

# TRINITY COUNTY

## Board of Supervisors

### MINUTES

NOVEMBER 19, 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 8:15 am and there are:

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

ABSENT SUPERVISORS: Berry Stewart

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.

**8:15 AM**                      **CALLS MEETING TO ORDER IN OPEN SESSION;  
ADJOURNS TO CLOSED SESSION.**

- A.**      Anticipated Litigation - Conference with Legal Counsel.  
No. of cases: One. (Government Code Section 54956.9,  
subd. (b) (1)).

Claim of Lynne Mayer

**ADJOURNS FROM CLOSED SESSION; RECONVENES IN  
OPEN SESSION**

**RECESSES AS BOARD OF SUPERVISORS;  
RECONVENES AS HOSPITAL GOVERNING BOARD**

**ADJOURNS TO CLOSED SESSION**

- B. Government Code Section 54957: Public Employee Complaint or Charges.

**ADJOURNS FROM CLOSED SESSION; RECONVENES TO OPEN SESSION**

**RECESSES AS HOSPITAL GOVERNING BOARD;  
RECONVENES AS BOARD OF SUPERVISORS**

**9:00 AM**

**PLEDGE OF ALLEGIANCE**

**CHAIRMAN REPORTS ON CLOSED SESSION**

- A. Approves Claim of Lynn Mayer
- B. Discussion with Hospital Administrator

**1. CONSENT AGENDA**

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Modine, seconded by Supervisor Miller and carried, Consent Agenda items 1a. through 1l., with the exception of 1a., 1d., 1f., and 1g., are approved with the following vote polled: Supervisors Miller, Modine, Reiss and Erikson – Aye.

All contracts submitted to the Board are subject to routing for approval as to form and content.

**BOARD CONSENT MATTERS**

- 1b. Appoints Charles Nicolls and Robert Winkler for another term of four years as members on the Junction City Fire Protection District (JCFPD), as recommended by the JCFPD.

**AGRICULTURE/SEALER OF WEIGHTS AND MEASURES**

- 1c. Approves and authorizes Chairman to sign High Risk Pest Exclusion Contract #02-0576, in the amount of \$688 for FY

02/03 with the California Department of Food and Agriculture.

### **GENERAL SERVICES**

- 1e. Approves and authorizes Brian Muir to sign agreements with Trinity Lakes Resorts and Marina and with Ruth Lake Marina for used oil collection services, funded by an Oil Opportunity Grant received by General Services from the Regional Council of Rural Counties, in the amount of \$11,193.90.

### **SHERIFF**

- 1h. Approves and authorizes Paul Schmidt and Charlie Downen to purchase their duty weapons upon retirement pursuant to Public Contracts Code Section.

### **TRANSPORTATION**

- 1i. Accepts the work performed by Mercer Fraser Company, Inc. of Eureka, CA. on Contract No. 02-PAVE-1, in the amount of \$1,338,264.79 to provide base and asphalt concrete overlay on Ruth-Zenia Road No. 502 and authorizes the Director of Transportation to sign and record the Notice of Completion on said Contract.
- 1j. Accepts the work performed by Safety Striping Service, Inc. of Visalia, CA. on Contract No. 02-STRIFE-1, in the amount of \$25,908.33 and authorizes the Director of Transportation to sign and record the Notice of Completion on said Contract.
- 1k. Accepts the work performed by Jurin Construction, Inc. of Willow Creek, CA. on Contract No. 01-ERFO-502/503-2, in the amount of \$184,039.00, for general stabilizing roadway slip-outs by installing Hilficker Welded Wire Walls, installing drainage blankets, base and paving; and authorizes the Director of Transportation to sign and record the Notice of Completion on said Contract.
- 1l. Accepts work performed by Price Striping Service, Inc. of Crescent City, CA. on contract No. 02-STRIFE-2, in the amount of \$9,574.90 for furnishing and applying centerline and edgeline markings to Ruth-Zenia Road and Van Duzen Road and authorizes the Director of Transportation to sign and record the Notice of Completion on said Contract.

**THE FOLLOWING ITEMS HAVE BEEN PULLED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

- 1a. On motion of Supervisor Miller, seconded by Supervisor Modine and carried, approves minutes of November 5, 2002, with corrections, as submitted by Clerk.
- 1d. On motion of Supervisor Miller, seconded by Supervisor Modine and carried, approves and authorizes Chairman to sign the 2003 Budget for the Trinity County Fair.
- 1f. **Pulled indefinitely:** Contract Sierra Biomedical to provide preventative maintained and electrical safety of equipment according to existing current standards. This contract will eliminate one position in Biomed Technician and save approximately \$20,000.00 annually.
- 1g. **Tables to afternoon session:** Discuss and/or take action to approve private road names in the Weaverville, Trinity Center, Hayfork and Douglas City areas.

**2. COUNTY MATTERS**

- 2a. On motion of Supervisor Miller, seconded by Supervisor Reiss and carried, approves and authorizes Chairman to sign lease agreement with the Weaverville Parent Nursery School for premises located in the Lowden Park Recreation Hall in Weaverville, in the revenue amount of \$3,816 per year for a term of 4 years; and

Waives past due rent in the amount of \$4,400, on a finding that waiving the past due rent constitutes a public service. Comments received from Joanne Harper, President Parent/Teacher Nursery School; John Whitaker, General Services Director; Jim French, Prop 10; Linda Wright, Health and Human Services Director.

- 2b. On motion of Supervisor Reiss, seconded by Supervisor Miller and carried, approves and authorizes Chairman to sign letter regarding Comments on Proposal to Remove the Survey and Manage requirements from the Standards and Guidelines for Management of Habitat for Late-Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl (Northwest Forest Plan).

## **SUBSEQUENT ITEM**

1. On motion of Supervisor Reiss, seconded by Supervisor Modine and carried, agrees to hear subsequent item regarding a letter to the Northern Coast Regional Water Quality Board, on the finding that there is a need to take immediate action and the need for action came to the attention of the Board after the posting of the agenda.

On motion of Supervisor Reiss, seconded by Supervisor Modine and carried, Approves and authorizes Chairman to sign letter to the North Coast Regional Water Quality Board requesting information on the Annual Waste Discharge fee Classification and requests that a response be received before January 1, 2003. Comments received from John Whitaker, General Services Director.

- 2c. On motion of Supervisor Reiss, seconded by Supervisor Miller and carried, agrees to pay unanticipated bill received by Trinity County Solid Waste from the State Water Resource Control Board, in the amount of \$16,875, for the "Annual Fee for Waste Discharge Requirements". Comments received from John Whitaker, General Services Director.
- 2d. On motion of Supervisor Reiss, seconded by Supervisor Miller and carried, accepts and forwards to California Department of Housing and Community Development "Trinity County Business Needs Assessment", prepared by Superior California Development District for CDBG Planning and Technical Assistance Grant #00-EDBG-725, grant funds in the amount of \$33,250. Comments received from Pat Mortensen, Grants Administrator; Loree Byzick and Kathy Suvia.
- 2e. On motion of Supervisor Modine, seconded by Supervisor Reiss and carried, approves and authorizes Chairman to sign Interagency Agreement Between the County and the Trinity County In-Home Supportive Services Public Authority. Comments received from Linda Wright, Health and Human Services Director.

## **3. COUNTY AUDITOR/CONTROLLER**

- 3a. Brian Muir Reports on Agenda meeting.

- 3b. No report on other matters of interest to the Board.
- 3c. On motion of Supervisor Modine, seconded by Supervisor Reiss, approves and authorizes Chairman to sign Memorandums of Understanding with the following bargaining units:
- Trinity County General Unit
  - Trinity County Deputy Sheriff's Association
  - Trinity County Miscellaneous Peace Officer's Unit
  - Trinity County Skilled Trades Unit
  - Trinity County Management & Confidential Unit

and

Approves and authorizes Chairman to sign Resolution Establishing Non-Represented Classification Salaries; and

Approves and authorizes Chairman to sign Resolution Establishing Non-Represented Management Classification Salaries and Benefits; and

Approves and authorizes Chairman to sign Resolution Establishing Department Head Salaries; and

Approves and authorizes Chairman to sign Resolution Establishing Payment of Life Insurance Premiums for Retirees, retiring on or after January 1, 2003.

Cost for FY 02/03 is \$ 800,000  
Cost for FY 03/04 is \$1,000,000

Approves with the following vote polled: Supervisors Reiss, Modine, Miller and Erikson – Aye.

- 3d. On motion of Supervisor Reiss, seconded by Supervisor Miller, waives reading and directs the Clerk to let the record show that an Ordinance Establishing Salary and Benefits for Members of the Board of Supervisors, is introduced.

Cost for FY 02/03 is \$17,100  
Cost for FY 03/04 is \$35,100

Approves with the following vote polled: Supervisors Miller, Reiss, Modine and Erikson – Aye.

**10:25 AM**  
**10:40 AM**

**RECESSES**  
**RECONVENES**

Supervisor Billie Miller - Absent

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

- 4a. Reports from Department Heads: Terry Lee, Chief Probation Officer, John Whitaker, General Services Director, Dero Forslund, County Clerk/Recorder and Paul Schmidt, Sheriff.
- 4b. Reports from members of the Board: Supervisor Reiss, Modine and Erikson.
- 4c. Report from David Hammer, County Counsel.

**5. DISCUSSION ITEMS/PRESENTATIONS**

- 5a. **Health and Human Services:** Presentation of the Great American Smokeout Day poster contest and sweatshirts; and

On motion of Supervisor Reiss, seconded by Supervisor Modine, approves and authorizes Chairman to sign Resolution proclaiming November 21, 2002 as the Great American Smokeout Day. Approved with the following vote polled: Supervisors Modine, Reiss and Erikson – Aye.

- 5b. **Caltrans District 2:** Dave Luscher, Transportation Planner, gives presentation on 511 phone system.

**6. PUBLIC COMMENT**

**11:20 AM**  
**1:30 PM**

**ADJOURN**  
**RECONVENE**

- 1a. On motion of Supervisor Reiss, seconded by Supervisor Modine and carried, approves minutes of November 5, 2002, with corrections to item no. 2d., as submitted by Clerk.

**7. PUBLIC HEARINGS**

- 1g. **OPENS PUBLIC HEARING:** Regarding private road names in the Weaverville, Trinity Center, Hayfork and Douglas City areas.

Comments received from Jeanne Bonomini, Planning Department.

**CLOSES PUBLIC HEARING**

On motion of Supervisor Reiss, seconded by Supervisor Modine and carried, approves private road names in the Weaverville, Trinity Center, Hayfork and Douglas City areas.

- 7a. **OPENS PUBLIC HEARING:** To determine the existence of a Public Nuisance on Trinity County Assessor's Parcel Number 012-152-17, Canyon Creek Road, Junction City, California (Guilliams).

Comments received from Francine Mazo, Ester Nims and Steve Judson, Building and Development Director.

**CLOSES PUBLIC HEARING**

On motion of Supervisor Reiss, seconded by Supervisor Modine and carried, determines existence of Public Nuisance.

**OPENS PUBLIC HEARING:** To hear and pass upon report from staff on abatement and cost, and any protest or objections of the owner of the subject property.

**CLOSES PUBLIC HEARING**

On motion of Supervisor Modine, seconded by Supervisor Reiss, approves and authorizes Chairman to sign Resolution approving plan to abate nuisance and to assess owner for cost of abatement work, in the estimated amount of \$6,400, plus \$360 for Title Report.

- 7b. **OPENS PUBLIC HEARING:** On request for 1) a General Plan Amendment from Commercial to Multifamily Residential, and 2) a rezone from Retail Commercial (C-1) to Multiple Family (R-3). Project: Mountain Valley Haven Elder Care; APN 14-370-37 (P-02-29)

1) On motion of Supervisor Reiss, seconded by Supervisor Modine, approves and authorizes Chairman to sign Resolution amending the Hayfork Community Plan by changing the General Plan designation on APN 14-370-37 from Commercial to Multifamily Residential; and

2) On motion of Supervisor Modine, seconded by Supervisor Reiss, 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 14-370-37 from Retail Commercial (C-1) to Multiple Family (R-3) located on Hyampom Road, Hayfork. Applicant: Mountain Valley Haven (P-02-29, is introduced with the following vote polled: Supervisors Modine, Reiss and Erikson – Aye.

**8. PUBLIC COMMENT**

Comments received from Larry McCord.

**SUBSEQUENT ITEM**

2. On motion of Supervisor Modine, seconded by Supervisor Reiss and carried, agrees to hear subsequent item regarding a letter to the Northern Coast Regional Water Quality Board, on the finding that there is a need to take immediate action and the need for action came to the attention of the Board after the posting of the agenda.

On motion of Supervisor Modine, seconded by Supervisor Reiss and carried, approves and authorizes Chairman to sign Amendment No. 1 to the contract with Mountain Valley Physical Therapy, in the amount of \$100,000 for two years, for Home Health physical therapy services.

**1:55 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

