduced Don Brandon who is the new Administrator for Surprise Valley Health Care District.

Don Brandon Administrator for Surprise Valley Health Care District gave a background on his work history and offered to answer any questions.

**6. Authorize payment of Claims for August 2019 and September 2019**

Commissioner Rhoads made the motion to authorize payment of claims for August and September 2019; seconded by Commissioner Nelson. In favor were Commissioners Coe, Rhoads, Nelson, and Read.

Motion passed unanimous.

**7. PUBLIC HEARING – Last Frontier Health District Service Review and Sphere of Influence update**

Executive Officer Benoit provided an errata sheet for the Last Frontier Health District Service Review and Sphere of Influence. After his review he had no findings for the Last Frontier Health District. The Sphere of Influence is coterminous. Mr. Benoit recommends adoption of the Last Frontier Health District Service Review and Sphere of Influence, and is pleased with the progress this district made in the last 10 years.

Public Hearing was opened by Chair Read at 3:17 P.M.

No comments were presented to Commissioners.

Public Hearing was closed at 3:18 P.M.

Commissioner Coe made the motion to approve the Service Review and Sphere of Influence for the Last Frontier Health District; seconded by Commissioner Nelson. In favor were Commissioners Coe, Rhoads, Nelson, and Read.

Motion passed unanimous.

**9. Report from Lassen- Modoc Flood Control Lassen LAFCo Meeting of October 21, 2019**

Executive Officer Benoit informed Commissioners that Lassen County LAFCo adopted the Service Review at the October 21, 2019 meeting. He will provide a copy to Modoc LAFCo for review. Currently this district is barley active, Mr. Benoit recommends the District Board of the Lassen- Modoc Flood Control to arrange a meeting and discuss the direction and mission for the Lassen- Modoc Flood Control. He also recommends holding a public hearing to solicit public comments. Sphere of Influence and boundaries for district will remain the same. However, Mr. Benoit suggests revisiting boundaries in the future.

**10. Continued discussion with Daphnedale CSD Board Members and status of the Daphnedale CSD dissolution and consider repeal of LAFCo Resolution 2018-0001 and opportunities to help Daphnedale function as a CSD going forward.**

There were no Board Members present for Daphnedale at this meeting. Executive Officer Benoit reported he has had no communication with this district. However, Jesse Blair, a Daphnedale Board Member will be relocating. Executive Officer Benoit is concerned with the Boards Quorum.

Chester Robertson (County of Modoc) reported he has not had any communication from this district.

Executive Officer Benoit would like to remove this item from the next LAFCo Meeting.

Commissioners recommend leaving item on Agenda for Commissioner Irvin to receive an update.

**11. Designate voting member to vote on behalf of Modoc LAFCo at the Annual Calafco Conference in Sacramento**

Motion made by Commissioner Coe to authorize Mark Steffek to vote on behalf of Modoc LAFCo at the Calafco Annual Conference; Seconded by Commissioner Nelson. In favor were Commissioners Coe, Rhoads, Nelson, and Read.

Motion passed unanimous

**12. WORKSHOP: Policies, Standards, and Procedures Update** - Executive Officer Benoit discussed the changes on the recently modified LAFCo Policies, Standards and Procedures up to Section 2.14. The last update on the LAFCo Policies, Standards and Procedures was in 2009.

**3. Correspondence - Calafco Dues update Information**

Commissioners revisited item 3, now that Commissioner Steffek is present. Modoc LAFCo approved Commissioner Steffek to represent Modoc County at the Calafco Annual Conference October 31, 2019. Currently Calafco needs \$300,000 to operate. A discussion during the conference is the methodology of calculating the dues. In FY 2018-19 Modoc County LAFCo paid \$1075 for dues, in FY 2019-20 they proposed a 16.25% increase to dues, which resulted in \$1130 for dues. Calafco requires each county to pay a base rate of \$1000. The additional amount is based off population. Each county also has a different Per Capita Rate. Modoc County's Per Capita Rate is .119 vs. Los Angeles Per Capita of .019. Counties can also cap their population amount out at 700,000. At the Calafco Conference each county will have one vote to decide the rate structure.

Commissioner Coe presented his thoughts to Commissioner Steffek. He believes even though the annual rate increased, it would be a better direction rather than the 700,000 cap on population. In the future Commissioner Coe recommends they address the revenue needed, not the rate per resident, and remove the cap entirely.

**13. Executive Officer's Report –**

Executive Officer Benoit reported he attended the State Water Resource Board meeting. During this meeting the legislator approved the SB200 approving \$140 million dollars for Disadvantaged Communities (DUC's) for water quality projects. \$30 million can be used on planning. This could be a great opportunity for communities such as Canby.

Executive Officer Benoit was recently approached regarding consolidating cemetery districts. Due to lack of funds and more restrictions it is creating a hardship for small districts to remain active. If LAFCo helped consolidate, a fee would occur making it difficult for districts to consolidate. Mr. Benoit suggests exploring waving fees in the future.

**14. Commissioner Reports –** Commissioner Steffek apologized for his late arrival.

**15. Request change in date for the next regularly scheduled LAFCo meeting.**

The next meeting scheduled on December 10, 2019 has been tentatively changed to December 11, 2019 at 9:00 a.m. in the Board of Supervisor's Room at 204 S. Court St., Room 203 in Alturas, CA.

There being no further business to come before the Commission. Motion made by Commissioner Coe to adjourn at 4:40 p.m.; seconded by Commissioner Rhoads. In favor were Commissioners Coe, Rhoads, Nelson, Steffek and Read.

Motion passed unanimous