

TRINITY COUNTY

BOARD OF SUPERVISORS MINUTES

SEPTEMBER 3, 2002
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 9:35 am and there are:

PRESENT SUPERVISORS: Robert Reiss, Ralph Modine, Billie Miller, Berry Stewart and Chris Erikson.

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 Erikson, Presiding

TIME ITEM NO.

8:00 AM **CALLS MEETING TO ORDER IN OPEN SESSION AND
RECESSES TO CLOSED SESSION.**

MEET IN CLOSED SESSION:

- A. Government Code Section 54954.5. Public Employee Performance Evaluation – Director of Building and Development Services.
- B. Government Code Section 54954.5. Public Employee Performance Evaluation – Director of Planning.
- C. Government Code Section 54957: Personnel
Hurst Grievance – Consider Board's response.

- D. Conference with Labor Negotiators. Government Code Section 54954.5. County Negotiator: Brian Muir.
- E. Existing Litigation – Conference with Legal Counsel. Number of Cases: One (Litigation has been formally initiated, Gov. Code section 54956.9, subd. (a).)

County of Trinity v. Trinity County Public Utilities District
Case No.: 01CV038

9:35 AM

RECONVENE TO OPEN SESSION

PLEDGE OF ALLEGIANCE

CHAIRMAN REPORTS ON CLOSED SESSION:

- A. Evaluation of Director of Building and Development Services.
- B. Evaluation of Director of Planning Department was evaluated.
- C. Board adopted Board’s response to Hurst grievance.
- D. Appoints Brian Muir, County Auditor/Controller and Terry Lee, Chief Probation Officer as County Negotiators.
- E. Direction given to County Counsel on County of Trinity v. Trinity County Public Utilities District.

1. CONSENT AGENDA

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Reiss, seconded by Supervisor Stewart and carried, Consent Agenda items 1a. through 1p., with the exception of 1b., 1c., 1k., 1l., 1n., and 1o. are approved with the following vote polled: Supervisors Stewart, Reiss, Miller, Modine and Erikson – 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 August 20, 2002, as submitted by Clerk.

AUDITOR/CONTROLLER

- 1d. Approves tax rates for 2002/2003 Secured Tax Roll.

Tax Rate Limit Proposition 13	1 %
Average Debt Service Rate	.009657 %
Weaverville Sanitary	.003219 %
Shasta Tehama Trinity JC	.009336 %
Trinity County Waterworks District #1	.053999 %

- 1e. Approves and establishes a fund for collection and distribution of Shasta Tehama Trinity Joint Community College District assessment.

Fund 255 Shasta Tehama Trinity JC Bond

- 1f. Approves and establishes new funds for the separation of programs in the grant fund.

Child Support Services	132	Narcotics Task Force	146	Vehicle Abatement	174
Violence Against Women DA	133	Emergency Services	147	Child Health & Disability	175
Anti-Drug Abuse DA	134	Cannibis Eradication Pros Sheriff	148	WIC	176
Child Abuse Vert Pros DA	135	National Forest Eradication	149	Alcohol & Other Drug Svcs	177
Marijuana Suppression Prog DA	136	Anti-Drug Abuse Probation	164	Perinatal	178
Spousal Abuse Pros DA	137	Victim Witness Program	165	Arts Council	179
Stat Rape Vertical Pros DA	138	Safe Juvenile Incarceration	166	Temp Asst to Needy Families	169
Lake Patrol	144	Delinquency Prev Intervention	167	Natural Resources	173
Anti-Drug Abuse Sheriff	145	Crime Prev Act 2000	168		

BEHAVIORAL HEALTH SERVICES

- 1g. Approves and authorizes Behavioral Health Director to sign the performance contract with the Department of Mental Health, no fiscal impact.
- 1h. Approves and authorizes Chairman to sign contract with Fortuna Community Services, in the maximum amount of \$140,000, for the treatment of Trinity County Alcohol & Other Drug Clients.

- 1i. Approves and authorizes Chairman to sign contract with Heritage Oaks, Inc., in the maximum amount \$15,000, for mental health treatment of clients.

GENERAL SERVICES

- 1j. Declares 1986 Ford Lariat F-150 XLT, 1988 Toyota 4-Runner, and 1987 Ford Lariat F-150 XLT from the Sheriff's Department, as surplus and authorizes the General Services Department to oversee the sale.

PERSONNEL

- 1m. Changes allocation of 6 Deputy Probation Officer I or II to 7 Deputy Probation Officer I or II and delete allocation of 1 Lead Probation Assistant in the Probation Department and directs that said change be made to the salary schedule and alphabetical listing of positions, effective September 1, 2002. Cost for FY 02/03 is \$4,269.

TRANSPORTATION

- 1p. Approves and authorizes Chairman to sign personal services contract with Martin Appraisal and Acquisition Company on Mad River Road No. 501 and Hoaglin Road No. 521, in the amount of \$64,400.

THE FOLLOWING ITEMS WERE PULLED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY

ARTS COUNCIL

- 1b. On motion of Supervisor Reiss, seconded by Supervisor Miller and carried, finds no objection to issuance of a one-day beer/wine alcoholic beverage license to the Trinity County Arts Council to serve beer/wine as a fundraiser, at a concert to be held in Lee Fong Park on September 29, 2002. Comments received from Jim Cudziol, Arts Director.

ASSESSOR

- 1c. On motion of Supervisor Reiss, seconded by Supervisor Miller, approves and authorizes Chairman to sign resolution Authorizing Examination of Sales and Use Tax Records. Approved with the following vote polled: Supervisor Miller, Reiss, Stewart, Modine and Erikson – Aye.

GENERAL SERVICES

- 1k. On motion of Supervisor Reiss, seconded by Supervisor Stewart and carried, approves and authorizes Chairman to sign Third Amendment to the Lease between Trinity County and the California Department of Forestry and Fire Protection (CDF) for the building currently occupied by the CDF, in the revenue amount of \$75,437.28, with corrections.

PERSONNEL

- 1l. On motion of Supervisor Miller, seconded by Supervisor Stewart and carried, rescinds Board action of August 6, 2002 establishing three Unit Charge Nurses at Range N236, at the Hospital effective August 1, 2002 and establishes the Unit Charge Nurses at G236, effective August 1, 2002. No fiscal impact for FY 02/03.

PLANNING AND NATURAL RESOURCES

- 1n. On motion of Supervisor Modine, seconded by Supervisor Stewart, approves and authorizes Chairman to sign revised resolution in Support of the Northern and Coastal California Water Bond Coalition, striking the paragraph regarding proposition 50 and inserting the sentence "No net increase of Government interest in Trinity County". Comments received from Tom Stokely, Senior Planner, Natural Resources. Approved with the following vote polled: Stewart, Modine, Reiss, Miller and Erikson – Aye.
- 1o. On motion of Supervisor Miller, seconded by Supervisor Stewart and carried, approves and authorizes Chairman to sign Amendment No. 2 with Hunt Land Surveying, Inc., with corrections, in the amount of \$760, for cost of additional computer time and field crew to locate and map 4 existing wells at the Salt Flat Site.

2. COUNTY MATTERS

- 2a. Reviews Grand Jury Report up-date.
- 2b. On motion of Supervisor Reiss, seconded by Supervisor Miller and carried, appoints Ronald Steves, as Member-at-Large, to the Trinity County Commission on Aging, as recommended by Supervisor Modine.

- 2c. On motion of Supervisor Reiss, seconded by Supervisor Stewart, re-appoints Gregory E. Lowden and Patrick Truman to the Trinity County Resource Conservation District (RCD) Board of Directors, for another 4 year term beginning on December 1, 2002; and

Appoints Colleen O’Sullivan to RCD Board of Directors, to fill vacancy resulting from the resignation of Douglas Nowacki.

- 2d. On motion of Supervisor Modine, seconded by Supervisor Reiss and carried, appoints Supervisors Stewart and Miller to the Trinity Emergency Operations and Communications Committee (TEOC), as requested by the members of the TEOC. Comments received from Carol Cavette, TEOC.

- 2e. On motion of Supervisor Modine, seconded by Supervisor Reiss, approves and authorizes Chairman to sign resolution Approving the Application for Funds under the Voting Modernization Bond Act of 2002; and

Approves and authorizes County Clerk/Recorder to sign the Voting Modernization Board Application for Funding Consideration. Comments received from Dero Forslund, County Clerk/Recorder. Approved with the following vote polled: Supervisors Reiss, Modine, Miller, Stewart and Erikson – Aye.

- 2f. On motion of Supervisor Stewart, seconded by Supervisor Miller and carried, accepts Board’s responses to frequently asked questions concerning the Airport Relocation Project, with the addition of total value on Tax Roll and total registered aircraft in Trinity County, directs County Clerk to post responses on the County Website and create forum for future questions from the community and further directs Building and Development Services Director to publish news updates in the Trinity Journal. Comments received from Liz Johnson, Attorney.

10:30
10:35

RECESSES
RECONVENES

6. PRESENTATIONS

- 6a. **Bureau of Land Management:** Report and Discussion received by Charles Shultz, Bureau of Land Management Regional Manager on the following:
1. Oregon Fire Recovery
 2. Sierra Pacific Industries – Weaverville 1000 Exchanges
 3. Lowden Fire Claims Status
 4. Fuel Reduction Program
- 6b. **Shasta-Trinity National Forest:** Donna Harmon, District Ranger, gives an update to the Board about the current fire funding situation and an update about Rothstein and its affects on South Fork's timber program.

COUNTY MATTERS CONTINUED...

- 2g. County Counsel discusses Board of Supervisor's "Closed Session" procedure, pursuant to Government Code Section 54957.7 and the Ralph M. Brown Act and the Board directs County Counsel to draft response to letter received in the Board of Supervisor's office regarding violation of Brown Act.
- 2h. County Counsel discusses that it is not necessary to cure or correct Closed Session Item A. of the August 20, 2002 meeting, as no action was taken during the Closed Session proceedings.
- 2i. On motion of Supervisor Stewart, seconded by Supervisor Modine and carried, approves proposal for Trinity County Arts Council to rent 206 Main Street from Dick Morris, in the amount of \$1275 for space to be used as storefront gallery for three months starting October 20, 2002 through January 20, 2003. Comments received from Jim Cudziol, Arts Director.
- 2j. On motion of Supervisor Miller, seconded by Supervisor Stewart and carried, agrees to remove parcel #003-300-03 from the Solid Waste disposal fee list. The property is split between Shasta and Trinity Counties and the owners are being served by Shasta County Solid Waste. Comments received from John Whitaker, General Services Director. Supervisors Reiss and Erikson – No.
- 2k. On motion of Supervisor Reiss, seconded by Supervisor Stewart and carried, approves the General Services'

Department entering into an agreement for seven Pathway Research Neighborhood Electronic Vehicles (NEV).

- 2l. Pursuant to the order of the Superior Court in Wheeler et. al. v. Trinity County Board of Supervisors and on motion of Supervisor Miller, seconded by Supervisor Modine and carried, rescinds action of July 16, 2002, which granted a temporary use permit for a health care mobile home to Norma Johnson, and directs County Counsel to draft agenda item for reconsideration at the September 17, 2002 meeting and further directs Clerk to give notice as required by law.

3. COUNTY AUDITOR/CONTROLLER

- 3c. On motion of Supervisor Miller, seconded by Supervisor Stewart and carried, directs County Auditor/Controller to begin negotiations to move the Hospital employees to a separate bargaining unit.
 - 3d. On motion of Supervisor Reiss, seconded by Supervisor Modine and carried, denies approval of the County of Trinity Budget Transfer Policy.
 - 3e. On motion of Supervisor Reiss, seconded by Supervisor Miller, waives reading and directs the Clerk to let the record show that an ordinance amending Chapter 2.60 of the Trinity County Code, Pertaining to Meal Reimbursements, is introduced with the following vote polled: Supervisors Miller, Reiss, Modine, Stewart and Erikson – Aye.
 - 3f. **Tables:** Ordinance amending Chapter 6.04 of the Trinity County Code, Concerning Animal Regulation.
 - 3g. On motion of Supervisor Reiss, seconded by Supervisor Stewart and carried, approves application for waiver of all County fees, for a proposed Lewiston Community Sign, as requested by Connor Nixon.
- ### 5. PROPOSALS FOR TITLE III FUNDS “SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000”.

Reviews Auditors Detailed Trial Balance Sheet and Title III proposal tracking sheet; and

Board discusses the following proposals which have been considered by the Board of Supervisors and have been given a 45 day comment period.

On motion of Supervisor Reiss, seconded by Supervisor Stewart, to approve the following proposals, with the exception of proposals 5b. and 5e. Motion fails 2-3.

Chairman directs that proposals will be considered separately.

- 5a. On motion of Supervisor Miller, seconded by Supervisor Reiss and carried, approves amended proposal from the Trinity County Life Support, in the amount of \$3,800 (original request was for \$24,249.96), for “No Labor” operations of the Volunteer Paramedic Boat Patrol Program on Trinity Lake.
- 5b. On motion of Supervisor Reiss, seconded by Supervisor Miller and carried, denies proposal from General Services, in the amount of \$355,000, to purchase equipment (tub grinder, articulating backhoe & bucket & front end loader, and roll off truck for transportation) to provide fuel reduction (fire fuels) for residents and landowners.

On motion of Supervisor Stewart, seconded by Supervisor Miller, approves amount of \$150,000 for tub grinder. Supervisors Reiss and Modine – No.

- 5c. On motion of Supervisor Reiss, seconded by Supervisor Miller, approves proposal from the Hyampom Community Services District and Hyampom Volunteer Fire Department, in the amount of \$40,970, for a 1200-1500 gallon Water Tender/Pumper and fire fighting gear. Supervisors Modine and Stewart – No.
- 5d. On motion of Supervisor Reiss, seconded by Supervisor Stewart and carried, approves proposal from the Hayfork Volunteer Fire Department, in the amount of \$19,960, to install four 5400 gallon water storage tanks, in four diverse parts of the greater Hayfork Valley to supply water to replenish fire engines during wildland and/or structure fires.
- 5e. On motion of Supervisor Reiss, seconded by Supervisor Modine, denies amended proposal from the Downriver Volunteer Fire Company, Inc., in the amount \$42,200 (original request was for \$50,000), to fund the architectural fees to cover the preliminary design of a building site,

leveling of the lot and securing a well for a fire station and Community Center downriver. Supervisors Erikson and Stewart – No.

- 5f. On motion of Supervisor Stewart, seconded by Supervisor Reiss and carried, approves proposal from the Trinity County Amateur Radio Emergency Service, in the amount of \$350, for the replacement of radio system, antenna system and associated cables.
- 5g. On motion of Supervisor Stewart, seconded by Supervisor Miller, denies proposal from the Hayfork Action Team for Tourism and Recreation, in partnership with the Watershed Research and Training Center, in the amount of \$100,000 for trail rebuilding and maintenance within the Hayfork basin. Supervisor Reiss – No.
- 5h. On motion of Supervisor Modine, seconded by Supervisor Reiss, denies proposal from the Junction City Alpine Adventure Club, in the amount of \$19,093, for forest related educational activities and purchase of equipment. Supervisors Reiss and Stewart – No.

7. PUBLIC COMMENT

Comments received from John Hall, Trinity County Life Support.

12:00 PM
1:30 PM

RECESS
RECONVENE

COUNTY AUDITOR/CONTROLLER CONTINUED...

- 3a. Brian Muir reports on agenda meeting.
- 3b. Brian Muir reports on other matters of interest to the Board.

Board directs Brian Muir, County Auditor/Controller and Terry Lee, Chief Probation Officer to open labor negotiations with Bargaining Units in advance of expiration.

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

- 4a. No reports received from Department Heads.

4b. Reports from members of the Board: Supervisors Stewart, Modine, Miller, Reiss and Erikson.

4c. Report received from David Hammer, County Counsel.

8. PUBLIC HEARINGS

8a. **OPENS PUBLIC HEARING:** To receive comments regarding the 2002/2003 Solid Waste Delinquent Fee List.

Comments received from John Whitaker, General Services Director.

CLOSES PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Stewart, approves and authorizes Chairman to sign resolution adopting the 2002/2003 Solid Waste Delinquent Fee List, in the estimated delinquent amount of \$100,252. Approves with the following vote polled: Supervisors Stewart, Reiss, Miller, Modine and Erikson – Aye.

8b. **OPENS PUBLIC HEARING:** On a Zoning Ordinance amendment from Unclassified-B3-5 to Rural Residential five acre minimum (RR-5) located on Garrett Road in Hyampom, Applicant: Dell'Anno (P-02-17).

Comments received from Jeannie Bonomini, Planning Department.

CLOSES PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Stewart, waives reading and directs the Clerk to let the record show that an Ordinance amending Trinity County Zoning Ordinance No. 315, reflects the change in APN 11-380-23 from Unclassified-B5-5 (U-B3-5) to Rural Residential five-acre minimum (RR-5) located on Garrett Road, Hyampom. Applicant: Dell'Anno (P-02-17), is introduced with the following vote polled: Supervisors Stewart, Reiss, Modine, Miller and Erikson – Aye.

8c. **OPENS PUBLIC HEARING:** On the following requests for project: Lewiston CSD golf course APN 25-550-12 (P-02-18).

1. A General Plan Amendment from Open Space to Public Facilities.
2. A rezone from Open Space (OS) to Public Facilities (PF).

Comments received from John Jelichich, Planning Director.

CLOSES PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Stewart, approves and authorizes Chairman to sign a Resolution amending the Lewiston Community Plan by changing the General Plan designation on APN 25-550-12 from Open Space to Public Facilities; and

Waives reading and directs the Clerk to let the record show that an Ordinance amending Trinity County Zoning Ordinance No. 315, reflects the change in APN 25-550-12 from Open Space (OS) to Public Facilities (PF) located on Lewiston Road and Texas Avenue, Lewiston. Applicant: Lewiston CSD (P-02-18), is introduced with the following vote polled: Supervisors Stewart, Reiss, Modine, Miller and Erikson – Aye.

HOSPITAL

Hospital Administrator, David Hughes – Present
Chief Financial Officer, Crystal Betts – Present

9. TRINITY HOSPITAL MATTERS

- 9a. David Hughes, Hospital Administrator reports to the Board on the status of Trinity Hospital.
- 9b. Accepts Hospital Financial Planning Committee report by Crystal Betts, Hospital Controller.
- 9c. Accepts Hospital Medical Staff Report by Dr. Stemple, MD.
- 9d. On motion of Supervisor Stewart, seconded by Supervisor Miller, approves contract with National Staffing for a temporary Dentist for the Trinity Community Health Clinic, with the provision that the Dentist have a Denti-Cal provider number, in the amount of \$50 per day over the dentist

salary, which is not expected to increase from the current cost of the contract.

- 9e. On motion of Supervisor Stewart, seconded by Supervisor Miller, approves and authorizes Chairman to sign a one-year contract with Delta Consulting Group, LLC, with corrections, to conduct a comprehensive review and renegotiation (if appropriate) of ten of Trinity Hospital's managed care contracts, in the amount of \$15,000.
- 9f. On motion of Supervisor Stewart, seconded by Supervisor Miller, approves and authorizes Chairman to review and sign the Trinity Hospital department manual: Operating Room, Recovery Room, Central Supply.
- 9g. On motion of Supervisor Modine, seconded by Supervisor Stewart and carried, approves Hospital Department Standards.
 - Fit Checks of TB Mask (PFT 95) Training and Procedures
 - Respiratory Therapy's Role with Skilled Nursing Residents
 - Propofol Administration
 - OR "On Call" Staffing – Experience and Training
 - IV Conscious Sedation Management Protocol
- 9h. On motion of Supervisor Stewart, seconded by Supervisor Miller and carried, approves "Medical Staff Continuous Quality Improvement Program".
- 9i. On motion of Supervisor Stewart, seconded by Supervisor Miller and carried, directs County Counsel to draft changes to the Governing Staff Bylaws to address conflict regarding the Continuous Quality Improvement Committee, as requested by the Hospital Medical Staff.
- 9j. On motion of Supervisor Modine, seconded by Supervisor Stewart and carried, approves and authorizes Chairman to sign letter requesting approval from the Cal PERS Board to extend the retired Certified Dietary Manager's hours beyond 960 end of calendar year 2003.
- 9k. On motion of Supervisor Modine, seconded by Supervisor Stewart and carried, approves and authorizes Chairman to sign agreement with Bonnie Powell, RN, BSN, to become

Deputy Administrator/Director of Patient Services, in the amount of \$68,640.

10. PUBLIC COMMENT

Comments received from Dr. Daniel Harwood

MEET IN HOSPITAL CLOSED SESSION:

No Closed Session was held.

3:05 PM

ADJOURN

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

By: _____

Deputy

J.C. ERIKSON, Chairman
Board of Supervisors, County of
Trinity, State of California