

TRINITY COUNTY BOARD OF SUPERVISORS

MINUTES

APRIL 6, 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 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): FRANKS V. TRINITY COUNTY

MEETS IN CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GC 54957): PLANNING DIRECTOR AND BUILDING INSPECTOR

RECONVENES 9:50 A.M. TO OPEN SESSION

PLEDGE OF ALLEGIANCE

Chairman reports on Closed Session: 1) direction was given to County Counsel to enter into settlement in Franks vs. Trinity County; 2) discussion was held on performance evaluations.

2 CONSENT AGENDA

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Fackrell, seconded by Supervisor Stewart and carried, Consent Agenda Items 2 a. through 2 ii., excluding Items 2 c., 2 d., 2 r., 2 x., 2 y., 2 aa., 2 ff. and 2 hh., are approved with the following vote polled: 4-2-1-3-5-Yes.

2 a. Approves minutes of March 16, 1999, as submitted by Clerk.

2 b. Waives reading and directs Clerk to let the record show that Ordinance No. 1226 amending Trinity County Code Section 2.60.270 relating to the appointment of department heads is enacted.

2 e. Adopts and authorizes Chairman to sign Resolution No. 18-99 approving and authorizing the Child Abuser Vertical Prosecution Program Grant.

2 f. Adopts and authorizes Chairman to sign Resolution No. 19-99 approving and authorizing the Anti-Drug Abuse Enforcement Program (ADA) Grant.

2 g. Adopts and authorizes Chairman to sign Resolution No. 20-99 authorizing the Probation Department to renew grant agreement with the Office of Criminal Justice Planning for the Juvenile Justice Delinquency Prevention Program.

2 h. Adopts and authorizes Chairman to sign Resolution No. 21-99 authorizing Trinity County to issue tax and revenue anticipation notes in an amount not to exceed \$2,000,000.

2 i. Adopts and authorizes Chairman to sign Proclamation No. 22-99 declaring April 30, 1999 as the 127th anniversary celebration of Arbor Day.

2 j. Approves Budget Transfer in the amount of \$1,120.00 from Asset Forfeiture account to Sheriff's equipment for the purchase of required SWAT team equipment.

2 k. Approves Budget Increase No. 45-98/99 in the amount of \$23,400.00 from General Fund, Provisions for Contingencies to Clerk/Recorder: Fixed Assets, for the new recording cashiering and imaging system.

2 l. Approves Budget Increase No. 46-98/99 in the amount of \$25,000.00 from General Fund, Provisions for Contingencies to Facilities Maintenance: Capital Building Program.

2 m. Approves Budget Transfer No. 47-98/99 for Planning Department in the amount of \$12,687.32.

2 n. Approves Journal Entry from the Department of Transportation for fuel purchased for Trinity Ambulance in the amount of \$161.26.

2 o. Approves and authorizes Chairman to sign Amendment No. 1 to Agreement with the Trinity County Resource Conservation District for the Emergency Watershed Protection Humphreys property.

2 p. Approves Addendum No. 1 to the Personal Lines Insurance Program (PLIP) agreement, subject to routing for approval as to form and content.

2 q. Approves and authorizes Chairman to sign Amendment No. 1 to Egg Inspection Contract #98-0125, subject to routing for approval as to form and content.

2 s. Approves and authorizes the Chairman and Sheriff to sign Financial Aid Agreement with the Department of Boating and Waterways for fiscal year 2000-2001, subject to routing for approval as to form and content;

and

authorizes Sheriff to sign application, quarterly and annual activity reports, and claims for reimbursement; and authorizes Auditor and/or Deputy Auditor to sign the estimated boat taxes

form.

2 t. Adopts and authorizes Chairman to sign Resolution No. 23-99 authorizing General Services Manager to apply for the California Integrated Waste Management Board, Farm and Ranch Solid Waste Cleanup and Abatement Grant.

2 u. Approves and authorizes Hospital Administrator to purchase a video bronchoscope.

2 v. Approves and authorizes Hospital Administrator to move forward with the Request For Proposal (RFP) process, award and enter into agreement for Seismic Report, subject to routing for approval as to form and content.

2 w. Approves and authorizes Hospital Administrator to enter into contract with Jayson High, dba Mountain High Medical for Cardio Pulmonary Services.

2 z. Approves and authorizes the Chairman to sign Federal Apportionment Exchange Program and State Match Program, Caltrans Agreement X99-5905(024).

2 bb. Extends the out-of-class compensation assignment for Julie LaHorgue to act as Social Worker Supervisor until a Social Worker Supervisor is hired.

2 cc. Pursuant to Trinity County Code Section 2.60.410(2), authorizes hiring Michelle Thorton as Administrative Clerk II, Range 122, Step C, effective 3-1-99.

2 dd. Authorizes Chairman to send letter to Senator Maurice Johannessen and Assemblyman Dickerson requesting legislative relief relating to the Trinity County Maintenance of Effort/Trial Courts.

2 ee. Accepts letter of resignation from Sharre Littrell from the PSA 2 Agency on Aging Advisory Council.

2 gg. Rejects claim for damages filed by Thomas Hinton v. County of Trinity, as recommended by Risk Management Services.

2 ii. Extends report to Board of Supervisors from the Mental Health Consolidation Committee to May 15, 1999.

2 d. On motion of Supervisor Erikson, seconded by Supervisor Fackrell and carried, waives reading and directs Clerk to let the record show that the Ordinance accepting the requirements of the Penal Code relating to the training of law enforcement officers, is introduced.

2 r. On motion of Supervisor Modine, seconded by Supervisor Fackrell and carried, approves and authorizes Chairman to sign Amendment No. 2 to Agreement with Gary E. De Salvatore, Interim Mental Health Director, subject to routing for approval as to form and content; 4-No.

2 x. On motion of Supervisor Modine, seconded by Supervisor Fackrell and carried, accepts the work performed by J.F. Shea, Inc. of Redding, CA on Contract No. 98-BR-32, and authorizes the Director of Transportation to sign and record the Notice of Completion; with the following vote polled: 2-3-4-5-Yes, 1-Abstain.

2 y. On motion of Supervisor Modine, seconded by Supervisor Stewart and carried, awards and authorizes the Chairman to sign contracts with the following for supplying and delivering screenings; with the following vote polled: 4-3-2-5-Yes, 1-Abstain:

Schedule I - Blue Rock Company of Trinity Center

Schedule II & IV - Concrete Aggregate Products of Weaverville

Schedule III - Eagle Rock Inc. of Weaverville

Schedule V - Pacific Lumber Company of Scotia

2 aa. On motion of Supervisor Fackrell, seconded by Supervisor Stewart and carried, approves reorganization of the Probation Department; comments received from Terry Lee, Chief Probation Officer.

2 ff. On motion of Supervisor Stewart, seconded by Supervisor Erikson, authorizes deletion and/or surplus of miscellaneous inventory items valued under \$500.00 from the District Attorney inventory list; comments received from Brian Muir, Auditor/Controller.

2 hh. On motion of Supervisor Fackrell, seconded by Supervisor Stewart and carried, rejects claim for damages filed by Robert Hicks v. County of Trinity, as recommended by adjusters; with the following vote polled: 4-2-3-5-Yes, 1-Abstain.

3 CHARLES BROWN, NORTHERN RURAL TRAINING AND EMPLOYMENT CONSORTIUM (NoRTEC), APPEARS RE WORKFORCE INVESTMENT ACT

On motion of Supervisor Modine, seconded by Supervisor Erikson and carried, adopts and authorizes Chairman to sign Joint Resolution No. 24-99 of the NoRTEC Governing Board, Private Industry Council and Board of Supervisors, designating the NoRTEC as the Workplace Investment Area, the Administrative Entity and the Grant Recipient under the Workforce Investment Act of 1998;

and

adopts and authorizes Chairman to sign Resolution No. 25-99 authorizing the Chairman to sign the revised NoRTEC Joint Exercise of Powers Agreement; with the following vote polled: 1-3-2-4-5-Yes;

and

approves and authorizes Chairman to sign revised NoRTEC Joint Exercise of Powers Agreement, subject to routing for approval as to form and content.

RECESSES 10:15 A.M.; RECONVENES 10:30 A.M.

4 JEANNIE NIX-TEMPLE, COUNTY ADMINISTRATIVE OFFICER

4 a. Reports on agenda meeting.

4 b. Discusses Indigent Misdemeanor and Conflict Contract with John A. Barker & Associates; comments received from Tim Neill, Barker & Associates; Judge Anthony Edwards; Jim Woods; John Barker, Barker & Associates; Joanna Correll; Mike Mock; Al Wilkins; Brian Muir; Jim Dippery; Eric Heryford; Jim Woodward; and Derrick Riske.

5. TABLES CDBG PUBLIC HEARING TO 1:45 P.M.

RECESSES 11:50 A.M.; RECONVENES 1:15 P.M.

4 d. Reports from department heads: Terry Lee presents Employee of the Quarter to Donna

Regnani, comments received from Judge John K. Letton and David Hammer.

4 b. On motion of Supervisor Stewart, seconded by Supervisor Erikson and carried, approves and authorizes Chairman to sign Indigent Misdemeanor and Conflict Contract with John A. Barker & Associates, subject to routing for approval as to form and content.

MISC MATTERS

10

10 a. Appoints Supervisor Erikson as alternate to serve on the Northern Rural Training and Employment Consortium (NoRTEC) Board.

10 b. On motion of Supervisor Erikson, seconded by Supervisor Stewart and carried, approves request of the Trinity County Resource Conservation District for a letter supporting their proposal to obtain CALFED funds for the "Upper Trinity River Watershed Stewardship Project".

10 c. On motion of Supervisor Erikson, seconded by Supervisor Stewart and carried, approves request of the Coffee Creek Volunteer Fire Department and waives all fees associated with the construction of a new fire hall in Coffee Creek.

10 d. On motion of Supervisor Stewart, seconded by Supervisor Fackrell and carried, approves request of the Trinity County Commission on Aging for funding in the amount of \$619.57 for the mailing of a senior citizen survey.

10 e. No action taken on request of the Friends of the Trinity River (FOTR) for membership renewal and financial contribution to the FOTR.

10 f. Designates Supervisor Fackrell to draft response to the 1998/99 Grand Jury Judicial Committee Final Report - Video Arraignment System.

10 g. Designates Supervisor Reiss to draft response to the 1998/99 Grand Jury Judicial Committee Final Report - Trinity County Sheriff's Detention Facility.

10 h. Designates Supervisor Modine to draft response to the 1998/99 Grand Jury Finance and Administration Committee Final Report - Complaint on Hayfork Sewer Project Trinity County Waterworks District #1.

10 i. Designates Supervisor Stewart to draft response to the 1998/99 Grand Jury Judicial Committee Final Report - Family Support.

10 j. Designates Supervisor Erikson to draft response to the 1998/99 Grand Jury Judicial Committee Final Report - Juvenile Assessment Center.

5 PUBLIC HEARING - PAT MORTENSON, RE CDBG APPLICATION FOR A HOUSING REHABILITATION PROGRAM IN HAYFORK, HYAMPOM AND SOUTHERN TRINITY INCLUDING A 10% SET-ASIDE FOR THE HYAMPOM FIRE HOUSE FOR FY 1999/2000

This being the time and place set forth in the notice of public hearing to consider adopting Resolution approving submission of an application for \$500,000 funding from the CDBG's General Allocation Component for FY 1999/00 and approval of the CDBG application and Statement of Assurances; Pat Mortenson reviews staff report; no public comments received; public hearing ordered closed.

1) On motion of Supervisor Stewart, seconded by Supervisor Fackrell and carried, adopts and authorizes Chairman to sign Resolution No. 26-99 approving submission of an application for

\$500,000 funding from the CDBG's General Allocation Component for FY 1999/00; with the following vote polled: 2-4-1-3-5-Yes;

and

2) Authorizes the County Administrative Officer to sign the CDBG application and Statement of Assurances.

6 OPEN AGENDA – no appearances.

7 CARL BONOMINI, DIRECTOR OF TRANSPORTATION

7 a. On motion of Supervisor Stewart, seconded by Supervisor Modine and carried, waives formal bidding requirements, finds that competitive bidding would not be in the public's best interest, and authorizes the Director of Transportation to purchase a used John-Deere 444 H loader from Empire Equipment Company LP of Anderson, California, in the amount of \$31,528.80 and authorizes the Director to sign appropriate paperwork.

7 b. On motion of Supervisor Modine, seconded by Supervisor Erikson and carried, approves and authorizes Chairman to sign agreement with Martin and Kane, Inc. to perform the design, plans, specification and estimates for the Trinity River Bridge, 5C-59, on Eagle Creek Loop Road, subject to routing for approval as to form and content.

Airport Matters

7 c. On motion of Supervisor Erikson, seconded by Supervisor Stewart and carried, adopts and authorizes Chairman to sign Resolution No. 27-99 vacating waterline easement; with the following vote polled: 4-1-2-3-5-Yes;

and

authorizes Chairman to sign Quitclaim Deed relinquishing said easement across property owned by Perry and Francys Dove near the Trinity Center Airport.

4 c. Accepts report from Gary De Salvatore, Interim Counseling Center Director, re follow up services to clients of recently discontinued Day Treatment Program; comments received from Gary De Salvatore.

9 ADJOURNS 2:05 P.M. TO SIT AS TRANSPORTATION COMMISSION

Public Hearing

9 a. This being the time and place set forth in the notice of public hearing to receive testimony identifying or commenting on unmet transit needs that may exist in the County and to consider adoption of Resolution finding that there are no "unmet transit needs"; Scott White reviews staff report; no public comments received; public hearing ordered closed.

On motion of Supervisor Fackrell, seconded by Supervisor Erikson and carried adopts and authorizes Chairman to sign Resolution No. 3-99(T) finding that there are no "unmet transit needs" that are "reasonable to meet" in Fiscal Year 99/00; with the following vote polled: 1-2-3-4-Yes, 5-No.

General Matters

9 b. Discusses preparation of Project Study Reports and update of the Trinity County Regional Transportation Plan.

9 c. On motion of Supervisor Erikson, seconded by Supervisor Stewart and carried, authorizes Chairman to sign letter to the California Transportation Commission requesting modification of proposed changes to the 1998 STIP Interim Guidelines prior to adoption as the permanent STIP Guidelines.

9 d. Discusses current status of the California Department of Transportation proposal to program the State Route 299 Buckhorn Grade realignment "environmental only" project in the 1998 STIP Augmentation.

RECESSES 2:55 P.M.; RECONVENES 3:00 P.M. SITTING AS THE BOARD OF SUPERVISORS

8 JOHN JELICICH, PLANNING DIRECTOR

Water Matters

8 a. On motion of Supervisor Modine, seconded by Supervisor Fackrell and carried, approves and authorizes Chairman to sign letter to State Water Resources Control Board requesting analysis of impacts to Trinity River basin of proposals under consideration in the ongoing Bay/Delta Water Rights Hearing.

8 b. On motion of Supervisor Stewart, seconded by Supervisor Modine and carried, approves and authorizes Chairman to sign letter to Interior Secretary Bruce Babbitt opposing Central Valley Project (CVP) long term water contract renewal negotiations.

Public Hearing

8 c. This being the time and place set forth in the notice of public hearing to consider amending Trinity County Zoning Ordinance No. 315 to allow "temporary operation of batch plants, rock screening and crushing and similar uses for various purposes, upon first securing a use permit; John Jelicich reviews staff report; no public comments received; public hearing ordered closed.

cont....

8 c. cont....

Motion of Supervisor Stewart and second by Supervisor Modine to waive reading and direct Clerk to let the record show that the Ordinance amending Trinity County Zoning Ordinance No. 315 to allow "temporary operation of batch plants, rock screening and crushing and similar uses for various purposes, upon first securing a use permit", is introduced, does not carry.

On motion of Supervisor Fackrell, seconded by Supervisor Erikson and carried, denies introduction of Ordinance amending Trinity County Zoning Ordinance No. 315 to allow "temporary operation of batch plants, rock screening and crushing and similar uses for various purposes, upon first securing a use permit". 4-3-No.

2 c. On motion of Supervisor Erikson, seconded by Supervisor Stewart and carried, continues enactment of Ordinance amending the Trinity County Zoning Ordinance by rezoning a portion of APN: 10-350-07 from RR-2 1/2 to Open Space (OS); app: R & J Gunderson.

Subseq. 1 On motion of Supervisor Erikson, seconded by Supervisor Fackrell and carried, agrees to discuss letter re "Survey and Manage and Protection Buffer Series" for immediate

action, pursuant to Government Code Section 54954.2(b)(2).

On motion of Supervisor Erikson, seconded by Supervisor Stewart and carried, authorizes Chairman to sign letter to Wally Herger supporting efforts to conduct hearings within the Congress of the United States to address issues regarding the impacts resulting from implementation of "Survey and Manage and Protection Buffer Species, direction outlined in the Record of Decision for the Northwest Forest Plan.

10 k. Discusses short-term and long-term goals of the Board of Supervisors.

10 l. Miscellaneous reports received from Supervisors Modine, Reiss, Stewart and Erikson.

10 m. County Counsel summarizes goals and objectives met from last year and goals and objectives for upcoming 30 to 90 days.

ADJOURNS 4:00 P.M. TO MEET IN REGULAR SESSION ON MAY 2, 1999
AT 10:00 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