

**Local Agency Formation Commission of Modoc County  
Meeting Minutes  
October 10, 2017**

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

Chair Rhoads called the meeting to order at 4:00 p.m., in the City Council Chambers, Alturas City Hall. Commissioner Rhoads, Commissioner Alternate Byrne, Commissioner Dederick, Commissioner Irvin, and Commissioner Shea were present.

Public Present: Chester Robertson, Modoc County CAO and Stephanie Wellemeyer, Modoc County Auditor/Clerk

Staff Present: John Benoit, Executive Officer, Scott Browne, LAFCO Council, and Jackie Froeming, Clerk

Pledge of Allegiance

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

Commissioner Irvin made the motion to approve the agenda; seconded by Commissioner Alternative Byrne. In favor Rhoads, Byrne, Irvin, Dederick, and Shea. Motion passed Unanimous.

**3. Correspondence**

None

**4. Consider Minutes for August 8, 2017**

Commissioner Shea requested the meeting minutes be amended to add Jean's last name which is Billodeaux under the public comment section.

Commissioner Alternate Byrne made the motion to approve the minutes as amended; seconded by Commissioner Irvin. In favor Rhoads, Byrne, Dederick, Irvin, and Shea. Motion Passed Unanimous.

**5. Public Comment**

None

**6. Ratify Claims for August 2017 and Authorize Payment of Claims for September 2017**

Commissioner Shea made the motion to approve; seconded by Commissioner Irvin. In favor, Rhoads, Byrne, Dederick, Irvin, and Shea. Motion Passed Unanimous.

**Public Hearing:**

**7. Fire Service Reviews and Sphere of Influence Updates including the Adin FPD, Fort Bidwell FPD, Alturas Rural FPD, Lake City FPD, California Pines CSD, Likely FPD, Canby FPD, Lookout FPD, Cedarville FPD, Tule Lake FPD, Davis Creek FPD, Willow Ranch FPD, Eagleville FPD, and the City of Alturas Fire Dept.**

*a. Review, Discuss and Conduct Public Hearing regarding the Fire Service Reviews and Sphere of Influence update.*

Chair Rhoads opened the Public Hearing at 4:05 PM  
The Public Hearing was closed at 4:08 PM

- b. Commissioner Shea motioned to approve LAFCo Resolution 2017-0003 and it was seconded by Commissioner Irvin approving a Service Review for Fire Services in Modoc County. In favor Rhoads, Byrne, Dederick, Irvin, and Shea  
Motion passed to approve Resolution 2017-003.
- c. Commissioner Shea motioned to approve LAFCo Resolution 2017-0004 and it was seconded by Commissioner Irvin approving a S.O.I. update for fire agencies in Modoc County. In favor Rhoads, Byrne, Dederick, Irvin, and Shea.  
Motion passed to approve Resolution 2017-004.

**Other Business:**

**8. Discussion and possible action regarding the Daphnedale CSD – Discussion of options regarding the CSD.**

Executive Officer Benoit and Commissioners discussed options regarding the Daphendale Community Services District (CSD). The alternatives include the following:

- 1) Annexation to the City - creating a subsidiary district which is a City Council controlled district. These districts can include 70% unincorporated areas and 30% incorporated areas.
- 2) Creating a CSD with the Board of Supervisors being the Board of Directors for the CSD.
- 3) Converting the CSD to a County Service Area (CSA).
- 4) Creating a JPA between the City, the County, and the CSD Board.
- 5) The City can form a Municipal Subsidiary District (MSD), which is the recommendation of Executive Director Benoit.
- 6) The State can send out a letter making LAFCo the enforcement agency.

LAFCo Counsel was available to answer questions during this discussion and also talked about a new law that which affects Community Services Districts (CSD).The law basically states if districts do not file the proper forms with the State Auditor they will make them an inactive district and request LAFCo dissolve the district. It was determined that Commissioner Dederick will present the MSD option at the next City Council meeting scheduled for October 17, 2017 and report back. Scott Browne is willing to talk with the City's attorney regarding the situation and answer questions.

**9. Consider appointment of Jennifer Stephenson as the LAFCo Deputy Executive Officer for Modoc LAFCo.**

Commissioner Dederick made the motion for a minute order appointing Jennifer Stephenson as the Deputy Executive Officer and it was seconded by Commissioner Shea. In favor Rhoads, Byrne, Dederick, Irvin, and Shea. Motion passed Unanimous.

**10. Executive Officer's Report:**

*a. Lassen Modoc Flood Control and Water Conservation District -*

LAFCo is working on the service review. Executive Officer is looking at the options for either dissolving or empowering the district. The financials will be given to John Benoit next week from Lassen County and he requested that Stephanie Wellemeyer send him the financials for Modoc County. He will be coming up with some sphere options which will be discussed at a future meeting. Commissioner Rhoads spoke on behalf of Modoc County regarding the records that have been removed. The Modoc County constituents want their records and do not have access. Executive Officer Benoit will look into where the records are located, go through the records, and work on getting access for Modoc County Constituents. Scott Browne asked about what is happening with the Groundwater and there was a brief discussion. Lassen and Modoc County have both formed GSA's and have to meet, conform, discuss, and coordinate with one another especially regarding the basin that is shared. There have been discussions between the entities regarding a memorandum of understanding (MOU) but at this time that has not happened.

*b. Surprise Valley Healthcare District –*

The status of this CSD is unknown at this time. Originally they were going to file for bankruptcy and now it looks like they are resending that idea and are contracting with a company to run the hospital. There is still a lot of outstanding debt but they are making an effort.

*c. Legislation of significance and Little Hoover Commission Final Report –*

The Little Hoover Commission is a political force in Sacramento and California. They have put out a final report on legislation items with their recommendations. The full report is available on the LAFCo website. Executive Officer Benoit discussed and provided an overview on some of the recommendations provided in this report.

**11. Commissioner Reports – Discussion**

None

**12. Adjourn to the next regular meeting on December 12, 2017**

There being no further business to come before this Commission; Commissioner Shea made the motion to adjourn the meeting; seconded by Commissioner Irvin. All present were in favor. The Meeting was adjourned at 5:12 PM.