

TRINITY COUNTY BOARD OF SUPERVISORS

MINUTES

JUNE 15, 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 and Berry Stewart.

ABSENT SUPERVISORS: Robert Reiss.

Administrative Officer Jeannie Nix-Temple, present.

County Counsel David Hammer, present.

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

Vice Chairman Fackrell, presiding.

ITEM NO.

CONVENES 9:00 A.M.

Subseq. On motion of Supervisor Stewart, seconded by Supervisor Modine and carried, agrees to discuss existing litigation in Closed Session, for immediate action pursuant to Government Code Section 54954.2(b)(2).

ADJOURNS TO CLOSED SESSION 9:02 A.M.

1 MEETS IN CLOSED SESSION: PERSONNEL EXCEPTION (GC 54957): GRIEVANCE HEARING - ONE CASE

MEETS IN CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (GC 54956.9): ONE CASE

RECONVENES 10:15 A.M. IN OPEN SESSION

PLEDGE OF ALLEGIANCE

Chairman reports on closed session: no action was taken and closed sessions were continued for discussion to afternoon session.

2 BOB NASH, EXECUTIVE DIRECTOR, SUPERIOR CALIFORNIA ECONOMIC DEVELOPMENT DISTRICT (SCEDD)

Introduction of Jim Craft, Director of Cascade Small Business Development Center.

3 CONSENT AGENDA

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Stewart, seconded by Supervisor Erikson and carried, Consent Agenda Items 3 a. through 3 gg., excluding Items 3 d., 3 t. and 3 z., are approved with the following vote polled: 1-4-3-2-Yes, 5-Absent.

3 a. Approves minutes of June 1, 1999, as submitted by Clerk.

3 b. Waives reading and directs Clerk to let the record show that Ordinance No. 1229 amending Trinity County Code Section 2.60.050, Equal Employment Opportunity, is enacted.

3 c. Waives reading and directs Clerk to let the record show that Ordinance No. 315-681 amending Trinity County Zoning Ordinance by rezoning approximately 40 acres from Unclassified to RR-10 (APN 004-280-02); app: Weaver, is enacted.

3 e. Adopts and authorizes Chairman to sign Resolution No. 40-99 authorizing the Trinity County Sheriff to execute the weapons firing range agreement with the State of California.

3 f. Adopts and authorizes Chairman to sign Resolution No. 41-99 supporting the Weaverville 4th of July Parade.

3 g. Adopts and authorizes Chairman to sign Resolution No. 42-99 pertaining to the 1999 4th of July Parade.

3 h. Approves Budget Increase No. 57-98/99 to the Facilities Maintenance of Equipment budget and to the County Building Program, in the amount of \$4,680.00.

3 i. Approves Budget Transfer No. 58-98/99 to Vehicle Abatement in the amount of \$15,971.00.

3 j. Approves the purchase of a computer training system for the District Attorney and approves Budget Transfer No. 60-98/99 for District Attorney in the amount of \$2,500.00.

3 k. Approves and authorizes Chairman to sign Amendment No. 1 to agreement with Trinity County Resource Conservation District for implementation of the project "Weaverville Basin Trail and Greenway Master Plan Development and Implementation," funded by USFS Grant #R5-14-98-23, extending the termination date to December 31, 1999, subject to routing for approval as to form and content.

3 l. Approves and authorizes Chairman to sign Amendment No. 1 to agreement with Trinity Resource Conservation and Development Council, Inc. for implementation of the project "Trinity RC&D Program Support," funded by USFS Grant #R5-14-98-22, extending the termination date to January 1, 2000, subject to routing for approval as to form and content.

3 m. Approves and authorizes Chairman to sign agreement with CDBG Consultant Susan Price for general administration and activity delivery for the Hayfork Sewer Project, Community Development Block Grant (CDBG) #97-STBG-1140, subject to routing for approval as to form and content.

3 n. Reviews and approves the Feasibility Study for the Lewiston Water and Sewer Project prepared by Pace Engineering for submittal to the Department of Housing and Community Development, subject to acceptance by Department of Housing and Community Development.

3 o. Accepts recommendation of Trinity Hospital Administrator and makes the following

change to the Clinical Laboratory Scientist allocation:

From: Two full time and one .75 Clinical Laboratory Scientist at range 200.

To: Three full time Clinical Laboratory Scientist (CLS) or Medical Laboratory Technician (MLT) with a maximum of one Medical Laboratory Technician at range 200 for CLS and range 173 for MLT.

3 p. Approves and authorizes Chairman to sign Amendment extending the Personal Services Agreement with Thomas Kelly for medication monitoring services, subject to routing for approval as to form and content.

3 q. Approves and authorizes Chairman to sign Amendment extending Personal Services Agreement with James E. Fletcher, Ph.D. for the evaluation of the Tobacco Education Program Workplan, subject to routing for approval as to form and content.

3 r. Approves and authorizes Chairman to sign Amendment extending Agreement with Cascade Circle, Inc., subject to routing for approval as to form and content.

3 s. Approves and authorizes Chairman to sign Amendment extending Agreement with Empire Alcohol Recovery Center, subject to routing for approval as to form and content.

3 u. Authorizes the Director of Transportation to award Contract No. 99-PAVE-1 to the lowest qualified bidder and approves and authorizes Chairman to sign contract, subject to routing for approval as to form and content.

3 v. Awards Contract No. 98-301-1 to R. Brown Construction of Willow Creek, CA in the amount of \$280,565.50 and approves and authorizes Chairman to sign contract upon receipt of documents and certificates, subject to routing for approval as to form and content.

3 w. Approves and authorizes Chairman to sign letter requesting inclusion of Mental Health professionals in the Health Profession Shortage Area.

3 x. Approves refund and directs Auditor to pay David Hazard \$100.00 for CD Hall Rental Fees paid.

3 y. Authorizes General Services Department to raise petty cash amounts for gate attendants to \$50.00, and for the landfill attendants, \$100.00.

3 aa. Approves and authorizes General Services Director to sign Lease with R. J. & Mary Murray for the Hayfork Library, subject to routing for approval as to form and content.

3 bb. Awards Solid Waste Transfer Station Structure Bid to Donald F. Gallino, Inc. and authorizes the General Services Director to sign agreement, subject to routing for approval as to form and content.

3 cc. Approves and authorizes Chairman to sign Agreement regarding liquefied petroleum gas provers, subject to routing for approval as to form and content.

3 dd. Acknowledges receipt of and accepts grant award from Board of Corrections in the amount of \$2,733,994.00 to construct a new Juvenile Detention Facility;

and

authorizes Terry Lee, Chief Probation Officer; David Hammer, County Counsel; and John Whitaker, General Services Manager, to enter into a contract with Board of Corrections to build

a new Juvenile Detention Facility (final contract subject to approval by the Board of Supervisors);

and

authorizes Terry Lee, Chief Probation Officer and John Whitaker, General Services Manager, to form a committee to review proposals from architects and selects an architect for the Juvenile Detention Facility (final approval subject to approval by the Board of Supervisors);

and

accepts the recommendation from the Strategic Planning Committee to build the Juvenile Detention Facility at the airport property on the northwest corner, also known as the borrow site.

3 ee. Accepts recommendation of the County Administrative Officer and changes the title of Counseling Center Director to Director of Behavioral Health Services;

and

appoints Brian Muir to the position of Director of Behavioral Health Services;

and

accepts the recommendation of the County Administrative Officer and keeps the Auditor/Controller salary at \$3,803.00 monthly, and establishes the salary for the combined responsibilities at \$4,390.00 monthly, \$52,680.00 annually.

3 ff. Approves flexible working hours for Tobacco Education Manager.

3 gg. Approves Budget Increase No. 59-98/99 for Miscellaneous Grants (#98-STBG-1320) in the amount of \$35,000.00.

3 t. Tables lease agreement for a new pickup, using grant funds from the Department of Boating and Waterways for lake patrol.

3 z. On motion of Supervisor Stewart, seconded by Supervisor Erikson and carried, approves and authorizes Chairman to sign Franchise Agreement with Tom's Trash for the collection and transportation of residential and commercial solid waste in portions of Trinity County, subject to approval as to form and content; comments received from John Whitaker, General Services Manager.

3 d. On motion of Supervisor Stewart, seconded by Supervisor Erikson and carried, adopts and authorizes Chairman to sign Resolution No. 43-99 of Commendation for Reserve Deputy, Ray Sparkman; comments received from Paul Schmidt, Sheriff; with the following vote polled: 1-4-3-2-Yes, 5-Absent.

4 JEANNIE NIX-TEMPLE, COUNTY ADMINISTRATIVE OFFICER

4 a. Reports on agenda meeting.

4 b. On motion of Supervisor Erikson, seconded by Supervisor Modine and carried, adopts Fiscal Year 1999-2000 Preliminary Budget at \$32,606,067.00; comments received from Brian Muir, Auditor/Controller.

4 c. On motion of Supervisor Erikson, seconded by Supervisor Modine and carried, authorizes

Chairman to sign letter to the General Services Administration indicating Trinity County's desire to acquire the Lewiston parcel which has been determined to be suitable for homeless use by the Department of Housing and Urban Development (HUD); and indicating that we will hold public hearings to determine the best use for the property.

4 d. Report received from the all Health Services Consolidation Committee; members reporting were Jeannie Nix-Temple, David Yarbrough, Terry Lee, Gary De Salvatore, Linda Wright and Brian Muir.

4 e. Reports from department heads:

1. Terry Lee reports on department head meeting.

2. Dero Forslund reports on a new optical scan election system they will be testing for the Lewiston Election.

5 JIM FRENCH, CHAIRPERSON, TRINITY COUNTY NATURAL RESOURCES ADVISORY COUNCIL AND ARNOLD WHITRIDGE, CHAIRPERSON, WATER POLICY PAPER

On motion of Supervisor Erikson, seconded by Supervisor Modine and carried, approves and authorizes Chairman to sign Memorandum of Understanding and Operating Procedures for the Trinity County Natural Resources Advisory Council, subject to routing for approval as to form and content;

and

receives update on Water Policy Paper from Arnold Whitridge, Chairperson, Water Policy Paper.

RECESSES 11:30 A.M.; RECONVENES 11:40 A.M.

6 CAROL ELI, TRINITY COUNTY CHAMBER OF COMMERCE AND PROF. EMILYN SHEFFIELD, CHICO STATE UNIVERSITY, APPEAR RE SCENIC BYWAY GRANT

Report only.

7 BOB FLINT, CHAIRMAN, HOSPITAL BOARD OF DIRECTORS, WITH HOSPITAL QUARTERLY REPORT

Report only.

8 JERRY BOOSINGER, STRATEGIC PLANNING COMMITTEE FINAL REPORT

Reviews final report from Jerry Boosinger, Facilitator, Strategic Planning Committee;

and

reviews recommendations from Strategic Planning Committee.

9 OPEN AGENDA

Steve Allen appears with rebuttal to comments received from Elise Dopplehauer at the 6/1/99 meeting regarding the implementation of the County Pension Plan.

RECESSES 12:30 P.M.

10 RECONVENES 1:35 P.M. SITTING AS TRANSPORTATION COMMISSION

10 a. On motion of Supervisor Modine, seconded by Supervisor Erikson and carried, adopts the 1999/00 Overall Work Program which sets forth the Transportation Planning Program for the upcoming fiscal year.

10 b. On motion of Supervisor Stewart, seconded by Supervisor Erikson and carried, adopts and authorizes Chairman to sign Resolution No. 4-99(T) authorizing allocation of the Local Transportation Funds (LTF) for Fiscal Year 1999/2000; with the following vote polled: 1-4-3-2-Yes, 5-Absent.

RECESSES 1:55 P.M.

RECONVENES 2:00 P.M. SITTING AS BOARD OF SUPERVISORS

11 JOHN JELICICH, PLANNING DIRECTOR

Public Hearings

11 a. This being the time and place set forth in the notice of public hearing to consider General Plan amendment changing land use designation of ten acres from Agriculture to Industrial and rezone of ten acres from Ag-10 acre minimum to Industrial, affecting portion of APN 17-430-57; app: Eagle Rock, Inc.; John Jelicich reviews staff report; public comments received from Carlton Bradford, Diane Carol, Bob Mountjoy and Jan Mountjoy; public hearing ordered closed.

On motion of Supervisor Modine, seconded by Supervisor Stewart and carried, denies request for General Plan amendment changing land use designation of ten acres from Agriculture to Industrial and rezone of ten acres from Ag-10 acre minimum to Industrial, affecting portion of APN 17-430-57; app: Eagle Rock, Inc.; with the following vote polled: 4-3-2-Yes, 1-Abstain, 5-Absent.

11 b. This being the time and place set forth in the notice of public hearing to consider amending Section 30.B of the County Zoning Ordinance to allow temporary operation of batch plants, rock screening and crushing and similar uses for various purposes, upon first securing a use permit; app: Trinity County Planning Department; John Jelicich reviews staff report; comments received from Vickie Riley, Carlton Bradford, Barbara Talvola and Joy Bradford; public hearing ordered closed.

Motion of Supervisor Erikson to deny request to amend Section 30.B of the County Zoning Ordinance to allow temporary operation of batch plants, rock screening and crushing and similar uses for various purposes, upon first securing a use permit; app: Trinity County Planning Department, dies for a lack of a second.

On motion of Supervisor Modine, seconded by Supervisor Stewart and carried, waives reading and directs Clerk to let the record show that the Ordinance amending Section 30.B of the County Zoning Ordinance to allow temporary operation of batch plants, rock screening and crushing and similar uses for various purposes, upon first securing a use permit; app: Trinity County Planning Department; is introduced; with the following vote polled: 4-3-2-Yes, 1-No, 5-Absent.

RECESSES 3:05 P.M.; RECONVENES 3:15 P.M.

12 PAUL SCHMIDT, TRINITY COUNTY SHERIFF, APPEARS RE PROPOSED ADVISORY MEASURE

On motion of Supervisor Modine, seconded by Supervisor Erikson and carried, waives reading and directs Clerk to let the record show that Ordinance No. 1230 setting an advisory measure recommending sales tax expenditure priorities on the ballot for the November 2, 1999 election, is enacted; with the following vote polled: 1-3-4-2-Yes, 5-Absent.

On motion of Supervisor Stewart, seconded by Supervisor Modine and carried, waives reading and directs Clerk to let the record show that Ordinance No. 1231 proposing a one cent sales tax in Trinity County and setting an approval measure on the ballot for the November 2, 1999 election, is enacted; with the following vote polled: 3-4-1-2-Yes, 5-Absent.

MISC MATTERS

13

13 a. Designates Supervisor Modine to respond to Trinity County Grand Jury 1998-99 Finance and Administration Committee Final Report re Public Dissemination of Trinity County Grand Jury Reports.

13 b. Designates Supervisor Erikson to respond to Trinity County Grand Jury 1998-99 Sub-Committee on General Election Final Report re Trinity County General Election Held November 3, 1998.

13 c. Designates Supervisor Reiss to respond to Trinity County Grand Jury 1998-99 Finance and Administration Committee Final Report re Complaint on Hayfork Fire Protection District.

13 d. Designates Supervisor Stewart to respond to Trinity County Grand Jury 1998-99 Health and Human Services Committee Final Report re Investigation of Trinity County Health and Human Services Department Eligibility Division.

13 e. Designates Supervisor Stewart to respond to Trinity County Grand Jury 1998-99 Health and Human Services Committee Final Report re Investigation of Trinity County Health and Human Services Department Child Protective Services Division.

13 f. Designate Supervisor Fackrell to respond to Trinity County Grand Jury 1998-99 Finance and Administration Committee Final Report re Follow-up to 1997-98 Grand Jury Report Trinity County Data Processing.

13 g. On motion of Supervisor Stewart, seconded by Supervisor Modine and carried, authorizes Chairman to sign letter supporting HR 1000 re Aviation Trust Fund.

13 j. On motion of Supervisor Erikson, seconded by Supervisor Stewart and carried, approves and authorizes Chairman to sign letter to Governor Davis re ERAF shift.

13 i. Reports from County Counsel:

1. Handout has been given to Supervisors regarding a conference on land use control.

2. A fax has been received from Barker & Associates indicating that the public defender (Mr. Neal) is being transferred out of Weaverville and a new attorney will be replacing him, effective June, 1999.

13 h. Miscellaneous reports received from members of the Board.

ADJOURNS 4:00 P.M. TO CLOSED SESSION

MEETS IN CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL - EXISTING

LITIGATION (GC 54956.9): SHAW

RECONVENES TO OPEN SESSION 4:45 P.M.

Chairman reports on Closed Session: instructions were given to County Administrative Officer.

ADJOURNS 4:50 P.M. TO MEET IN REGULAR SESSION ON JULY 6, 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