

TRINITY COUNTY BOARD OF SUPERVISORS

MEETING MINUTES

APRIL 18, 2006

9:00 AM

Trinity County Library Meeting Room  
Weaverville, CA

**WILLIAM CHAMBERS**

CHAIRMAN

District 1

**HOWARD FREEMAN**  
SUPERVISOR  
District 4

**JEFF MORRIS**  
VICE-CHAIRMAN  
District 2

**ROGER JAEGL**  
SUPERVISOR  
District 3

**WENDY REISS**  
SUPERVISOR  
District 5

**LARRY LAYTON**  
COUNTY ADMINISTRATIVE OFFICER

**JEANETTE PALLA**  
COUNTY COUNSEL

**KELLY FROST**  
DEPUTY CLERK OF THE BOARD

---

*Note: This agenda contains a brief general description of each item to be considered. Supporting documentation is available in the public packet at the Board meeting or at the Office of the Clerk of Board. Board meetings are televised on cable channel 22 and taped for re-broadcast on cable channel 22. Copies of tapes are available at the Trinity County Library.*

**9:00 AM CALLS MEETING TO ORDER IN OPEN SESSION**

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENTS**

**PUBLIC COMMENT**

Comments received from Charlie and Dixie Capelli, Junction City and Ed Bates, Weaverville.

**PRESENTATIONS**

PR1. George P. Chapman, Division 3, Trinity River Management Unit of the United States Forest Service, appears and gives a presentation on Wildland Fire Use.

PR2. Robert Farrar of the California Alcoholic Beverage Control Department (Redding Office) discusses criteria and policies used in licensing.

**REPORTS**

RP1. County Administrative Officer Report.

RP2. County Counsel Report.

RP3. Department Head Report - Mark Lockhart (Agriculture/Solid Waste), representing the Management Team.

RP4. Board of Supervisor's Reports: Supervisors Freeman, Jaegel, Morris, Reiss and Chambers.

## CONSENT CALENDAR

On motion of Supervisor Reiss, seconded by Supervisor Morris and carried, approves the consent calendar as presented with the exception of CC2, with following vote polled: Supervisors Morris, Reiss, Jaegel, Freeman and Chambers – Aye.

CC1. Approves Meeting Minutes of April 4 & 5 2006, as submitted by Clerk.

### **THE FOLLOWING ITEM WAS PULLED FROM THE CONSENT CALENDAR AND CONSIDERED SEPARATELY.**

CC2. On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, acknowledges receipt of notice, pursuant to Health and Safety Code Section 25180-7, of hazardous waste discharge located on west bound east bound State Route 299, west of East Fork. As a result of a traffic collision, diesel fuel was spilled into a culvert and then spilled into the Trinity River. This notification was submitted by the California Department of the Highway Patrol.

## MEETS IN CLOSED SESSION

CS1. **Pulled:** Government Code Section 54956.9, subd. (a)). Conference with Legal Counsel. Litigation has been formally initiated. Number of Cases: One

Holder v. McPherson, et al  
San Francisco County Superior Court  
Case No: CPF-06-506171

CS2. Government Code Section 54956.9, (b)(1). Conference with Legal Counsel. Significant exposure to litigation. No. of cases: One

Claimant: Northern Diagnostic Pathology

CS3. Government Code Section 54954.5(b) Conference with Real Property Negotiator. Property: APN 024-200-19 Located between Five Cent Gulch and Reservoir Road, Weaverville.

APN 024-200-17 (Located at the northerly end of Airport Road, Weaverville)  
APN 024-010-38 (Located at Sky Ranch Rd & Highway 299, Junction City)  
APN 007-340-10 (Located at Hobel Gulch, Highway 3, Trinity Center)

Negotiating Party: Larry Layton for County of Trinity  
Under Negotiation: Price and terms of payment

10:50 AM RECESSES TO 1:30 PM

1:30 PM RECONVENES AND CALLS MEETING TO ORDER IN OPEN SESSION

## PUBLIC COMMENT

Comments received from Dixie Capelli, Junction City and Ed Bates, Weaverville.

## REPORT ON CLOSED SESSION

CS1. This item was pulled during the County Counsel Report.

CS2. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves the additional claim of Northern Diagnostic Pathology, in the amount of \$68.14.

CS3. Direction given per item as follows:

24-200-19 – Direction given to the County Administrative Officer to not offer parcel for sale at this time, but to proceed with zoning and access issues and report back on expected timing on these items.

24-200-17 – Direction given to the County Administrative Officer to offer parcel for sale by sealed bid with oral bids accepted at the bid opening for a minimum bid of \$130,000.

24-010-38 – Direction given to the County Administrative Officer to offer parcel for sale that portion lying south of State Highway 299W by sealed bid with oral bids accepted at the bid opening for a minimum bid of \$300,000 and to proceed with necessary steps (survey, etc.) to create parcel.

7-340-10 – Direction given to the County Administrative Officer to offer parcel for sale by sealed bid with oral offers accepted at the bid opening for the minimum amount of \$250,000, subject to the County retaining the right to use the property as a transfer site for a period of not less than 10 years.

## **COUNTY MATTERS**

*All contracts submitted to the board are subject to routing for approval as to form and content. County matters will not necessarily be heard in the order listed below. Any department head or member of the public desiring an item be considered out of order may go to the podium at this time and request the item be given priority.*

### **Auditor/Controller**

AU1. On motion of Supervisor Jaegel, seconded by Supervisor Reiss and carried, approves budget adjustment in Natural Resources Department moving \$6,000 from Professional and Specialized Services to Extra Help Salaries

AU2. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves:

1. Funding both current and future retiree healthcare benefits through a \$2.20/hour payroll charge. This would replace the previous charge to each department for former employees as well as adding \$0.60/hour to fund benefits for current employees. County Counsel is working on creation of an irrevocable trust to invest and distribute the proceeds; and

On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, approves

2. Budgeting for FY 06/07 assuming the Hospital vote will pass, but develop a contingency plan to fund the immediate closure of the facility should the vote fail.

### **Board of Supervisors**

SU1. Ad Hoc Illegal Dumping Committee (Missy Dunaetz, Pat Frost and Peter Hedtke) appears and updates the Board on activities of the Committee.

On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, approves:

1. Use of \$1,200 from Board of Supervisors contingency funds for reward monies as requested by the illegal

dumping ad hoc committee; and

On motion of Supervisor Reiss, seconded by Supervisor Jaegel and carried, approves:

2. Transfer of \$5000 of Health Realignment Funds to Vehicle Abatement for use in removal of abandoned vehicles pursuant to Memoranda of Understanding with private property owners; and approves Budget Transfer.

SU2. On motion of Supervisor Jaegel, seconded by Supervisor Freeman and carried, authorizes the Chairman to sign the letter of support for Senate Bill 1125: Funding for the Department of Fish and Game Fishery Restoration Grants Program (DFG FRGP).

### **Building and Development Services**

BD1. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves Amendment No. 06-037.1 with GE Modular Space, Inc., for the Health & Human Services Modular Building to be located at the industrial Park Complex. This amendment would increase the maximum amount payable under the contract over seven years from \$178,347.96 to \$190,403.92 by adding the following amounts for sales tax:

Item A: \$1,535.52 yearly sales tax and \$10,748.64 for 7 year term.

Item B: \$1,307.32 in sales tax

Supervisor Jaegel – No.

BD2. On motion of Supervisor Morris, seconded by Supervisor Freeman and carried, approves Memorandum of Understanding No. 06-059, with the Weaverville Lions Club, to continue to support activities to improve Lowden Park Facilities. Any volunteer time, materials, and monetary donations or work done within the park will be credited towards any fees, levied by the County for use of the park facilities and Lions Club events. Comments received from Edward Solbos, Jr., Weaverville Lions Club.

BD3. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves Memorandum of Understanding No. 06-060, with the North Fork Grange #763, a non-profit organization that is willing to provide donated daily maintenance and operation services at Junction City Park. Comments received from Ed Bates, Weaverville.

BD4. On motion of Supervisor Freeman, seconded by Supervisor Morris, discusses 2002 Park Bond Act, Proposition 40: County Per Capital program of \$1,200,000, takes action to prioritize park projects and approves budget amounts for Lowden Park. Comments received from Brandt Gutermuth, Lowden Aquatic Park Project and Mark Lancaster, Parks and Recreation District Member.

### **County Administrative Officer**

CA1. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, Pursuant to Trinity County Code Section 2.60.410 (2) authorizes hiring Jirapom Angspott as a half-time Behavioral Health Case Manager at Range G196 Step C effective April 1, 2006. Approximate cost in salary and benefits per month at the A Step would be \$4065 at the C Step \$4266. Funding will be from Medi-Cal reimbursement and realignment funds.

CA2. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, Pursuant to Trinity County Code Section 2.60.410 (2) authorizes hiring Julia Ashton-Boyd as a Behavioral Health Case Manager at Range G196 Step C effective April 1, 2006. Approximate cost in salary and benefits per month at the A Step would be \$6,025 at the C Step \$6,427. Funding will be from Medi-Cal reimbursement and realignment funds.

- CA3. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, increases the allocation of Behavioral Health Case Manager I or II from 8 to 9 and directs that said change be made to the Salary Schedule effective April 1, 2006. Approximate cost in salary and benefits per month at the A Step would be \$4065 at the C Step \$4266. Funding will be from Medi-Cal reimbursement and realignment funds.
- CA4. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, increases the allocation of Substance Abuse Specialist I, II or III or Mental Health Clinician I, II from 11 to 12 and directs that said change be made to the Salary Schedule effective April 1, 2006. Approximate cost in salary and benefits per month at the A Step for a Mental Health Clinician I would be \$6,350 for a Mental Health Clinician III \$7,233. Funding will be from Medi-Cal reimbursement and realignment funds.
- CA5. On motion of Supervisor Morris, seconded by Supervisor Reiss and carried, authorizes the recruitment and hiring of a Road Maintenance Worker I or II in the Department of Transportation effective April 16, 2006. Approximate cost in salary and benefits per month for a Road Maintenance Worker I would be \$4,528; for a Road Maintenance Worker II \$4,781. Funding for this position is in the budget. Potential cost savings would be from \$1,294 to \$1,547.
- CA6. On motion of Supervisor Morris, seconded by Supervisor Reiss and carried, increases the FTE's on the following allocations from .70 to 1 in the Health & Human Services Department (WIC division) effective April 1, 2006.  
 Administrative Clerk I or II  
 Nutritionist/Coordinator  
 Nutrition Aide I or II  
 Approximate increase in salary and benefits per month for the two currently filled positions would be \$1,902. Funding for these positions will be from the WIC budget.
- CA7. On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, authorizes the recruitment and hiring of a Deputy District Attorney III or IV in the District Attorney's office effective May 1, 2006. Approximate cost in salary and benefits per month for the III level at the A step would be \$8,776; for the IV level at the A step would be \$9,474. Funding for this position will be from ADA and the General Fund.
- CA8. On motion of Supervisor Reiss, seconded by Supervisor Morris and carried, authorizes the recruitment and hiring of a Deputy Director-Engineering in the Department of Transportation effective August 1, 2006. Approximate cost in salary and benefits per month would be \$10,084.
- CA9. On motion of Supervisor Morris, seconded by Supervisor Reiss and carried, approves and authorizes Chairman to sign letter to Assemblyman Tim Leslie in support of AB 1960, which would restore funding appropriated between the 3 unincorporated counties in the State.
- C10. On motion of Supervisor Morris, seconded by Supervisor Reiss and carried, appoints Supervisor Reiss to the PSA II Area Agency on Aging Executive Board and appoint Mr. Ralph Modine as the Alternate.
- CA11. On motion of Supervisor Morris, seconded by Supervisor Reiss and carried, approves payment of set up fee for service award lapel pins from Board of Supervisors Office Expense Budget, in the amount of \$565.

### County Counsel

- CO1. On motion of Supervisor Freeman, seconded by Supervisor Jaegel and carried, authorizes the public defender selection committee to publicize the availability of a contract, and recruit and negotiate with attorneys willing to provide first level conflict coverage for felonies.
- CO2. On motion of Supervisor Freeman, seconded by Supervisor Jaegel and carried, approves Contract No. 06-066, with Russell Clanton & Associates to provide primary public defender services in misdemeanor, contempt and

family support parentage determination cases, second level conflict coverage for felonies, juvenile wardship and LPS/Probate guardianship cases, and to represent the second parent in juvenile dependency cases, in the amount of \$74,000 annually.

CO3. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried\*, approves Resolution of Necessity to Exercise Power of Eminent Domain Resolution No. 2006-21, to remove hazardous trees on private property that pose an aviation threat at Hyampom Airport. Approves with the following vote polled: Supervisors Reiss, Freeman and Chambers – Aye; Supervisors Jaegel and Morris – No. Comments received from Armand Croft, property owner, Hyampom and Ed Bates, Weaverville.

**\*(Subsequent research by County Counsel showed that a 2/3 vote is required to pass a Resolution of Necessity to Exercise Power of Eminent Domain; accordingly the motion failed.)**

CO4. **Tables to May 2, 2006 meeting.** Ordinance No. 1296, amending chapter 13.08 of the Trinity County Code pertaining to cemeteries. Direction given to County Counsel to make corrections and bring back to the Board. Comments received from Ed Bates, Weaverville.

### Grants

GR1. On motion of Supervisor Reiss, seconded by Supervisor Morris and carried, approves Agreement No. 06-062, with INDIGO/Hammond + Playle Architects, LLP, Davis, CA in the amount of \$30,450 for the preparation of a Hayfork Public Safety Facility Master Plan funded by CDBG #05-PTAA-1471 in the amount of \$29,150 and County funds in the amount of \$1,300. Cash match funds are in Grants Department 2005-2006 budget. Comments received from Bob Mountjoy, Hayfork.

GR2. On motion of Supervisor Freeman, seconded by Supervisor Jaegel, considers and directs the Grants office to advertise for the 45 day period, a proposal from the Trinity County Fire Chief's Association and the Trinity County Sheriff's Department for Title III funds in the amount of \$100,000 for the Trinity County Emergency Services Communication System. Supervisors Reiss and Morris – No.

### Planning/Natural Resources

PL1. On motion of Supervisor Freeman, seconded by Supervisor Jaegel and carried, authorizes the Chairman to sign a letter to Interior Department officials on the Central Valley Project Improvement Act Restoration Fund (CVPIA RF).

PL2. On motion of Supervisor Freeman, seconded by Supervisor Morris and carried, approves the Memorandum of Understanding No. 06-058, with Siskiyou County for the Whites Gulch Migration Barrier Removal Project, in the amount of \$40,000 for design and engineering of the project. Funds from the Five Counties Salmonid Conservation Program and is fully reimbursable through existing Grant Agreement No. P0310322 with the California Department of Fish and Game.

### Sheriff's Office

SO1. On motion of Supervisor Freeman, seconded by Supervisor Morris and carried, approves the State of California Department of Boating and Waterways Financial Aid Program Contract for FY 2006/2007, in the amount of \$106,714, and

Authorizes the Clerk to sign a Certified Minute Order prior to the minutes being approved.

5:35 PM ADJOURN

TRINITY COUNTY BOARD OF SUPERVISORS

Attest:

DERO B. FORSLUND  
County Clerk/Recorder/Assessor,  
Ex-Officio Clerk of the Board,  
County of Trinity, State of California

WILLIAM E. CHAMBERS, CHAIRMAN  
Board of Supervisors, County of  
Trinity, State of California

By: \_\_\_\_\_  
Deputy Clerk