



**TRINITY COUNTY
BOARD OF SUPERVISORS
MINUTES**

**JULY 15, 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, Present

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 Reiss, seconded by Supervisor Freeman and carried, Consent Agenda items 1a. through 1ff., with the exception of 1b., 1t. and 1x., are approved with the following vote polled: Supervisors Freeman, Reiss, Modine, Klipp 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 July 1, 2003, as submitted by Clerk.

1c. Establishes the Lewiston Cemetery Advisory Committee; and

Establishes that members are to be appointed by the Board of Supervisors upon recommendation of the District 1 Supervisor; and

Establishes that the term is to coincide with the District 1 Supervisor's term; and

Appoints the following members to the Lewiston Cemetery Advisory Commission:

1. Gary Ramsden
2. Margaret Palmer
3. Sharon Eggleston
4. Shanna White
5. David Wellock

1d. Appoints Ann Elsbach to the vacant Pilot/Airport Representative position on the Airport Land Use Committee.

GRANTS AND HOUSING REHABILITATION

1i. Approves and authorizes County Auditor/Controller to sign and submit to the Department of Housing and Community Development the environmental clearance documents that complete the special conditions for the Hayfork Community Center Rehabilitation Project of CDBG Agreement #03-STBG-1852.

HEALTH AND HUMAN SERVICES

- 1j. Approves and authorizes Chairman to sign contract with Cheryl Wilkerson, MFT (Contract No. 2003-338), in the amount of \$15,000 for FY 03/04, to provide counseling and therapy services to persons referred by Trinity County Health and Human Services Department.
- 1k. Approves and authorizes Chairman to sign Amendment No. 3 to the contract with Cheryl Wilkerson, MFT (Contract No. 2003-339), to increase the maximum amount to \$18,000 for FY 02/03, to provide counseling and therapy service to individuals referred by Trinity County Health and Human Services Department.
- 1l. Approves and authorizes Chairman to sign agreement with Rodney and Lynn Plew (Contract No. 340), in the maximum amount of \$38,208, to provide an Emergency Shelter Care foster home in Weaverville.
- 1m. Approves the recommendations of the Child Abuse Prevention Council to support activities identified in proposals from community agencies as follows:

| | | |
|--|---|---------|
| Terri Clarke | After School Ceramics | \$3,800 |
| Watershed Research and Training | Indian Valley Conservation Center Education Center Camp | \$4,000 |
| Weaverville/Douglas City Parks and Recreation District | Lowden Park Pool Swim Lessons | \$4,000 |
| Pliny E. Jackson | Home Court Advantage Sports Camps | \$4,000 |

PERSONNEL

- 1n. Pursuant to Trinity County Code Section 2.60.410 (2), authorizes hiring Kelli Ambose as Administrative Clerk II Range G132 Step C, for Behavioral Health, effective July 14, 2003. Cost for FY 03/04 is \$826.
- 1o. Pursuant to Trinity County Code Section 2.60.410 (2), authorizes hiring William Goodyear, as Administrative Coordinator I Range G153 Step B, for Behavioral Health, effective January 6, 2003. Cost for FY 02/03 was \$678.

TRANSPORATION

- 1q. Approves and authorizes Chairman to sign Amendment No. 3 to contract with Martin Appraisal and Acquisition Co. (Contract No. 2003-341), in the amount \$11,350, for the following three projects:
1. Mad River Road – Phase II.
 2. Culvert replacement at Johnson Creek on Mad River Road.
 3. Bridge replacement at Kettenpom Creek on Hoaglin Road.
- 1r. Approves and authorizes the Director of Transportation to sign contract with Angelone's Quality Janitorial Service (Contract No. 2003-342), in the amount of \$10,320, to perform janitorial services for the Department of Transportation for a period of one year and annually to extend the termination date, by Contract Amendment, so long as all other terms and conditions of the contract remain unchanged.
- 1s. Approves and authorizes Chairman to sign contract with R.S.S.E. Inc. (Contract No. 2003-344), in the amount of \$58,875, to modify, repair and install existing and additional equipment necessary to the Department of Transportation fuel system in Weaverville to bring the system into compliance with State Air and Water Quality regulations.

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

- 1b. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves and authorizes Chairman to sign Resolution No. 2003-097, Urging the California Legislature to use a Balanced Approach in Adopting the State Budget, with corrections. Approved with the following vote polled: Supervisors Reiss, Freeman, Klipp, Modine and Miller – Aye.
- 1e. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves and authorizes Chairman to sign Memorandum of Understanding with Trinity County Superior Court (Contract No. 2003-343), as submitted by the Auditor, in the annual net County revenue of \$46,000, with corrections.
- 1f. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves the application for assistance through the Trinity Public Utility District's (TPUD) Investment in Community Activities Policy for a project providing electric service at the Hayfork Airport and a second project providing a main line extension and electric service at the Hayfork Airport, in an estimated amount of \$5000; and authorize Chairman to sign two letters transmitting said applications. Comments received from Steve Judson, Building and Development Services Director.

- 1g. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves and authorizes Director of Child Support Services to sign Amendment No. 5 to the Annual Automation Cooperation Agreement with the California Department of Child Support Services (Contract No. 2003-337), extending the date to October 31, 2003. Comments received from Lynn McConnachie, Child Support Services Director.
- 1h. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves and authorizes Director of Child Support Services to sign Amendment No. 3, to the Plan of Cooperation with the California Department of Child Support Services (Contract No. 2003-336), extending the date to October 31, 2003.
- 1p. **PULLED:** Pursuant to Trinity County Code Section 2.60.410 (2), authorizes hiring Jennifer Woodman as Certified Nursing Assistant II (75%) Range G149 Step C for Trinity Hospital, effective July 21, 2003. Cost for FY 03/04 is \$1,515.

2. COUNTY MATTERS

- 2a. Acknowledges receipt of the following Grand Jury Reports and assign a Supervisor to draft a response:
- Health and Human Services Committee Final Report – County Health Officer Public Health Department.

Supervisor Klipp

- 2b. On motion of Supervisor Reiss, seconded by Supervisor Klipp and carried, directs County Counsel to prepare a Resolution calling for a consolidated Election on the 1st Tuesday of November 2003, to increase the “Transient Occupancy Tax” to 10% for the advertising and promotional benefit of Trinity County and appoints Supervisor Howard Freeman and Supervisor David Klipp to be the Board of Supervisors representatives to head a steering committee designed to promote the tax increase. Comments received from Dero Forslund, County Clerk/Recorder and Linda Hymas, Treasurer/Tax Collector.
- 2c. On motion of Supervisor Klipp, seconded by Supervisor Modine and carried, approves the report of the committee assigned to analyze the

problem of open, expired building permits and accepts the following solutions:

1. By September 1, 2003, the Building Inspector will review the open, expired permits and close any that are over 10 years old, \$2,500 or less in value and represent minor alterations such as installation of a water heater.
2. After they review the assessor will analyze the remaining open, expired permits to update his office's records and the tax roll. The assessor will return all the permits to the Building Inspector by January 1, 2004.
3. The Building Inspector will notify property owners by letter to come to his office and complete the required paperwork. Property owners will be allowed a 90-day period from the date of the letter to either come in and close the permit or contact the Building Inspector to make other arrangements. During the 90-day period no permit reinstatement fees will be charged. However, owners will still be responsible for inspection fees and other charges. If an owner does not take any action during the 90-day period reinstatement fees will be charged.
4. The Assessor and the Building inspector will make quarterly reports to the Board of Supervisors on the status of the project.

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

- 2d. On motion of Supervisor Modine, seconded by Supervisor Reiss, denies request for funds from provisions of contingency, in the amount of \$3,200, to assist in construction of the Blue Barn Thrift Store at the Roderick Senior Center, Hayfork. Motion fails with a 3-2 vote: Supervisors Modine and Reiss – Aye; Supervisors Klipp, Freeman and Miller – No.

Direction given to General Services Director and Building and Development Services Director to evaluate the project further and bring back to the Board at a later date. Comments received from John Whitaker, General Services Director; Steve Judson, Building and Development Services and John Jelicich, Planning Director.

3. COUNTY AUDITOR/CONTROLLER

- 3a. Brian Muir, County Auditor/Controller, reports on Agenda meeting.

- 3b. Brian Muir, County Auditor/Controller, reports on other matters of interest to the Board.

Reports that refinancing of Certification of Participation, in the amount of \$9,000,000, is not practical at this time.

Direction given to schedule Budget Hearings for September 3 and 4, 2003.

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

- 4a. Reports from Department Heads: John Jelicich, Planning Director.
- 4b. Reports from Members of the Board: Supervisors Reiss, Klipp, Modine and Miller.
- 4c. Report from David Hammer, County Counsel.

9:35 AM

RECESSES

9:45 AM

RECONVENES

5. PRESENTATION: CHILD SUPPORT AWARENESS MONTH

On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves and authorizes Chairman to sign Proclamation No. 2003-03, Proclaiming the Month of August as Child Support Awareness Month, as requested by the Trinity County Child Support Services Department. Approved with the following vote polled: Supervisors Reiss, Freeman, Modine, Klipp and Miller – Aye. Comments received from Lydea Roach, Child Support Services.

6. HYAMPOM ROAD IMPROVEMENTS PROJECT

- 1) On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, reconsiders the Board's selection of the "No Project" Alternative for the Hyampom Road Improvements Project, Post Mile 6.8 to 8.3.
- 2) On motion of Supervisor Klipp, seconded by Supervisor Freeman and carried, sets a Public Hearing to reconsider selection of project alternatives for August 6, 2003 at 6:00 p.m.

Comments received from Carl Bonomini, Department of Transportation Director; John and Marni Rapf, Hyampom residents; Larry Winter, Hyampom Resident.

PUBLIC COMMENT

Comments received from Betty Wines, Hayfork Little League.

12:00 PM
1:30 PM

RECESS
RECONVENE

7. PUBLIC HEARINGS

COUNTY

- 7a. **OPENS PUBLIC HEARING:** To discuss the proposed ordinance amending Trinity County Code Section 2.64.050, Fees, in the Sheriff's Department and Transit Division of the County. Revenue in the amount of \$3,548 for FY 03/04.

CLOSES PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Modine, waives reading and directs the Clerk to let the record show that Ordinance No. 1273, Amending Trinity County Code chapter 2.64.050, County Fees, is introduced and enacted with the following vote polled: Supervisors Modine, Reiss, Freeman, Klipp and Miller – Aye.

GRANTS AND HOUSING REHABILITATION

- 7b. **OPENS PUBLIC HEARING:** To discuss the expenditure of \$20,100 of CDBG Program Income to develop the infrastructure and set-up of mobile home to serve as the Ruth Lake Community Safety Center.

- Presentation by Patricia Mortensen, Grants and Housing Rehabilitation Loan Administration.
- Receive public and written comments.

CLOSES PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Klipp, approves and authorizes Chairman to sign Resolution No. 2003-098, Amending open CDBG Contract # 02-STBG-1726, with funds from the unallocated CDBG Program Income and from the Community Facilities Revolving Loan Fund, in the amount of \$20,100 for developing the infrastructure and setting up a mobile home to serve as the Ruth Lake Community Safety Center. Approved with the following vote polled: Supervisors Klipp, Reiss, Modine, Freeman and Miller – Aye.

SHERIFF

- 7c. **OPENS PUBLIC HEARING:** To discuss the use of California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Project Funds for 2004, in the amount of \$37,000.

CLOSES PUBLIC HEARING

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves and authorizes the draw down of California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Project Funds, for 2004.

PLANNING DEPARTMENT

- 7d. **OPEN PUBLIC HEARING:** To discuss the final Environmental Impact Report for the Trinity River Bridges Project.

Staff report provided by:

- Tom Stokely, Senior Planner

The following persons provided written and/or oral statements:

Helen Rock, Doug Bennett, Patrick O'Connell, Sandy Evans, Kristy Bevard, Nancy Tennyson, Katie Quinn, Jim Monk, Jerry Hauke, Tom Kline, Susie Nowrack, John Ward, Jerry Bevel, Mark Miller, Robert and Donna Crabbe, Genie Hardt and John Papini.

CLOSE PUBLIC HEARING

On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves and authorizes Chairman to sign Resolution No. 2003-100, Certifying that the final Environmental Impact Report (EIR) for the Trinity River Bridges Project 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 Trinity River Bridges Project; and that the final EIR reflects the County's independent judgment and analysis. Approves with the following vote polled: Supervisors Reiss, Freeman, Klipp, Modine and Miller – Aye.

- 7e. **OPENS PUBLIC HEARING:** To discuss selecting an alternative, making findings, adopting the Mitigation Monitoring Plan for the Trinity River Bridges Project, approving the issuance of a Floodplain Development Permit to the Bureau of Reclamation for the Trinity River Bridges Project and authorizing staff to proceed with the project.

Comments received during 7d. pertain to 7e. as well.

CLOSES PUBLIC HEARING

On motion of Supervisor Modine, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution No. 2003-099, authorizing the following:

- a) Designating the selected alternative;
- b) Making CEQA Findings of Fact, which state that “changes or alterations have been required in, or incorporated into, the project that mitigate to a less than significant level all of the significant environmental effects as identified in the EIR.”;
- c) Adopting the Mitigation Monitoring Program;
- d) Approving the issuance of a Floodplain Development Permit to the Bureau of Reclamation for the construction of the Trinity River Bridges Project;
- e) Directing staff to proceed to work with the United States Bureau of Reclamation (BOR) on the modification and/or replacement of the bridges;
- f) Directing staff to acquire funding for the bridges project;
- g) Directing staff to work with BOR on construction documents; and
- h) Directing staff to acquire all required regulatory permits and landowner agreements.

Approved with the following vote polled: Supervisors Modine, Freeman, Reiss, Klipp and Miller – Aye.

- 7f. **OPEN PUBLIC HEARING:** To discuss private road name(s) in the Junction City, Salyer, Hayfork and Lewiston areas.

CLOSE PUBLIC HEARING

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves private road name(s) in the Junction City, Salyer, Hayfork and Lewiston areas as follows:

| Area: | Recommended Name: |
|---------------|--------------------------|
| Hayfork | Rainbow Meadows |
| Salyer | Jade Lane |
| Lewiston | Eccentric Road |
| Junction City | Rocker Box Way |

- 7g. **OPEN PUBLIC HEARING:** To amend Section 30.D.3 (Second Dwelling Units) and deletion of Section 30.N (Two or More Residences per Parcel). (File PW-03-03).

CLOSE PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Klipp, waives reading and directs the Clerk to let the record show that an Ordinance amending Trinity County Zoning Ordinance No. 315, reflects the amendment to Section 30.D.3 (Second Dwelling Units), and to delete Section 30.N (Two or More Residences Per Parcel) (File PW-03-03), is introduced with the following vote polled: Supervisors Klipp, Reiss, Freeman, Modine and Miller – Aye.

- 7h. **CONTINUES PUBLIC HEARING TO AUGUST 19, 2003:** On request for a rezone from Unclassified to Rural Residential 5-acre minimum and Rural Residential 2 1/2-acre minimum. Location: Salyer. Applicant: Duey. APN: 008-020-37.

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

SUBSEQUENT ITEM

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, agrees to hear a subsequent item, adopting the Trinity County Regional Transportation Improvement Program, on a finding that there is a need to take immediate action and the need for action came to the attention of the Board subsequent to the posting of the agenda.

On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves and authorizes Chairman to sign a Resolution No. 2003-096 (T), of the Trinity County Transportation Commission adopting the Trinity County Regional Transportation Improvement Program for the 2002 State Transportation Improvement Program.

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

MEET IN CLOSED SESSION

- A. Government Code Section 54954.5. Public Employee Performance Evaluation – General Services Director.
- B. Government Code Section 54954.5. Public Employee Performance Evaluation – Arts Program Executive Director.
- C. 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. *Evaluation with General Services Director.*
- B. *Evaluation with Arts Program Executive Director.*
- C. *Direction given to County Counsel.*

3:38 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

BILLIE A. MILLER, Chairman
Board of Supervisors, County of

County of Trinity, State of California

Trinity, State of California

By: _____
Deputy