

## TRINITY COUNTY BOARD OF SUPERVISORS

## MINUTES

FEBRUARY 2, 1999

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 9:00 a.m. and there are:

PRESENT SUPERVISORS: Chris Erikson, Paul Fackrell, Ralph Modine, Berry Stewart and Robert Reiss.

ABSENT SUPERVISORS: None.

Administrative Officer Jeannie Nix-Temple, present.

County Counsel David Hammer, present.

County Clerk Dero B. Forslund, absent and Deputy Clerk Nicole Miller, present.

Chairman Reiss, presiding.

ITEM NO.

- CONVENES 9:00 A.M.; ADJOURNS 9:01 A.M. TO CLOSED SESSION

1 MEETS IN CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (GC 54956.9): HOLLENSHADE VS. TRINITY COUNTY - USDC EASTERN DISTRICT CASE #CIV S-97-2405LKK/JFM

MEETS IN CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GC 54957): DIRECTOR OF TRANSPORTATION

RECONVENES 9:30 A.M. TO OPEN SESSION

PLEDGE OF ALLEGIANCE

Chairman reports on Closed Session: a settlement was approve in Hollensshade vs. Trinity County with the following conditions:

1. That the terms of the settlement remain confidential.
2. Settlement be amended pursuant to recommendations of County Counsel.
3. Chairman is authorized to sign after all conditions have been met.

2 ADJOURNS 9:31 A.M. TO SIT AS TRANSPORTATION COMMISSION

2 b. On motion of Supervisor Modine, seconded by Supervisor Fackrell and carried, authorizes Chairman to sign letter to Jim Nicholas, Program Manager, Caltrans Transportation Programming Program, to:

cont.....

cont.....

1. Provide further explanation for the January 19 Commission request that Caltrans not submit the State Route 299 Buckhorn Grade environmental only project (02 Sha 299 PM 0.0/5.5) for programming in the 1998 STIP Amendment.
2. Provide an alternative proposal for programming the State Route 299 Buckhorn Grade environmental only project in the 1998 STIP Amendment, one that allows Caltrans to reserve funds for the project now but precludes work on the project until such time as the three involved regional agencies and department reach consensus on the project. 1-no.
  - 2 a. On motion of Supervisor Modine, seconded by Supervisor Erikson and carried, adopts and authorizes Chairman to sign Resolution No. 1-99(T) authorizing the Planning Director to execute the agreements necessary to obtain an operating assistance grant under Section 5311 of the FTA; with the following vote polled: 1-3-2-4-5-Yes.
  - 2 c. On motion of Supervisor Fackrell, seconded by Supervisor Modine and carried, adopts and authorizes Resolution No. 2-99(T) approving the Airports Project Capital Improvement Plan ranking as proposed; with the following vote polled: 3-2-1-4-5-Yes.

ADJOURNS 10:05 A.M. TO SIT AS TRANSPORTATION COMMISSION ON MARCH 2, 1999; RECONVENES 10:06 A.M. SITTING AS THE BOARD OF SUPERVISORS

### 3 CONSENT AGENDA

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Modine, seconded by Supervisor Stewart and carried, Consent Agenda Items 3 a. through 3 z., excluding Items 3 i., 3 q., 3 r. & 3 v., are approved with the following vote polled: 4-3-2-1-5-Yes.

On motion of Supervisor Modine, seconded by Supervisor Stewart and carried, approves item 3 i., and agrees to pull item 3 l. for discussion.

3 a. Approves minutes of January 14 & 19, 1999, as submitted by Clerk.

3 b. Approves Budget Increase No. 38-98/99 appropriating \$17,796.73 from Provisions for Contingencies to District Attorney: Statutory Rape Vertical Prosecution (SRVP).

3 c. Approves Budget Increase No. 39-98/99 appropriating \$3,789.21 from Provisions for Contingencies to District Attorney: Spousal Abuse Prosecution (SAPP).

3 d. Approves Budget Increase No. 40-98/99 appropriating \$4,223.34 from Provisions for Contingencies to District Attorney: Child Abuse Vertical Prosecution (CAVP).

3 e. Approves Budget Increase No. 41-98/99 appropriating \$7,761.60 from Provisions for Contingencies to District Attorney: Marijuana Suppression Program (MSP).

3 f. Approves Budget Increase No. 42-98/99 appropriating \$8,672.04 from Provisions for Contingencies to District Attorney: Anti Drug Abuse (ADA).

3 g. Authorizes additional expenditure from the Asset Forfeiture Trust to purchase a new vehicle to replace a 1990 Blazer within the Narcotics Task Force.

3 h. Approves and authorizes Chairman to sign Amendment No. 1 to agreement with Big Bar Community Development Group for implementation of the project "Downriver Community Resource Center, Phase IV" funded by USFS grant #R5-14-98-34, subject to routing for approval as to form and content.

3 i. Approves and accepts the final report from the Watershed Research and Training Center for Hayfork Downtown Revitalization Master Plan, which is the work product of USFS grant #R5-14-97-31, subject to Forest Service acceptance;

and

authorizes final payment in the amount of \$2,464.00, subject to receipt of funds from Forest Service.

3 j. Approves and accepts the final report from Big Bar Community Development Group for the Downriver Value-Added Marketing Cooperative, Phase I, which is the work product of USFS grant #R5-14-97-33, subject to Forest Service acceptance;

and

authorizes final payment in the amount of \$2,500.00, subject to receipt of funds from Forest Service.

3 k. Approves and accepts the final report from Big Bar Community Development Group for the Downriver CERT office, Phase III, which is the work product of USFS grant #R5-14-97-32, subject to Forest Service acceptance;

and

authorizes final payment in the amount of \$4,500.00, subject to receipt of funds from Forest Service.

3 m. Ratifies signature of David Yarbrough, Hospital Administrator, on Addendum No. 1 to agreement with HLM Design of Northamerica, Inc.

3 n. Approves and authorizes David Yarbrough, Hospital Administrator, to sign agreement with Office of Statewide Health Planning and Development for grant funds, subject to routing for approval as to form and content.

3 o. Approves and authorizes General Services Manager to sign lease agreement with Weaverville Community Services District for office space for Family Support, subject to routing for approval as to form and content.

3 p. Approves purchase of 1999 Ford F150 pickup truck and authorizes General Services Manager to sign for purchase as agent of Trinity County.

3 s. Authorizes destruction of Affidavits of Registration more than five years old.

3 t. Approves and authorizes Chairman to sign revised 1999 budget for the Trinity County Fair.

3 u. Accepts recommendation of the Trinity County Counseling Center Advisory Board and appoints Cathy Lee to serve as a member on the Board.

3 w. Finds no objection to the issuance of a one-day alcoholic beverage license to the Trinity Lake Lions Club for the Annual Little Reno Night to be held on March 6, 1999.

3 x. Finds no objection to the issuance of an off-sale beer and wine Alcoholic Beverage License to Gloria Failor and Gary Mixon, dba Plug & Jug Market, located in Lewiston.

3 y. Approves and authorizes Chairman to sign Standard Encroachment Permit authorizing the hanging of the Blood Drive banner across Highway 3 in Hayfork on February 15, May 3, September 6, and November 15, 1999.

3 z. Authorizes Auditor to increase the Solid Waste Enterprise Fund budget for the 1998/99 fiscal year.

3 l. On motion of Supervisor Modine, seconded by Supervisor Fackrell and carried, approves and authorizes David Yarbrough, Hospital Administrator, to sign agreement with Redding Pathologists Laboratory, subject to routing for approval as to form and content; comments received from David Yarbrough.

3 q. On motion of Supervisor Erikson, seconded by Supervisor Modine and carried, authorizes the General Services department to sell 4 surplus sheriff vehicles; comments received from John Whitaker.

3 r. On motion of Supervisor Erikson, seconded by Supervisor Modine and carried, waives reading and directs Clerk to let the record show that the Ordinance deleting and replacing Trinity County Code, Sections 8.52 - Breakable Glass Container in Lowden Park; Section 8.56 - Swimming Pools; and 8.70 - Hayfork Park, is introduced.

3 v. On motion of Supervisor Erikson, seconded by Supervisor Stewart and carried, denies claim submitted by the Art Council in the amount of \$12.90.

#### 4 JEANNIE NIX-TEMPLE, COUNTY ADMINISTRATIVE OFFICER

4 a. Reports on agenda meeting.

#### MISC MATTERS

8

8 a. On motion of Supervisor Fackrell, seconded by Supervisor Erikson and carried, approves request of Marvin Stewart, Commissioner, Boy Scouts of Hayfork, and waives the \$45.00 Planning Department fee for the inspection of an electrical meter to be installed at the scout house in Hayfork.

8 b. On motion of Supervisor Modine, seconded by Supervisor Fackrell and carried, implements the 1998 Board of Supervisors' performance evaluation and recommendation as to the County Administrative Officer.

8 f. On motion of Supervisor Fackrell, seconded by Supervisor Stewart and carried, approves and directs department heads to submit Department Head Report Form every 60 days for review by the Board.

4 b. Motion of Supervisor Stewart, and second by Supervisor Erikson to table Ordinance amending Trinity County Code Section 2.60.270 relating to the appointment of department heads does not carry. 1-2-3-No.

cont.....

cont.....

On motion of Supervisor Modine, seconded by Supervisor Stewart and carried, tables Ordinance amending Trinity County Code Section 2.60.270 relating to the appointment of department heads; comments received from John Letton, Judge of the Superior Court.

4 c. On motion of Supervisor Modine, seconded by Supervisor Fackrell and carried, approves and authorizes Chairman to sign an amendment to Franchise Agreement with DCA Cablevision, dba Marks Cablevision in the Hayfork community, extending the term to September, 2004, subject to routing for approval as to form and content.

4 d. No reports received from department heads.

4 e. On motion of Supervisor Modine, seconded by Supervisor Erikson and carried, approves implementation of Southern Trinity County volunteer medical transportation services with compensation set at \$.32 a mile. County Counsel will draft agreement to include release clause and insurance requirement.

5 OPEN AGENDA - no appearances.

8 c. On motion of Supervisor Fackrell, seconded by Supervisor Stewart and carried, approves and authorizes Chairman to sign letter to be drafted by Supervisor Modine supporting the Nor-el-muk Administration for Native American Programs (ANA) application.

8 d. Tables request of Hyampom Community Services District for an exemption for Gwendolyn McCumber, as

provided in Section 12527 of the California Vehicle Code, from the requirement that an ambulance driver needs to have an EMT-1 certificate.

8 e. Tables request of Hyampom Community Services District for a waiver of all county fees associated with the building of the Hyampom Fire House.

RECESSES 11:30 A.M.; RECONVENES 1:30 P.M.

8 d. On motion of Supervisor Stewart, seconded by Supervisor Fackrell and carried, approves request of Hyampom Community Services District and authorizes Chairman to sign letter finding no objection to an exemption for Gwendolyn McCumber, as provided in Section 12527 of the California Vehicle Code, from the requirement that an ambulance driver needs to have an EMT-1 certificate; comments received from Pat Mortenson.

6 CARL BONOMINI, DIRECTOR OF TRANSPORTATION

6 a. On motion of Supervisor Fackrell, seconded by Supervisor Erikson and carried, approves and authorizes Chairman to sign lease with Hodge Management for hangar and office space at Weaverville Airport, and directs that funds be designated to the Airport Development Account, subject to routing for approval as to form and content.

6 b. On motion of Supervisor Erikson, seconded by Supervisor Stewart and carried, approves and authorizes Chairman to sign agreement with Shasta Aerial Mapping for project on Hyampom Road, County Road No. 301 subject to routing for approval as to form and content, and directs that results of the digital mapping be made available to the public..

6 c. On motion of Supervisor Erikson, seconded by Supervisor Modine and carried, finds that there is no advantage to the Department of Transportation to re-bid for asphalts and emulsions and authorizes Chairman to sign Addendum #3 to agreement with Morgan Emultech; comments received from Mo Lovely.

8 e. On motion of Supervisor Modine, seconded by Supervisor Stewart and carried, approves request of Hyampom Community Services District for a waiver of all county fees associated with the building of the Hyampom Fire House.

8 g. Reports received from Supervisors Modine, Erikson, Stewart and Reiss re miscellaneous meetings attended.

RECESSES 2:15 P.M.; RECONVENES 2:20 P.M.

7 JOHN JELICICH, PLANNING DIRECTOR

#### Public Hearings

7 a. This being the time and place set forth in the notice of public hearing to consider amending the Trinity County Zoning Ordinance by rezoning APN 1-210-16 from R-3 to R-2; app: Kaz; John Jelich reviews staff report; no public comments received; public hearing ordered closed.

On motion of Supervisor Fackrell, seconded by Supervisor Stewart and carried, waives reading and directs Clerk to let the record show that the Ordinance amending the Trinity County Zoning Ordinance by rezoning APN 1-210-16 from R-3 to R-2; app: Kaz; is introduced.

#### General Planning Matters

7 b. Slide show presentation given by Mary Arey, Planning, and discussion regarding update of E-911 Project; comments received from Bob Winkler, Fire Chiefs' Association.

7 c. Mary Arey, Planning, reports on the 1999 Address List Review Opportunity.

7 d. On motion of Supervisor Fackrell, seconded by Supervisor Stewart and carried, approves private road names for Wildwood, Weaverville, and Post Mountain Volunteer Fire Department areas.

Water Matters

7 e. On motion of Supervisor Modine, seconded by Supervisor Fackrell and carried, approves and authorizes Chairman to sign Addendum No. 1 with Patrick Truman and Associates for Agreement No. TFG 97-9A, subject to routing for approval as to form and content; comments received from Tom Stokley, Natural Resources.

7 f. On motion of Supervisor Fackrell, seconded by Supervisor Stewart and carried, approves and authorizes Chairman to sign lease agreement with the Hayfork Chamber of Commerce for the Natural Resources Division of the Planning Department, subject to routing for approval as to form and content; comments received from Tom Stokely, Natural Resources.

7 g. On motion of Supervisor Modine, seconded by Supervisor Erikson and carried, authorizes Supervisor Modine, Senior Planner Tom Stokely, Project Specialist Arnold Whitridge and Special Counsel Michael Jackson of the Regional Council of Rural Counties, to continue to represent Trinity County in the Bay-Delta Water Right Hearings being conducted by the State Water Resources Control Board in Sacramento; comments received from Tom Stokely, Natural Resources.

7 h. No action taken regarding the California Water Plan proposal to raise Trinity Dam 200 feet.

8 h. County Counsel reports on the following:

1. Status of recruitment of public defender
2. Status of Court MOU (AB 233)

ADJOURNS 3:40 P.M. TO MEET IN MID-YEAR BUDGET SESSION ON FEBRUARY 3, 1999 AT

9:00 A.M.

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

BOB REISS, Chairman

Board of Supervisors, County of Trinity,

State of California