

# Trinity County Board of Supervisors

## MINUTES

SEPTEMBER 16, 2003

8:30 AM

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:**

Supervisor Billie Miller – District 2, Chairman

Supervisor Robert Reiss – District 5, Vice-Chairman

Supervisor Ralph Modine – District 3

Supervisor Howard Freeman – District 4

District 1 - Vacant

**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

### TIME

### ITEM NO.

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, Consent Agenda items 1a. through 1y., with the exception of 1c., 1g., 1l., 1s. and 1t., are approved with the following vote polled: Supervisors Freeman, Reiss, Modine 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 September 2, 2003, as submitted by Clerk.
- 1b. Approves and authorizes Chairman to sign the following nine Grand Jury responses:
  1. Finance and Administration Committee Final Report – Citizen Complaint Grants and Housing Rehabilitation Loan Administration.
  2. Finance and Administration Committee Final Report – Unsigned Citizen Complaint \$2 Million Hospital Fund.
  3. Judicial Committee Final Report - Trinity County Juvenile Detention Facility.
  4. Judicial and Special Investigations Committees Final Report – Trinity County Detention Facility.
  5. Special Districts Committee Final Report – Compliance on Annual Audits.
  6. Development and Environment Committee Final Report – E-911 Emergency System.
  7. Development and Environment Committee Final Report – Review of Citizen Complaint on Trinity Center Airport.
  8. Health and Human Services Committee Final Report – Pre-Hospital Care.
  9. Health and Human Services Committee Final Report – County Health Officer Public Health Department.

- 1d. Approves waiver of County Transportation Department encroachment fee, in the amount of \$100, for the Trinity High School Homecoming Parade.
- 1e. Approves waiver of County Transportation Department encroachment fee, in the amount of \$100, for the Hayfork High School Homecoming Parade.
- 1f. Approves and authorizes Chairman to sign Resolution No. 2003-113, Supporting the Trinity High School Homecoming Parade.
- 1h. Approves and authorizes Chairman to sign Resolution No. 2003-115, Supporting the Hayfork Elementary School Halloween Parade.
- 1i. Approves and authorizes Chairman to sign Resolution No. 2003-116, Appointing William Hinman to the Trinity County Public Facilities Corporation Board of Directors.
- 1j. Approves and authorizes Chairman to sign letter in support of obtaining an encroachment permit from the State of California Department of Transportation, to hang the Domestic Violence Awareness banner over Main Street in Hayfork, as requested by the Human Response Network.
- 1k. Appoints Colleen Ryberg for an additional two-year term as one of Trinity County's representatives to the Far Northern Coordinating Council's Board of Directors.

### **BEHAVIORAL HEALTH SERVICES**

- 1m. Approves and authorizes the Behavioral Health Director to sign Performance Contract No. 2003-440, with the California Department of Mental Health, Agreement Number 03-73173-000. No Fiscal Impact.

### **DISTRICT ATTORNEY**

- 1n. Approves and authorizes Chairman to sign Resolution No. 2003-117, Approving and Authorizing the Spousal Abuser Prosecution Program Grant, in the amount of \$33,261 in revenue.

### **GENERAL SERVICES**

- 1o. Approves and authorizes Chairman to sign Contract No. 2003-444, with Wingfoot Commercial Tire Systems, in the maximum amount of \$30,000, to supply tires and tire repairs for the General Services Department.

- 1p. Approves and authorizes Chairman to sign Resolution No. 2003-118, Pertaining to Waste Tire Education and Amnesty Grant. Grant amount is \$13,890.

### **PERSONNEL**

- 1q. Approves changes to the Animal Control Officer Job Specification.

### **PLANNING DEPARTMENT/NATURAL RESOURCES**

- 1u. Approves and authorizes Chairman to sign Contract No. 2003-443, with Patricia Purbaugh, in an amount not to exceed \$25,000, for Master Street Address Guide (MSAG) Modifications for County E-911 system.
- 1v. Approves and authorizes Planning Department to submit a grant proposal to California State Parks Habitat Conservation Grant Program, Wetland Habitat Component that would provide additional funding for the revegetation portion of the Trinity Alps Industrial Park Wetland Restoration Project (TAIPW).
- 1w. Approves and authorizes the Planning Director to sign Modification 003 to Grant Agreement 00FG200195 (Contract No. 2003-429), in the amount of \$50,000, and all subsequent amendments, with the Bureau of Reclamation for Staff Assistance to the Trinity Management Council.
- 1x. Approves and authorizes the Planning Director to sign Agreement No. 03FG202035 (Contract No. 2003-430), in the amount of \$200,000, and all subsequent amendments, with the Bureau of Reclamation for the administration of the Trinity River Basin Fish and Wildlife Restoration Grant Program.
- 1y. Approves and authorizes the Planning Director to sign Grant Agreement No. 03FG202034 (Contract No. 2003-431), in the amount of \$100,000, and all subsequent amendments, with the Bureau of Reclamation for the implementation of CEQA related activities associated with the implementation of the Trinity River Record of Decision.

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

- 1c. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, denies waiver of County Planning Department fee, in the

amount of \$70, for the cost of providing portions of the 2003 Draft Housing Element to Legal Services of Northern California.

- 1g. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution No. 2003-114, Supporting the Hayfork High School Homecoming Parade. Approves with the following vote polled: Supervisors Freeman, Reiss, Modine and Miller – Aye.
- 1l. On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, approves and authorizes Chairman to sign Contract No. 2003-437, with Trinity County Chamber of Commerce, with the deletion of the second line of Exhibit A, in the amount of \$46,320, to provide advertising and promotional services to promote Trinity County. Supervisor Reiss - No; and

On motion of Supervisor Freeman, seconded by Supervisor Modine, amends motion to include change to payment date, changing it to September 18, 2003. Supervisor Reiss – No. Comments received from Ed Bates, Weaverville Chamber of Commerce and Carol Eli, Trinity County Chamber of Commerce.

- 1r. Tabled to afternoon session: Approves changes to the Library Assistant I, II, and III Job Specifications.
- 1s. Tabled to October 7, 2003 meeting: Authorize hiring a Library Assistant I at the Library at Range G128.
- 1t. Tabled to October 7, 2003 meeting: Authorize hiring a Building Inspector 1 at Building and Development at Range G187A.

## **2. COUNTY MATTERS**

- 2a. On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, approves allocating \$25,000 from Health Care Realignment Funds, to be used to offset Workman's Compensation expenses of the local Volunteer Fire Departments. Comments received from Richard Smith, Weaverville Fire Chief.
- 2b. Discussion regarding the progress on E-911 street naming and addressing for E-911 project. Comments received from John Jelichich, Planning Director and Gary Emory, GIS Coordinator.
- 2c. On motion of Supervisor Freeman, seconded by Supervisor Modine, waives reading and directs the Clerk to let the record show that and Ordinance amending Chapter 12.17 of the Trinity County Code,

pertaining to naming and numbering of streets, is introduced with the following vote polled: Supervisor Freeman, Modine, Reiss and Miller – Aye.

- 2d. On motion of Supervisor Freeman, seconded by Supervisor Modine and carried, approves Deferred Loan Agreement (Contract No. 2003-442), between County of Trinity and Mountain Valley Haven, Inc., in the amount of \$107,250 for the construction of a 10 unit housing facility for very low-income elderly persons in Hayfork, California; and

Authorizes the County Auditor/Controller to sign the Deferred Loan Agreement and all HUD and HOME documents implementing the Agreement. Comments received from Pat Mortensen, Grants and Housing Rehabilitation Loan Administration.

### **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.
- 3c. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution No. 2003-119, Final Budget for Fiscal Year 2003-2004. Approved with the following vote polled: Supervisors Reiss, Freeman, Modine and Miller – Aye.
- 3d. On motion of Supervisor Freeman, seconded by Supervisor Modine and carried, approves the Library to be closed one day per month, beginning October 2003 and approves additional adjustments to the Library schedule of hours. Comments received from Oresta Esquibel, Librarian.
- 3e. On motion of Supervisor Modine, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution No. 2003-120, Recognizing the Contribution of Jo Ann Welch-Russell for her many years of dedicated service to the library. Approves with the following vote polled: Supervisors Freeman, Modine, Reiss and Miller – Aye.

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

- 4a. Reports from Department Heads:
  - Dero Forslund, County Clerk/Recorder.

- Steve Judson, Building and Development Services Director.
  - John Jelichich, Planning Director.
- 4b. Reports from Members of the Board: Supervisors Modine, Freeman and Miller.
- 4c. Report from David Hammer, County Counsel.

**5. PRESENTATION/DISCUSSION ITEMS**

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

- 5a. **Transportation Commission:** Presentation given by Chris Cummings, Caltrans Project Manager, regarding status report on various STIP projects in the County.

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

- 5b. **Human Response Network:** Alsah Bundi, Program Director, Victim Services, appears and presents information on Human Response Network's most recent Domestic Violence statistics/trends and the program's impact on our community; and

On motion of Supervisor Modine, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution No. 2003-121, Recognizing October as National Domestic Violence Awareness Month. Approved with the following vote polled: Supervisors Freeman, Modine, Reiss and Miller – Aye.

**PUBLIC COMMENT**

No public comments received.

**12:00 PM**  
**1:30 PM**

**RECESSES**  
**RECONVENES**

**6. PUBLIC HEARINGS:**

- 6a. **OPEN PUBLIC HEARING:** To discuss the submittal of an application for \$300,000 for a Microenterprise Assistance Program under the 2003-04 funding cycle of the California Community Economic Enterprise Fund Component of the State Community Development Block Grant (CDBG) Programs Economic Development Allocation.

- Presentation by Patricia Mortensen, Grants Coordinator.
- Robert Nash and Loree Byzick, Superior California Economic Development.
- No public or written comments received.

### **CLOSE PUBLIC HEARING**

On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves and authorizes Chairman to sign Resolution No. 2003-122, approving the submittal of an application for \$300,000 for a Microenterprise Assistance Program under the 2003-04 funding cycle of the California Community Economic Enterprise Fund Component of the State Community Development Block Grant (CDBG) Program's Economic Development Allocation; and

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

### **PUBLIC COMMENT**

Kathy Hardy, US Forest Service, reports on the status of the Del Loma fire.

- 1r. On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, approves changes to the Library Assistant I, II, and III Job Specifications.

### **SUBSEQUENT ITEM**

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, agrees to hear a subsequent item 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.

No action taken by the Board on a resolution to conditionally consolidate the Transient Occupancy Tax Special Election with the Gubernatorial Election to be October 7, 2003.

### **SUBSEQUENT ITEM**

On motion of Supervisor Modine, seconded by Supervisor Reiss and carried, agrees to hear a subsequent item 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 Modine, seconded by Supervisor Freeman and carried, approves and authorizes Chairman to sign Amendment No. 2 to the contract with MHA Associates, Inc. (Contract No. 2003-441), increasing the maximum amount of the contract to \$36,524.44, for the preparation and scanning of old official record books.

**RECESSES AS THE BOARD OF SUPERVISORS; RECONVENES AS THE IN-HOME SUPPORT SERVICES PUBLIC AUTHORITY**

**MEETS IN CLOSED SESSION**

- A. Government Code Section 54954.5. Conference with Labor Negotiators. County Negotiator: Brian Muir. Employee Organization: In-Home Support Services Public Authority

**ADJOURNS CLOSED SESSION; RECONVENES TO OPEN SESSION:**

**RECESSES AS THE IN-HOME SUPPORT SERVICES PUBLIC AUTHORITY; RECONVENES AS THE HOSPITAL GOVERNING BOARD**

**MEETS IN CLOSED SESSION**

- B. Government Code Section 54954.5. Conference with Labor Negotiators. County Negotiator: Brian Muir. Employee Organization: Hospital.

**ADJOURNS CLOSED SESSION; RECONVENES TO OPEN SESSION:**

**RECESSES AS THE HOSPITAL GOVERNING BOARD; RECONVENES AS THE BOARD OF SUPERVISORS**

**MEETS IN CLOSED SESSION**

- C. Government Code Section 54954.5. Public Employee Performance Evaluation – Planning Director
- D. Government Code Section 54954.5. Public Employee Performance Evaluation – Building and Development Services Director.

- E. 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

- F. Government Code Section 54956.9, subd. (b)(1) Anticipated Litigation – Conference with Legal Counsel. No. of cases: Two.

Claim filed by Dave Kindley, Jr.

Claim filed by Tops Mini Mart.

**ADJOURNS CLOSED SESSION; RECONVENES TO OPEN SESSION:**

*Chairman reports on closed session:*

- A. *Conference with Negotiator; appointed Donna Pate to negotiation team.*
- B. *Conference with Negotiator; appointed George Koortbojian to negotiation team.*
- C. *Evaluation with Planning Director.*
- D. *Evaluation with Building and Development Services Director.*
- E. *Direction given to County Counsel.*
- F. *Claim filed by Dave Kindley, Jr. was denied.*

*Claim filed by Tops Mini Mart was denied.*

**3:20 PM ADJOURNS**

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

