

Local Agency Formation Commission  
Of Modoc County  
Regular Meeting

Minutes of April 14, 2009

**1. Call to Order:**

Chairman Dederick called the meeting to order at 5:05 pm, in the City Council Chambers, Alturas City Hall. Commissioners Schreiber, Dederick, Neer, Bradshaw and Macsay were present. Commissioner Alternate Public Member Jerry Shea was also present.

Staff Present: John Benoit, Executive Officer and Stephanie Roddy, Interim Clerk

Pledge of Allegiance

**2. Approval of Agenda:**

Commissioner Macsay made the motion to approve the agenda as submitted; seconded by Commissioner Neer. All in favor: Unanimous.

**3. Correspondence:**

CALAFCO Newsletter

**4. Approval of Minutes: February 10, 2009**

Commissioner Macsay asked that the following changes be made to the February minutes:

Page 2 - Commissioner Macsay: there is an agreement between BLM and Calfire that allows BLM to cover for Calfire in Surprise Valley in cooperation with the Forest Service; ~~both agencies~~ BLM and USFS respond to all fires

Page 3 - Commissioner Macsay: Forest Service will respond; BLM ~~won't (for structures)~~ will respond, but will not go into structures

Commissioner Bradshaw made the motion to approve the minutes of February 10, 2009 with the changes noted; seconded by Commissioner Macsay. All in favor: Unanimous.

**5. Public Comment:** Members of the public may address the Commission on matters under its jurisdiction that are not on the agenda. The Commission may limit the public comment to three minutes. The Commission may not render any decisions other than those items that are contained on the agenda; the public may request an item to be placed on a subsequent agenda.

None.

**6. Conduct Public Hearing on updated and amended Policies, Standards and Procedures for LAFCO:**

*a. Receive Executive Officer's Report and consider Resolution 2009-01 approving and adopting amended Policies, Standards and Procedures:*

John Benoit noted that the policies should be updated annually or as necessary to incorporate changes.

Commissioner Macsay made the motion to adopt Resolution 2009-01, approving and adopting amended Policies, Standards and Procedures; seconded by Commissioner Neer. All in favor: Unanimous.

**7. Public Hearing on 2009-2010 Proposed LAFCO Budget:**

*a. Receive Executive Officer's Report and consider Resolution 2009-02 approving and adopting the proposed LAFCO Budget for FY 2009-2010:*

John Benoit reviewed the budget packet:

- noted that the first portion is a work program report, including descriptions of items such as the MSR

and SOI for the City of Alturas, fire districts county-wide, working with CSD's and other districts, and processing all other proposals;

- all expenses are projected to be the same except travel;
- noted that contingency fund and reserve fund are important;
- noted that the County and City shares/costs were reduced slightly.

Commissioner Dederick: feels as though commissioners should be compensated if it requires filing of Form 700; offering compensation should help recruit and impart a feeling of responsibility to attend and participate.

John Benoit: can draft a Resolution – what amount? The budget will have to be amended.

Chester Robertson: would this be divided \$1,500 City and \$1,500 County?

John Benoit: to budget for 8 would be \$4,800.

Commissioner Macsay: the biggest expense will be to update the MSR and SOI...

John Benoit: everyone rushes to do the MSR's and they are outdated before the SOI can be done; there is no standard for how much money is spent on the MSR; expectations go much beyond the budget in most cases; when there is an application, some costs will be covered by the applicant.

Commissioner Macsay: but we are way behind and how much is it going to take to get caught up?

Commissioner Dederick: would it be realistic to budget \$25,200 for MSR's and move \$4,800 over to compensating commissioners?

John Benoit: keep the City and County shares the same as last year? Don't raise the amount this year – it's probably not a good year to raise; MSR/SOI – the biggest challenge is getting the information, writing it is easy; can create a new category in the budget – Commissioner Stipend.

Commissioner Bradshaw: doesn't have a problem with a stipend as long as it's not too much.

Commissioner Macsay: only if they attend; they should not get paid if they don't attend.

John Benoit: the alternates should be present to stay updated in case they have to vote; the fee schedule should be updated so that in case of a special meeting the person that causes it should pay the extra monies to the commissioners; the budget will allocate \$25,200 to MSR update and \$4,800 to Commissioner Stipend; make this effective July 1<sup>st</sup>? will include a Resolution when adopting the Final Budget in June; today is just the proposed budget.

Commissioner Shea: the bottom line stays the same?

John Benoit: yes and the City and County shares stay the same. The stipend will be approved at the next meeting, no need for a motion today.

Commissioner Neer made the motion to adopt Resolution 2009-02, approving and adopting the proposed LAFCO Budget for FY 2009-2010; seconded by Commissioner Schreiber. All in favor: Unanimous.

John Benoit: wants to include the amounts that are paid to other commissioners in the Resolution for evidence of consistency – City PC \$50, County PC \$100, Transportation \$100.

## **8. Review and Authorize Payment of Claims:**

*a. Ratify payment of claims for February 2009 and authorize payment of claims for March 2009:*

Commissioner Macsay made the motion to ratify payment of claims for February 2009 and authorize payment of claims for March 2009; seconded by Commissioner Schreiber. All in favor: Unanimous.

**9. LAFCO 101 - informal discussion – Part 2 MSR's and SOI's** (*this item is being placed on the agenda since there are four Commissioners and (or) alternates on LAFCO that have not yet served one year*)

John Benoit showed a Power Point presentation.

**10. Workshop – City of Alturas MSR – Discussion Item:**

John Benoit: have received one comment regarding a misspelled name – will correct; there are two parts, the background report and the determinations; reviewed the determinations beginning on page 43; a public hearing will be held at the next meeting for the MSR.

Commissioner Neer: page 8 – MHS students usually run +/-270, not 70; all the numbers seem low, please check their accuracy.

Commissioner Dederick: page 12, 3.2.1 – not all the services listed are provided; 3.2.1C. patrols are 24/7 now, not 4p-12p; Alturas now has a live-scan (fingerprint scan).

Commissioner Neer: what is the significance of using 'should' vs. 'shall'? shall = command, should = recommendation?

John Benoit: we are only to recommend, not tell them how to manage their business.

**11. Executive Officer's Monthly Report - General Discussion:**

*Fire Municipal Service Review:*

John Benoit: the challenge is getting the information; coordinating with outside help to get this done – it's never been done before; there are options and it's hard to know which would be best: would be difficult to consolidate some of Modoc's districts due to geographical constraints; political issues are also a problem at times.

- June Meeting: Budget Hearing and MSR Hearing

**12. Commissioner Reports - Discussion:**

None.

The next meeting will be held June 9, 2009 at 5:00 pm.

There being no further business to come before this Commission, the meeting was adjourned at 6:25 pm.