

**Local Agency Formation Commission  
Of Modoc County  
Regular Meeting**

**Minutes of October 7, 2014**

**1. Call to Order:**

Chairman Dederick called the meeting to order at 5:00 pm, in the City Council Chambers, Alturas City Hall. Commissioners Allan, Shea, Irvin, and Dederick were present. Commissioner Alternate Davis is also present. Commissioner Alves is absent.

Staff Present: John Benoit, Executive Officer and Stephanie Wellemeyer, Clerk.

Pledge of Allegiance

**2. Approval of Agenda**

Commissioner Allan made the motion to approve the agenda as submitted; seconded by Commissioner Irving. In favor: Commissioners Allan, Dederick, Irvin & Shea. Motion carries.

**3. Approval of Minutes**

Item number three is tabled until the next meeting.

**4. Correspondence**

None to report at this time.

**5. Public Comment**

None.

**6. Ratify Claims for August 2014 and Authorize Payment of Claims for September 2014.**

*a. Approve payment of expenses for August 2014 and September 2014.*

Commissioner Shea made the motion to approve payment of expenses for August 2014 and September 2014; seconded by Commissioner Allan. In favor: Commissioners Allan, Dederick, Irvin & Shea. Motion carries.

**7. Discussion with Scott Browne, Modoc LAFCo Legal Counsel regarding matters of Importance to Modoc LAFCo.**

Commissioner Dederick welcomes Mr. Browne. He thanks them and is glad to be here. He came up with Executive Officer Benoit to meet everyone at no charge because he wanted to meet everyone and check out the area. He would like to come up at least once a year.

## **8. Discussion regarding Groundwater legislation recently signed by the Governor**

### *a. Review and Discuss Legislation*

Executive Officer Benoit reports three bills were signed by the Governor. There is a really extensive program of mandates in California that will be occurring over the next several years. There are a series of timelines that go out to 2025. He isn't sure how Modoc County is going to handle this because there are three tiers of water basins.

Commissioner Allan reports we have water basins in Newell and Big Valley which will be the focal points for us. The County is in the process of completing an ad hoc committee pertaining to this issue and they are trying to include all entities involved. They did receive grant money through Cal OES to help with this, the bulk of which will help pay for some sophisticated software. They signed a contract with VESTRA out of Redding and they will be helping on this project. He asks Mr. Browne if he would agree that this will end up before the Supreme Court of the State of California. Mr. Browne thinks it will, but he believes they will uphold the plan to preserve our groundwater.

Commissioner Dederick adds that we may have until 2020 to come up with a plan, but that is if we have any water left. He explains that the Refuge is having some serious concerns already.

Mr. Browne thinks the smaller counties like Modoc will solve the problem at the local level, whereas the larger county will require State action.

Executive Officer Benoit reports the State will designate some of these basins by next March and then the County will have to move forward from there. RCRC has taken an active role on this as well.

## **9. Executive Officer's Monthly Report**

*Agreement between Likely and Madeline Fire Depts.*

*City of Alturas Annexation Request – Status*

*Resource Conservation District Consolidation – December 2014*

*Southern Cascades CSD – Status*

*Meyers Healthcare District Annexation*

*Ethics Training October 17th 3:00 PM Veterans Hall*

*Tulelake Irrigation District MSR and SOI*

*New Website*

Executive Officer Benoit received a message from Supervisor Alves regarding the fire departments and stating it's not completely dead; it is still in the works. The problem is this has been in the works for three years and it should have taken 60 days. Commissioner Allan reports that Tim Holabird would be willing to help on this issue, and suggests Executive Officer Benoit touch base with him on this issue.

Executive Officer Benoit reports on the annex request. He spoke to both Chester Robertson and Joe Picotte today and it seems that everything is ready to go. He just needs a Resolution adopted. He asks that they review this and make sure the draft looks good.

He would like to put the RCD consolidation on the next agenda. This would be between Central Modoc and Surprise Valley. They have already adopted the sphere so we are good there.

Commissioner Allan asks for the status on the Southern Cascades CSD. Commissioner Alternate Davis states it is still not formed. Executive Officer Benoit states that is due to funding.

He discusses the Mayers Memorial annexation and will have another meeting in January. What came to light for the district is what is involved in this whole process and they'd like to have another meeting to go over everything and how to fill out the application form. He thinks from that point of view this meeting today was very helpful. Commissioner Alternate Davis states he saw the deer in the headlights look a view times because they didn't realize what all was required to accomplish this. Executive Officer Benoit thinks they need to do some due diligence to review all of the issues that need to be addressed. Mr. Browne states one of the key issues will be the tax exchange. Commissioner Allan asks if he would have anything to say to the Board about this. Mr. Browne states the Board needs to decide if this is a priority since they have so many requests on the limited tax dollars.

Executive Officer Benoit discusses the Tulelake Irrigation District (TID) and reports we have done the MSR and Sphere for both Hot Springs and South Fork, next would be TID. He has been working on the sphere and received some information back from them. He once again is having issues with maps and is looking into that. Commissioner Allan suggests that he get ahold of AJ McQuarrie pertaining to his needs for maps. He states that he has found that OES doesn't have as detailed maps as he needs, because he needs them down to the parcel but he can talk with her about this so we can all share our data. He had met with the County Assessor and they reviewed tax rate areas and he now has a better map that he can share with the County Registrar of Voters.

Lastly, he discusses a new website. Calafco offered to host a website for counties. Ours is not the greatest website so he has re-done it and will have control of what goes on there. It will also be a lot more functional and he can add our maps as well which will save lots of copying and mailing. Commissioner Irvin asks what his target date is to get it up and running. He thinks he will have it up in about a week and it will be modoclafco.org.

Commissioner Shea states he might need to skip ethics training. Executive Officer Benoit just reminds everyone that it is October 17<sup>th</sup> at 3 p.m. at the Veterans Hall. If they have any questions, they can talk to Stephanie.

#### **10. Commissioner Reports – Discussion**

Commissioner Irvin received an item from SCED, reporting that they and the CALED will be hosting a training on private party partnerships if anyone is interested. Executive Officer Benoit will also be going to the Calafco conference and will bring back information as well.

Commissioner Dederick asks about the groundwater committee, stating he read the material and thinks it was to be formed by October 14<sup>th</sup> and asks if the City needs to come up with a representative before then. Commissioner Allan thinks it was pushed back due to budget hearings.

**11. Adjourn to next regular meeting: December 9, 2014**

There being no further business to come before this Commission; Commissioner Allan made the motion to adjourn the meeting; seconded by Commissioner Shea. In favor: Commissioners Allan, Dederick, Irvin & Shea. Motion carries.

Meeting adjourned at 5:44 p.m.