



TRINITY COUNTY BOARD OF SUPERVISORS MINUTES

**JUNE 17, 2003
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 8:30 am and there are:

PRESENT SUPERVISORS: Ralph Modine, Robert Reiss, Howard Freeman, David Klipp and Billie Miller

ABSENT SUPERVISORS: None

County Auditor/Controller, Brian Muir, Present

County Counsel, David Hammer, Present

County Clerk, Dero Forslund, Absent

Deputy Clerk of the Board, Kelly Frost, Present

Chairman Miller, Presiding

<u>TIME</u>	<u>ITEM NO.</u>
8:30 AM	PLEDGE OF ALLEGIANCE
	1. CONSENT AGENDA

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Modine, seconded by Supervisor Reiss and carried, Consent Agenda items 1a. through 1bb., with the exception of 1c., 1e., 1k., and 1t., are approved with the following vote polled: Supervisors Reiss, Modine, Klipp, Freeman and Miller– Aye.

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

BOARD CONSENT MATTERS

- 1a. Approves minutes of June 3, 2003, as submitted by Clerk.
- 1b. Approves and authorizes funding for the FY 03/04 LAFCo Budget, in the amount of \$4,350 for Special Districts portion.
- 1d. Approves and authorizes Chairman to sign letter in support of Senate Bill 20 (Sher), which would require manufacturers of hazardous electronics (CRT's) to take responsibility for the recycling of the their products.
- 1f. Approves and authorizes Chairman to sign Resolution No. 2003-082, Amending the Joint Exercise Powers Agreement to change the name of the Colusa-Glenn-Trinity Community Action Agency to Colusa-Glenn-Trinity Community Action Partnership.

AUDITOR

- 1g. Approves and authorizes Chairman to sign Resolution No. 2003-083, Establishing Trinity County's Appropriation Limit for FY 02/03.

BEHAVIORAL HEALTH SERVICES

- 1h. Approves and authorizes the Director of Behavioral Health to sign Contract No. 02-72282-000 with California Department of Mental Health, (Contract No. 2003-278), regarding State Hospital bed purchase and usage. No Fiscal Impact.

GENERAL SERVICES

- 1i. Approves and authorizes Chairman to sign agreement with Caltrans (Contract No. 2003-277), providing that Trinity County General Services will provide maintenance within State Highway Right of Way (State Route 3 Hayfork). Cost for maintenance in the amount of \$10,000 annually.

- 1j. Approves and authorizes Chairman to sign contract with Waste Recovery West (Contract No. 2003-276), in the maximum amount of \$12,000, for waste tire collection.

GRANTS

- 1l. Approves and authorizes the Chairman to sign a Resolution No. 2003-084, Requesting a three month extension to December 31, 2003 for State grant #00-JHBP-046, Jobs-Housing Balance Improvement Program.
- 1m. Accepts and forwards to California Department of Housing and Community Development "Trinity County Housing Needs Report, January 2003", prepared by Laurin Associates Inc., for CDBG Planning and Technical Assistance Grant #00-STBG-1532.
- 1n. Adopts and authorizes the Chairman to sign Resolution No. 2003-085, Approving the submittal of an application for the California Rural Health Policy Council's Rural Health Services Small Grants Program to support health care services for citizens with no means to pay for Hospital services, in the amount of \$24,984; and

Authorizes the Chairman to sign the Rural Health Services Small Grants Program application.

HEALTH AND HUMAN SERVICES

- 1o. Approves and authorizes Chairman to sign the Standard Agreement for Employment Services with the State of California Employment Development Department (EDD) (Contract No. 2003-267), to provide employment services to CalWorks recipients in the maximum payable amount of \$18,159.
- 1p. Approves and authorizes Chairman to sign contract with Human Response Network (Contract No. 2003-268), in the amount of \$12,194, to implement the Youth Outreach Program.
- 1q. Approves the RFA 03-01 Aligning Child Welfare Services Redesign implementation strategies plan, total allocation from the Children and Family Services Division of the California Department of Social Services will be \$37,000.

HOSPITAL

- 1r. Approves and authorizes Chairman to sign contract with Jon Bayers, M.D. (Contract No. 2003-274), in an amount not to exceed \$12,000, to perform peer review and consulting services for the Ophthalmologist at the Hospital.

- 1s. Approves and authorizes Chairman to sign Amendment No. 7 to the contract with Nurses and Professional Healthcare (Contract No. 2003-273), to amend the fees in Exhibit A and inserting Exhibit C (HIPAA Supplement). No increase in maximum cost.

PERSONNEL

- 1u. Pursuant to Trinity County Code Section 2.60.410 (2), authorizes hiring Rhonda Howard, as Respiratory Care Practitioner G200, Step E, for the Hospital, effective May 21, 2003. Cost for FY 02/03 is \$500.
- 1v. Pursuant to Trinity County Code Section 2.60.410 (2), authorizes hiring Terry Coddington, as Behavioral Health Case Manager II Range G188 Step C for Behavioral Health, effective June 19, 2003. Cost for FY 02/03 is \$14.51.
- 1w. Pursuant to Trinity County Code Section 2.60.410 (2), authorizes hiring John Carter, as Behavioral Health Case Manager I Range G178 Step C, for Behavioral Health, effective July 1, 2003. Cost for FY 03/04 is \$1,058.
- 1x. Approves and authorizes Chairman to sign Resolution No. 2003-095), Increasing the Uniform Allowance for the Sheriff, to \$600 per year.
- 1y. Changes allocation of 1 Jail Cook to 2 Jail Cooks in the Sheriff Department and directs that said change be made to the Salary Schedule Allocation List, effective June 1, 2003; and

Approves hiring Paul Valdez as Jail Cook at Range G137 Step B effective June 1, 2003. Cost for FY 02/03 is \$150.

PLANNING

- 1z. Waives reading and directs the Clerk to let the record show that an Ordinance No. 315-724, amending Trinity County Zoning Ordinance No. 315, reflecting changes in Section 30.B.9, Family Care Mobile Homes, Applicant: Trinity County Planning Department (PW-02-09), is enacted.

SHERIFF

- 1aa. Approves and authorizes the Sheriff's Department to file an application for the California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Project for 2004 (Contract No. 2003-272), revenue in the anticipated amount of \$37,000.

- 1bb. Approves and authorizes Chairman to sign the Joint Operating and Financial Plan for Controlled Substances for calendar year 2003 (Contract No. 2003-271), revenue in the amount of \$10,000.

THE FOLLOWING ITEMS HAVE BEEN PULLED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- 1c. On motion of Supervisor Reiss, seconded by Supervisor Modine and carried, approves and authorizes the expenditure of \$1,200, as requested by the Trinity County Fire Chief's Association, to provide HazMat refresher Training to Decon Team members as mandated by SCHMRT. Comments received from Bill Britton, TCFCA.
- 1e. On motion of Supervisor Freeman, seconded by Klipp and carried, approves waiver of County Planning/Engineering/ Building Department fees, in an amount not to exceed \$600, for a Weaverville Welcoming Sign, as requested by Weaverville Chamber of Commerce.
- 1k. On motion of Supervisor Reiss, seconded by Supervisor Klipp and carried, approves and authorizes Chairman to sign agreement with Alps Lock & Key & Surplus (Contract No. 2003-275), in the amount of \$12,664.21, to install a T3 Trilogy Prox Lock System at Health and Human Services. Comments received from John Whitaker, General Services Director.
- 1t. Tabled for more information: Request of Jayme Bayley, CO/Dispatcher II, for extended leave of absence from July 3, 2003 through December 12, 2003.

2. COUNTY MATTERS

- 2a. On motion of Supervisor Reiss, seconded by Supervisor Freeman, to accept the recommendations in the report of the committee assigned to analyze the problem of open, expired building permits...Motion withdrawn.

Direction given to committee to come back to the Board with specific wording as to how the recommendations will be implemented. Comments received from Steve Judson, Building and Development Services Director; John Scott, Grand Jury and District 1 Constituent and Katie Quinn, District 1 Constituent.

- 2b. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves a 30'x40' metal building to be placed next to the Roderick Center in Hayfork Park to be used as a thrift shop, subject to normal permitting and review.

- 2c. On motion of Supervisor Reiss, to approve resolution...motion fails for lack of second.

On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution No. 2003-086, Adopting Benefits for Members of the Board of Supervisors. Fiscal impact \$20,000. Approved with the following vote polled: Supervisors Freeman, Reiss, Miller – Aye; Supervisors Modine and Klipp – No. Comments received from Connor Nixon, Lewiston and Elizabeth Johnson, Weaverville.

RECESS AS THE BOARD OF SUPERVISORS; RECONVENE AS THE IN-HOME SUPPORT SERVICES PUBLIC AUTHORITY

3. IHSS PUBLIC AUTHORITY

On motion of Supervisor Modine, seconded by Supervisor Reiss, approves and authorizes Chairman to sign agreements (Contract Agreement and Software License Agreement) between IHSS Public Authority and Refined Technologies, Inc., (Contract No. 2003-269), to provide registry software for the Public Authority.

RECESS AS THE IN-HOME SUPPORT SERVICES PUBLIC AUTHORITY; RECONVENE AS THE BOARD OF SUPERVISORS

4. COUNTY AUDITOR/CONTROLLER

- 4a. Brian Muir, County Auditor/Controller reports on agenda meeting.
- 4b. Brian Muir, County Auditor/Controller reports on other matters of interest to the Board.
- Reports on Tax Revenue Anticipation Notes.
- 4c. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, adopts FY 03/04 preliminary budget, including enterprise funds and dependent special districts, of \$61,034,861.
- 4d. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves the removal of unfilled and unfunded positions from a department allocation as part of the budget review process, with the exception of the mandated Probation and Sheriff Department allocations. Comments received from Terry Lee, Chief Probation Officer.
- 4e. On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, appoints County Treasurer to hear all future CDBG loan appeals.

4f. Linda Lindsey, Loss Prevention Specialist presents the Trindel Safety Awards to the following outstanding County Employees:

- Renie Tenneson, Department of Transportation
- Jim Johnson, Department of Transportation
- Marilyn Horn, Treasurer/Tax Collector

1t. On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, approves request of Jayme Bayley, CO/Dispatcher II, for extended leave of absence from July 3, 2003 through December 12, 2003. Comments received from Sheriff Craig.

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

5a. Report from Department Heads: No reports received.

5b. Report from Members of the Board.: Supervisors, Klipp, Modine, Reiss and Miller.

5c. Report from David Hammer, County Counsel.

6. PRESENTATION/DISCUSSION ITEMS

6a. **Natural Resources Division of the Trinity County Planning Department:** Mark Lancaster, Principal Planner, appears and presents the Board with a Joint Resolution from the Boards of Supervisors of Del Norte, Humboldt, Mendocino, Trinity and Siskiyou Counties recognizing the Trinity County Board of Supervisor's in facilitating the multi-county salmon conservation program and presents the National EPA Clean Water Partners for the 21st Century Award and a Special Congressional Certificate of Recognition for the Five Counties Salmonid Conservation Program.

6b. **Behavioral Health Services Advisory Board:** On motion of Supervisor Reiss, seconded by Supervisor Freeman, accepts Annual Report for 2002, given by Karen Zimmer, BHSAB.

RECESSES AS THE BOARD OF SUPERVISORS; RECONVENES AS THE TRANSPORTATION COMMISSION

7. TRANSPORTATION COMMISSION

7a. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution No. 2003-089 (T), Authorizing allocation of Local Transportation Funds (LTF), in the

amount of \$353,900, for FY 03/04. Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.

7b. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves and authorizes Chairman to sign agreement with Maas & Associates (Contract No. 2003-270), in the amount \$40,000 for TDA Administration and STIP Management Services.

7c. On motion of Supervisor Reiss, seconded by Supervisor Freeman, accepts the Overall Work Program for the FY 03/04; and

Approves and authorizes Chairman to sign Resolution No. 2003-090 (T), Approving the Overall Work Program and OWP budget FY 03/04; and

Authorizes the Executive Secretary to execute the Regional Transportation Planning Agency Regional Transportation Planning Process Certification. OWP total funding in the amount of \$300,000. Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.

**RECESSES AS THE TRANSPORTATION COMMISSION;
RECONVENES AS THE BOARD OF SUPERVISORS**

PUBLIC COMMENT

Comments received from Richard Johnson regarding vehicle abatement in Hayfork.

**10:30 AM
1:30 PM**

**RECESSES
RECONVENES**

8. PLANNING PUBLIC HEARINGS:

8a. **OPENS PUBLIC HEARING:** Final Environmental Impact Report for the Hyampom Road Improvements project, Post Mile 6.8 to 8.3.

Staff report provided by:

- Carl Bonomini, Transportation Director
- Jan Smith, Senior Environmental Compliance Specialist.

The following persons provided oral statements:

John Rapf, Becky Hall, Don Williams, Van Garrett, Marni Rapf, Silvia Newsome, Geoff Randolph, Tim Brey, Marilyn Renaker, Una Fitzsimons, Neil Harvey, Larry Winter, George Hynes, Marianna Strong, Cindy Winter and Ursula Schneider.

The following persons provided written statements:

Terri L. Leach, Carol Worm, Honey Arey, Ann Marie Lear, Evan Paul Vaughan, Ray and Robin Merlo, Kent Collard, Richard Klein, Richard Messenger, David Hodghead, Dixie Mortensen, Milton Mortensen, Thora Ziegler, Mary Waggoner, Lori Kirby, Louise Ream.

The following persons provided both written and oral statements:

Becky Hall, Marni Rapf, Marilyn Renaker, Marianna Strong.

CLOSES PUBLIC HEARING

On motion of Supervisor Modine, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution No. 2003-081, Certifying that the final Environmental Impact Report (EIR) (including the change set forth in errata document Exhibit A of the Resolution) for the Hyampom Road Improvements Project, Post Mile 6.8 to 8.3 has been completed in compliance with the California Environmental Quality Act; that the final EIR was presented to the Board of Supervisors and that the Board has reviewed and considered the information contained in the final EIR prior to approving the Hyampom Road Improvements project; and that the final EIR (as revised by errata) reflects the County's independent judgment and analysis. Approved with the following vote polled: Supervisors Freeman, Modine, Reiss, Klipp and Miller – Aye.

- 8b. **OPEN PUBLIC HEARING:** Designation of the selected alternatives and environmental mitigation measures for the Hyampom Road Improvements project, Post Mile 6.8 to 8.3.

Staff report provided by:

- Carl Bonomini, Transportation Director
- Jan Smith, Senior Environmental Compliance Specialist.

The following persons provided oral statements:

Marni Rapf, John Rapf, Silvia Newsome, Jim Carrigan, Neil Harvey, Larry Winter, Becky Hall, Ursula Schneider, Una Fitzsimons, Tim Brey.

CLOSE PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Freeman, selects the "No Project" alternative, as described in the Environmental Impact Report (EIR) of the Hyampom Road Improvements Project,

Post Mile 6.8 to 8.3; approves with the following vote polled:
Supervisors Freeman, Reiss and Miller –
Aye; Supervisors Modine and Klipp – No.

- 8c. **OPEN PUBLIC HEARING:** One-year time extension of a Tentative map to create 2 additional lease lots within the buffer strip of Ruth Lake. Applicant Ruth Lake CSD (P-01-13).

Staff report provided by:

- John Jelcich, Planning Director.

CLOSE PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, approves a one-year time extension of a Tentative map to create 2 additional lease lots within the buffer strip of Ruth Lake for Ruth Lake CSD per Section 16.24.040 of the Trinity County Subdivision Ordinance. Project location is on Mad River Road, approximately 400 feet of Old Ruth Road, Ruth Lake area. APN: 20-070-72 (File P-01-13).

- 8d. **OPEN PUBLIC HEARING:** Amendment to the Trinity County Zoning Ordinance to allow residential caretaker units in the Public Facilities zoning district.

Staff report provided by:

- John Jelcich, Planning Director.

CLOSE PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Freeman, waives reading and directs the Clerk to let the record show that an Ordinance amending Trinity County Zoning Ordinance No. 315, by amending Section 29.C (Public Facilities) to allow residential caretaker units with a use permit and an amendment to Section 30.L (Residential Caretaker Units) to add PF to the list of zoning districts where a residential caretaker unit is allowed (PW-03-05), is introduced with the following vote polled: Supervisors Reiss, Freeman, Modine, Klipp and Miller – Aye.

- 8e. **OPEN PUBLIC HEARING:** Amendment to the Trinity County Zoning Ordinance to remove reference to fences in Section 30.F (Yards) and to establish a separate section on fences (Section 30.H).

Staff report provided by:

- John Jelicich, Planning Director.

CLOSE PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Freeman, denies Ordinance No. 315, by amending Section 30.F (Yards) to remove reference to fences and establish a building setback along roads and by adding Section 30.H (Fences) (PW-02-01), is denied with the following vote polled: Supervisors Freeman, Reiss, Klipp and Miller – Aye; Supervisor Modine – No.

- 8f. **OPEN PUBLIC HEARING:** Rezone from Unclassified (U) to Rural Residential 5-acre minimum (RR-5) and Rural Residential 2.5-acre minimum (RR 21/2). Location: Salyer. Applicant: Duey. APN: 008-020-37.

CLOSE PUBLIC HEARING

Item is continued to the July 15, 2003 meeting.

11. RESOLUTIONS OF NECESSITY – MAD RIVER ROAD PROJECT

- 11a. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-064), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-200-22 (Cesaretti/Wahl). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.
- 11b. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-065), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-400-02 (Christian). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye. Comments received from Vivian Christian, Property Owner and Lyle Hymas, Transportation Department.
- 11c. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-066), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-870-04 (Dillon). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.

- 11d. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-067), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-870-07 (Dillion/Stone). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.
- 11e. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-068), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-230-04 (Dunbar/Wilsey). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.
- 11f. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-069), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-870-05 (Lampela/Johnson). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.
- 11g. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-070), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-200-48 (Nelson). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.
- 11h. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-071), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-230-09 (A&B Nickols). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.
- 11i. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-072), Determining That The Public Interest and

Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-230-06 (M&J Nickols). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye. Comments received from James Nickols, Property Owner and Lyle Hymas, Transportation Department.

- 11j. On motion of Supervisor Reiss, seconded by Supervisor Modine, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-073), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-400-04 (A&B Nickols). Approved with the following vote polled: Supervisors Modine, Reiss, Freeman, Klipp and Miller – Aye.
- 11k. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-074), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-230-33 (R&T Nickols). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.
- 11l. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-075), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-230-32 (W Nickols). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye. Comments received from William Nickols, Property Owner and Lyle Hymas, Transportation Department.
- 11m. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-076), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-400-03 (W Nickols). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye. Comments received from William Nickols, Property Owner and Lyle Hymas, Transportation Department.
- 11n. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-077), Determining That The Public Interest and

Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-200-45 (Owen). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.

- 11o. On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-078), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-200-06 (Spadoni). Approved with the following vote polled: Supervisors Reiss, Freeman, Modine, Klipp and Miller – Aye.
- 11p. On motion of Supervisor Freeman, seconded by Supervisor Reiss, denies Resolution of Necessity Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-720-02 (Sweeney). Denied with the following vote polled: Supervisors Reiss, Freeman, Modine, Klipp and Miller – Aye. Comments received from Lyle Hymas and John Sweeney, Property Owner.
- 11q. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-079), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-200-23 (Prior/Cesaretti/Wahl). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.
- 11r. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Necessity (Resolution No. 2003-080), Determining That The Public Interest and Necessity Require The Acquisition of Certain Land and Directing the Filing of Eminent Domain Proceedings with regards to Assessor's Parcel Number 018-400-05 (Powell). Approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp and Miller – Aye.

9. GRANT ADMINISTRATION PUBLIC HEARINGS:

- 9a. **OPEN PUBLIC HEARING:** Community Development Block Grant (CDBG) #99-EDBG-690 Hayfork Wood Center and Business Incubator and invite any comments from the public:
 - Comments received from Pat Mortensen, Grants and Housing Rehabilitation Loan Administration.

- No public or written comments received.

CLOSE PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Klipp and carried, accepts the Certificate of Completion and related final reports for CDBG #99-EDBG-690 Hayfork Wood Center and Business Incubator; and

Authorizes the County Auditor/Controller to execute the final reports for submittal to CDBG program staff.

- 9b. **OPEN PUBLIC HEARING:** Community Development Block Grant (CDBG) \$35,000 General Allocation grant application for a Lewiston Community Water and Wastewater Project Feasibility Study.

- Comments received from Pat Mortensen, Grants and Housing Rehabilitation Loan Administration.
- No public or written comments received.

CLOSE PUBLIC HEARING

On motion of Supervisor Klipp, seconded by Supervisor Modine, adopts and authorizes the Chairman to sign a Resolution No. 2003-088), approving the submittal of an application for the CDBG's FY 03/04 General Allocation, in the amount of \$35,000 for a Lewiston Community Water and Wastewater Project Feasibility Study; and

Authorizes the County Auditor/Controller to sign the CDBG application and Statement of Assurances. Approved with the following vote polled: Supervisors Modine, Klipp, Reiss, Freeman and Miller – Aye.

- 9c. **OPEN PUBLIC HEARING:** Community Development Block Grant (CDBG) \$35,000 Economic Development Allocation grant application for a Hayfork Regional Community Forestry Center Feasibility Study.

- Comments received from Pat Mortensen, Grants and Housing Rehabilitation Loan Administration.
- No public or written comments received.

CLOSE PUBLIC HEARING

On motion of Supervisor Modine, seconded by Supervisor Freeman, adopts and authorizes the Chairman to sign a Resolution No. 2003-087), approving the submittal of an application for the CDBG's FY 03/04 Economic Development Allocation, in the amount of \$35,000 for a Hayfork Regional Community Forestry Center Feasibility Study; and

Authorize the County Auditor/Controller to sign the CDBG application and Statement of Assurances. Approves with the following vote polled: Supervisors Freeman, Modine, Klipp, Reiss and Miller – Aye.

10. GENERAL SERVICES PUBLIC HEARINGS:

10a. **OPEN PUBLIC HEARING:** Number of Assessed Units for the 2003/2004 Solid Waste Fee.

Staff report provided by:

- John Whitaker, General Services Director.

CLOSE PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves the Solid Waste assessed units for FY03/04, in the amount of \$8,383.87, as presented by staff and rejects claims for reduction by: Ruth Lake Lease holders Association, Tom Frame, Viola Karre. Request for waiver of fee by Ken Hale will be researched by Staff and recommendation will be presented at a later date.

AFTERNOON PUBLIC COMMENT

MEET IN CLOSED SESSION

A. Government Code Section 54956.9, subd. (a). Existing Litigation – Conference with Legal Counsel. Number of Cases: One. (Litigation has been formally initiated).

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

ADJOURN CLOSED SESSION; RECONVENE TO OPEN SESSION:

Chairman reports on closed session.

A. *Direction given to County Counsel.*

5:20 PM

ADJOURN

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

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

BILLIE A. MILLER, Chairman
Board of Supervisors, County of
Trinity, State of California

By: _____
Deputy