

TRINITY COUNTY BOARD OF SUPERVISORS

MINUTES

AUGUST 21, 2001
TRINITY COUNTY LIBRARY MEETING ROOM
WEAVERVILLE, CA

The Board of Supervisors, in and for the County of Trinity, State of California, meets in Regular Session at 9:35 am and there are:

PRESENT SUPERVISORS: Chris Erikson, Robert Reiss, Ralph Modine, Billie Miller and Berry Stewart

ABSENT SUPERVISORS: None

Administrative Officer, Jeannie Nix-Temple, Present

County Counsel, David Hammer, Present

County Clerk, Dero Forslund, Present

Deputy Clerk of the Board, Kelly Frost, Present

Chairman Stewart, Presiding

TIME ITEM NO.

8:30 am **MEET IN CLOSED SESSION:** Anticipated Litigation – Conference with Legal Counsel. No. of cases: One. (Government Code Section 54956.9, subd. (b)(1))

MEET IN CLOSED SESSION: Existing Litigation – Conference with Legal Counsel. Number of Cases: Two (Litigation has been formally initiated, Gov. Code Section 54956, subd. (a).)

County of Trinity v. Trinity County Public Utilities District
Case No.: 01CV038

Harwood v. Trinity County
Case No.: 01CV054

MEET IN CLOSED SESSION: Government Code Section 54954.5. Two cases.

Public Employee Release

9:35 am

PLEDGE OF ALLEGIANCE

CHAIRMAN REPORTS ON CLOSED SESSION:

Anticipated Litigation:

1. MDS Construction – Direction given to County Counsel to deny claim.

Existing Litigation:

1. Dr. Harwood – Direction given to County Counsel.
2. Public Utilities District – Direction given to representatives on the Board and County Counsel.

Public Employee Release:

1. Heather Lindsay – Authorize County Administrative Officer to sign letter of Finding and Determination on Disability application.
2. Patrick McGinn – Ratification of Termination from the Agricultural Commissioner position.

1. CONSENT AGENDA

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Erikson, seconded by Supervisor Reiss, Consent Agenda items 1a. through 1s. except items 1b., 1e. and 1k., are approved with the following vote polled: Supervisors Reiss, Erikson, Miller, Modine and Stewart.

All contracts submitted to the Board are subject to routing for approval as to form and content.

- 1a. Approves minutes of August 7 and 14, 2001, as submitted by Clerk.
- 1c. Approves and authorizes Chairman to designate Terry Lee, Chief Probation Officer, as County Financial Evaluation Officer to make financial evaluations of defendants and other persons liable for reimbursable costs under the law.
- 1d. Authorizes transfer of \$5,318.70 from the Emergency Medical Facility Trust to the Hospital Enterprise Fund for the purpose of purchasing special equipment to move obese patients, submitted by the Auditor's office.
- 1f. Awards contract to Plew Plumbing and Electrical, Inc. of Weaverville, California, for the Wood Center/Business Incubator

project, in the amount of \$18,600 from #99-EDBG-690 grant funds, and authorizes Chairman to sign the Notice of Award and other contract documents, submitted by the Grants Department.

- 1g. Approves and authorizes the Chairman to sign a resolution authorizing the District Attorney to submit to the Department of Justice an application to receive funding for the Spousal Abuser Prosecution Program in the amount of \$50,400 for the period 7/1/01 – 6/30/02; and further authorizing the District Attorney to sign the Grant Award Agreement, including any extensions or amendments thereof.
- 1h. Approves and authorizes Chairman to sign Resolution authorizing the District Attorney to submit to the Office of Criminal Justice Planning, an application to receive funding for the Statutory Rape Vertical Prosecution Program, in the amount of \$50,000 for the period 7/1/01 – 6/30/02; and further authorizing the District Attorney to sign the Grant Award Agreement, including any extensions and amendments thereof.
- 1i. Approves and authorizes Chairman to sign the Trinity Transit Drug Testing Policy, submitted by the Planning Department.
- 1j. Approves and authorizes Commissioner to sign the High-Risk Pest Exclusion Contract #01-0202 for fiscal year 2001/2002 with the California Department of Food and Agriculture.
- 1l. Authorizes the transfer of \$500,000 from the Road Construction Reserve, No. 104, to the Road Fund, No. 102 and authorizes a repayment transfer when the Department of Transportation receives the first installment payment of the annual Federal Forest Reserve Funds.
- 1m. Accepts and authorizes the Director of Transportation to sign the Notice of Completion for Contract No. 01-PAVE-1, Road Widening and Asphalt Concrete Overlay on Morgan Hill Road, County Road No. 319, in the amount of \$314,866.52.
- 1n. Tables Ordinance amending Trinity County Zoning Ordinance No. 315, changing APN 010-260-23 from Agricultural Forest – forty acre minimum (AF-40) to Timberland Production Zone (TPZ) located on Black Bear Road, Weaverville, Applicant: Lancaster (P-01-03), to the September 18, 2001 meeting.
- 1o. Waives reading and direct the Clerk to let the record show that an ordinance amending chapter 1.08 of the Trinity County Code,

Modifying Supervisorial Districts and Voting District Boundaries, is enacted with the following findings:

1. The boundaries of the districts, as adopted, are consistent with the geographics and topography of the communities.
 2. The boundaries, as adopted, are consistent with the community development and parcel divisions with the County.
 3. The boundaries, as adopted, are consistent with postal delivery and school district boundaries.
- 1p. Finds no objection to the issuance of a one-day alcoholic beverage license to St. Patrick's Catholic Church, for the sale of beer for a fundraising Fiesta/Bazaar on Saturday, September 29, 2001 from 11:00 am to 4:00 pm, at Lowden Park. All proceeds will be directed to assist in the St. Patrick's building program.
- 1q. Finds no objection to an application for a one-day beer and wine alcoholic beverage license, as requested by the New York Saloon, for a beer booth to sell beer during the Livestock BBQ to be held on Saturday, September 8, 2001 between the hours of 11:00 am and 5:00 pm at the Lowden Park Cook Shack.
- 1r. Finds no objection to an application of a person-to-person alcoholic beverage license transfer, requested by the Victorian Restaurant – Victorian Mini-Mart, located at 1701 Main St. Weaverville.
- 1s. Approves and authorizes Chairman to sign authorization to proceed, as requested by Trinity County General Services Solid Waste Division, with Lawrence and Associates, in an estimated amount of \$40,550 from the Solid Waste budget, for the following services:
1. Evaluate the drainage along the east side of the landfill.
 2. Develop a topographic map of the airport/landfill property.
 3. Develop closure plan for Hayfork Septage Ponds.
 4. Install gas monitoring wells.
 5. Perform groundwater monitoring and reporting.
- 1b. On motion of Supervisor Erikson, seconded by Supervisor Reiss and carried, waives Trinity County Code Section 2.60.420 (D) and approves out-of-class assignment of Sharon Saul, Deputy Director for Administration Quality Improvement, to Acting Director of

Behavioral Health Services during Director's absence for less than 60 days effective June 26, 2001, in the amount of an approximate salary increase of \$353.00 for a sixty day period. Comments received from Brian Muir, County Auditor/Controller.

- 1e. **TABLES:** Declaration of intent to receive funds for the Emergency Medical Service program, submitted by the Auditor's office.
- 1k. On motion of Supervisor Miller, seconded by Supervisor Modine and carried, awards contract 01-BRIDGE-199 to Clemens Construction, Inc. of Redding, CA., for the Van Duzen River Bridge Replacement, in the amount of \$819,918.00, and authorizes the Chairman to sign contract documents and certificates, as submitted by the Transportation Department.

2. COUNTY ADMINISTRATIVE OFFICER

- 2a. Jeannie Nix-Temple reports on agenda meeting.

SUBSEQUENT ITEM:

On motion of Supervisor Erikson, seconded by Supervisor Reiss and carried, agrees to hear subsequent item and finds that the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

On motion of Supervisor Miller, seconded by Supervisor Erikson and carried, approves allocating the balance of the funds held in the Animal Shelter trust fund for the new Animal Shelter Building; and

Authorizes closure of the Animal Shelter trust fund.

- 2b. Jeannie Nix-Temple reports on other matters of interest to the Board.
- 2c. On motion of Supervisor Reiss, seconded by Supervisor Erikson, and carried, accepts recommendation of County Administrative Officer and allows department heads to reduce reporting responsibilities from every 60 days to annual budget report and mid-year budget review supplemented by oral reports to the Board of Supervisors.
- 2d. On motion of Supervisor Erikson, seconded by Supervisor Reiss and carried, approves and authorizes Chairman to sign policy instituting the Modified Duty/Return to Work Program.

- 2e. On motion of Supervisor Miller, seconded by Supervisor Reiss and carried, develops ½ time position of Administrative Clerk for the Veteran’s Services Office, in an estimated amount of \$12,811.92, for annual salary and benefits. Comments received from Linda Wright, Health and Human Services Department.

PUBLIC COMMENT

Received from Alaire Marble regarding the building of the Animal Shelter and parking in the Library parking lot.

3. REPORTS FROM DEPARTMENT HEADS, MEMBERS OF THE BOARD AND COUNTY COUNSEL

- 3a. Reports received from Department Heads: Linda Wright, Health and Human Services; Dero Forslund, County Clerk/Recorder; John Whitaker, General Services Director; John Jelichich, Planning Director.
- 3b. Reports received from members of the Board: Supervisors Miller, Reiss, Erikson, Modine and Stewart.
- 3c. Report received from David Hammer, County Counsel.

10:30 am
10:40 am

RECESSES
RECONVENES

4. TRINITY COUNTY DEVELOPMENT CORPORATION & SUPERIOR ECONOMIC DEVELOPMENT DISTRICT

Merle Anderson, of the Superior Economic Development District appears and discusses the draft Economic Development Action Plan, submitted by the Superior Economic Development District & Trinity County Development Corporation.

5. PETITION FROM POST MOUNTAIN UTILITY DISTRICT

Chairman directs Planning Department Director to contact the Director of the Post Mountain Public Utility District concerning designation of land from Open Range to Closed Range and bring back to the Board at a later date.

6. BUILDING DEPARTMENT MATTERS

- 6a. On motion of Supervisor Reiss...motion fails for lack of second, to establish the name of the current Building Department, Environmental Health Department and Airport Division as the Trinity County Building, Environmental Health and Airport Department.

On motion of Supervisor Erikson, seconded by Supervisor Modine and carried, establishes the name of the current Building Department, Environmental Health Department and Airport Division as the Trinity County Building and Development Services Department; and

On motion of Supervisor Modine, seconded by Supervisor Miller and carried, designates Steven W. Judson, Chief Building Inspector/Engineer, as the Director of the Trinity County Building and Development Services Department.

- 6b. On motion of Supervisor Miller, seconded by Supervisor Erikson and carried, designates Trinity County Environmental Health Division as the Local Solid Waste Enforcement Agency (LEA) and authorizes Environmental Health Division to apply to the California Integrated Waste Management Board for LEA status. The implementation of the solid waste program will result in an approximate savings of \$6,600 annually.

- 6c. On motion of Supervisor Erikson, seconded by Supervisor Miller and carried, authorizes the Application for State Aeronautics Grant Funds, Certify the Availability of Matching Funds, authorizes the Director to sign the Grant agreements for Weaverville Airport, in the amount of \$74,000 State and \$8,222 County; Hyampom Airport, in the amount of \$59,000 State and \$6,555 County; and Ruth Airport, in the amount of \$80,000 State and \$8,888 County; and authorizes the inclusion of the Projects into the Final FY 2001-02 Trinity County Budget and authorizes Budget Transfer of Matching Funds from Special Aviation Development Fund 0154 to Airport Development Maintenance Fund 0153. Funding all projects requires \$23,665 County Match from the Airports Development Account.

Comments received from Steve Judson, Trinity County Building and Development Services Director.

7. PUBLIC COMMENT

The Lewiston Park Homeowners Association fails to appear to comment on the junk cars in Lewiston Park.

Supervisor Erikson comments on the junk cars in Lewiston Park.

11:25 am
1:30 pm

**ADJOURN
RECONVENE**

- 2e. On motion of Supervisor Modine, seconded by Supervisor Miller and carried, reconsiders item 2e. position discription.

On motion of Supervisor Modine, seconded by Supervisor Erikson and carried, changes ½ time position of Administrative Clerk for the Veteran's Services Office, to ½ time Veterans Services Representative, in an estimated amount of \$12,811.92, for annual salary and benefits. Comments received from Linda Wright, Health and Human Services Department.

1:35 pm

8. **OPENS PUBLIC HEARING TO DISCUSS THE EXPENDITURE OF \$75,719 OF CALIFORNIA DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCOME FOR THE HAYFORK WOOD CENTER AND BUSINESS INCUBATOR CONSTRUCTION PROJECT AND TO RECEIVE PUBLIC INPUT.**

- **PRESENTATION BY PATRICIA MORTENSEN, GRANTS ADMINISTRATION OFFICE**
- **RECEIVE PUBLIC AND WRITTEN COMMENTS**

CLOSES PUBLIC HEARING

On motion of Supervisor Erikson, seconded by Supervisor Reiss, adopts and authorizes Chairman to sign a resolution amending open CDBG contract #99-EDBG-690, Hayfork Wood Center and Business Incubator, by adding \$75,719 from the CDBG Economic Development Revolving Loan Fund and from undistributed CDBG program income. Approved with the following vote polled: Supervisors Reiss, Erikson, Miller, Modine and Stewart.

SUBSEQUENT ITEM:

On motion of Supervisor Erikson, seconded by Supervisor Reiss and carried, agrees to hear subsequent item and finds that the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

On motion of Supervisor Erikson, seconded by Supervisor Reiss and carried, appoints Supervisor Ralph Modine as an alternate, for

Supervisor Erikson, on the Klamath River Basin Fish and Game
Wildlife Task Force.

ADJOURN

All Ordinances introduced or enacted have been published or posted as provided in
Government Code Section 25124.

DERO B. FORSLUND, County Clerk and
Ex-Officio Clerk of the Board of Supervisors
County of Trinity, State of California

R. BERRY STEWART, Chairman
Board of Supervisors, County of Trinity
State of California