

Local Agency Formation Commission of Modoc County
Meeting Minutes
December 10, 2019

1. Call to order / Pledge of Allegiance

Chair Read called the meeting to order at 4:00 p.m. in the Board of Supervisor's Room at 204 S. Court St., Room 203 in Alturas, CA. Commissioner Rhoads, Commissioner Irvin, and Commissioner Steffek were present. Commissioner Coe, Commissioner Neer, Commissioner Nelson, and Commissioner Byrne were absent. Public attending 4.

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 postpone agenda item #11 Workshop #2 Polices, Standards and Procedures Update to the next LAFCo Meeting. Seconded by Commissioner Steffek. In favor were Commissioners Irvin, Rhoads, Steffek, and Read.

Motion passed unanimous

Motion made by Commissioner Steffek to approve the agenda with the amendment; seconded by Commissioner Irvin. In favor were Commissioners Irvin, Rhoads, Steffek, and Read.

Motion passed unanimous

3. Correspondence

Executive Officer Benoit received a letter from Calafco thanking Mr. Benoit and Commissioner Steffek for attending the Calafco Annual Conference. The letter also contained an achievement award for Executive Officer Benoit. Mr. Benoit also received a letter regarding Canby's CSD which Mr. Benoit will review under the Executive Officer's Report.

4. Consider Minutes from the October 22, 2019 LAFCo meeting

Motion made by Commissioner Rhoads to approve the minutes from the October 22, 2019 LAFCo meeting; seconded by Commissioner Steffek. Commissioner Irvin abstained. In favor were Commissioners Rhoads, Steffek, and Read.

Motion passed unanimous

5. Public Comment

Executive Officer Benoit received an email from Jeanne Goldman with several attachments regarding the Surprise Valley Health Care District. Mr. Benoit will distribute the email with attachments to the Commissioners.

6. Authorize payment of Claims for October 2019 and November 2019

Commissioner Rhoads made the motion to authorize payment of claims for October 2019 and November 2019; seconded by Commissioner Irvin. In favor were Commissioners Irvin, Rhoads, Steffek, and Read.

Motion passed unanimous.

7. **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.**

Executive Officer Benoit presented background of the issue regarding Daphnedale. Mr. Benoit believes this item is now obsolete because the Daphnedale Board Members have been established and are now active. Mr. Benoit would like to repeal Resolution 2018-0001 which was to dissolve the district. Now that Daphnedale has been constituted, Modoc County will no longer be responsible for the district. However, Modoc County will provide assistance when needed.

Steve Riley, Monty White, and Joann White are current Board members of Daphnedale present at the LAFCo meeting. The Board also consists of De Funk and possibly Janie Erkiaga.

Commissioner Irvin expresses that this is positive that the board now has active members. Mr. Irvin request that the Daphnedale Board keeps the City updated as they progress. The outstanding payment to the City will still need to be repaid.

Commissioner Steffek concurs with Commissioner Irvin.

Mr. Riley expresses his concern even with payment after taxes have been collected the District will still be far behind in payment to the City.

Commissioner Irvin looks forward to working with the board and finding a solution to cure current debt and future debt. Mr. Irvin does realize that expenses need to be updated to show actual cost and not past costs.

Clerk Binning advises that the City sewer accounts need to be revisited on the number of units that are being billed.

Motion made by Commissioner Irvin to repeal Resolution 2018-0001 Modoc LAFCo to initiate proceedings of dissolution of the Daphnedale Community Service District; Seconded by Commissioner Steffek. In favor were Commissioners Irvin, Rhoads, Steffek, and Read.

Motion passed unanimous

8. **Determine LAFCo meeting time, day and location for future LAFCo meetings**

Commissioners discussed changing the location of the LAFCo meetings to the Board of Supervisor's Room. The Board of Supervisor's Room has capabilities to broadcast live feed which is beneficial to public. Both locations can provide a recording of the LAFCo meeting which can be posted on the Modoc County Board of Supervisors webpage. Due to difficulties of scheduling the Commissioners agreed to keep location at the City Council Chambers and use Board of Supervisor's Room when controversial items are on the agenda.

Motion made by Commissioner Irvin to adopt the meeting schedule for 2020 as presented; Seconded by Commissioner Rhoads. In favor were Commissioners Irvin, Rhoads, Steffek, and Read.

Motion passed unanimous

Executive Officer Benoit requests to move to agenda item #10.

10. General Discussion regarding LAFCo fees and explore methods to make consolidations feasible for small districts with limited budget. Provide direction to staff.

Executive Officer Benoit and Commissioner Coe had a prior discussion regarding consolidating small districts. Modoc County has at least 50 small districts, some of these districts could be interested in consolidating to help with cost and activity within the district. However, what discourages the districts from consolidating is the LAFCo fees. Mr. Benoit has seen grant funding assist with LAFCo fees to consolidate. He reminds Commissioners that the legislature approved the SB200 approving \$140 million dollars for Disadvantaged Communities (DUC's) for water quality projects. \$30 million can be used on planning and the remaining amount for infrastructure and building which would be a great opportunity for Modoc County small districts.

9. Report from the Calafco Annual Conference in Sacramento October 30- November 1, 2019

Commissioner Steffek thanked Modoc LAFCo for the opportunity to attend the Calafco annual Conference in Sacramento October 30th through November 1st, 2019. Mr. Steffek recommends all Commissioners to attend at least once in their LAFCo Commissioner career. Mr. Steffek was able to attend several work sessions, and during the Annual Calafco Conference they discussed the new rate structure for annual dues. Calafco will continue to explore rate structures for annual dues that will be fair. The new rate structure was voted on and passed at the Annual Conference. Mr. Steffek was pleasantly surprised when Executive Officer Benoit received his lifetime achievement award. Mr. Benoit has been dedicated for 37 years.

Executive Officer Benoit discusses funding bills that will go through the legislature. One bill that interests Mr. Benoit is the Safe and Affordable Water Fund. 90% of the violations occur in a water system that has less than 500 connections. With the SB200 the State Water Resource Board has clear authority to collect data on the financial capacity of a district's operation. The State Water Resource Board is now doing data collection and mapping of domestic wells. The Environmental Health Department has also collected this information. However, the State is using their data for projection. The State will have funding authority, and will be able to fund expenditure plans. The State will also have clear authority to prevent new systems which will have an effect on LAFCo. The next Calafco annual Conference will be in Monterey, CA in October of 2020.

12. Executive Officer's Report

Executive Officer Benoit informed Commissioners he received a letter from the State regarding Canby CSD dissolving. However, Mr. Benoit met with Bonnie Sheer earlier and discussed the letter, and created a plan to file appropriate documents with the State Controller's Office. This will help prevent the Canby CSD from dissolving, and will remove Canby CSD off the State's list. Mr. Benoit's observation is that rural counties districts are deteriorating.

13. Commissioner Reports

Commissioner Steffek inquiries about the Lassen- Modoc Flood Control District being combined with the Modoc Ground Water Advisory Committee.

Modoc Flood Control. A majority of the Lassen- Modoc Flood Control boundaries are in Lassen County, which needs to be revisited.

Commissioner Steffek is concerned if the recently established Big Valley Advisory Committee for the Big Valley Basin is a duplication of efforts.

Clerk of the Board Tiffany Martinez does not believe it is a duplication and will serve its purpose in time. Once they move through the GSP process. The Lassen- Modoc Flood Control is made up with both GSAs Modoc County Board of Supervisors and the Lassen County Board Supervisors. Mrs. Martinez believes as they move along the ground water process the district will have an immense role within the Big Valley Ground Water Basin. This new Advisory Committee has also applied for grant funding to assist meaningful activities. They will receive notice if awarded the grant in March of 2020. The beginning of January the Big Valley Ground Water Advisory Committee meetings will commence. Mrs. Martinez believes time and discussion with Lassen County will be effective. This new Advisory Committee can be used for a multitude of things; ground water is just one component.

14. Adjourn to the next regular meeting on February 11, 2020

There being no further business to come before the Commission. Motion made by Commissioner Steffek to adjourn at 5:14 p.m.; seconded by Commissioner Irvin. In favor were Commissioners Irvin, Steffek and Read.

Motion passed unanimous