

**TRINITY COUNTY**  
**BOARD OF SUPERVISORS**  
**MINUTES**

**FEBRUARY 4, 2003**  
**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 8:00 am and there are:

PRESENT SUPERVISORS: Ralph Modine, Robert Reiss, Howard Freeman and Billie Miller

ABSENT SUPERVISORS: David Klipp

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 Miller, Presiding

**8:00 AM                    PLEDGE OF ALLEGIANCE**

**MID YEAR BUDGET WORKSHOP**  
**FEBRUARY 4, 2003**

**BUDGET SUMMARY**

Brian Muir, Auditor/Controller

**REVIEW OF MAJOR BUDGETS / REPORTS ON GOALS AND OBJECTIVES**

8:00 AM            Dero B. Forslund, County Clerk/Recorder/Assessor

8:15 AM            John Whitaker, Director of General Services and Solid Waste

8:30 AM            Linda Wright, Director of Health and Human Services

8:45 AM David Hughes, Hospital Administrator

8:50 AM RECESSES  
9:00 AM RECONVENE

9:00 AM John Jelichich, Planning Director

9:15 AM Carl Bonomini, Director of Transportation

9:25 AM Lorrac Craig, Sheriff

9:45 AM Steve Judson, Director of Building and Development Services

9:55 AM RECESSES  
10:00 AM RECONVENES

10:00 AM Ted Klemm, Executive Director, Behavioral Health Services

10:25 AM David Cross, District Attorney

10:30 AM Lynn McConnachie, Director, Child Support Services

10:35 AM Oresta Esquibel, Librarian

10:45 AM Terry Lee, Chief Probation Officer

11:00 AM Lynda Hymas, Treasurer/Tax Collector

11:05 AM Jim Cudziol, Executive Director, Arts Council

11:15 AM Mark Lockhart, Agricultural Commissioner/Sealer

11:20 AM Brian Muir, Auditor/Controller

TIME      ITEM NO.

**11:00 PM      1.      CONSENT AGENDA**

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Reiss, seconded by Supervisor Modine and carried, Consent Agenda items 1a. through 1l., with the exception of 1g., 1h., and 1j., are approved with the following vote polled: Supervisors Modine, Reiss, Freeman and Miller – 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 January 21, 2003, as submitted by Clerk.
- 1b. Approves the waiver of County Building and Development fees, in the amount of \$550.00, as requested by the Golden Age Center for the construction of a storage shed at the Golden Age Center.
- 1c. Re-appoints Tom McKnight, representing District 4, to the Trinity County Planning Commission, as recommended by Supervisor Freeman.
- 1d. Re-appoints Mark Groves, representing District 1, to the Trinity County Planning Commission, on an interim basis until a replacement can be recommended by Supervisor Klipp.
- 1e. Finds no objection to the issuance of a one-day alcoholic beverage license for the Little Reno Night fund raiser to be held on March 8, 2003 from 6 p.m. to 12 p.m., as requested by the Trinity Lakes Lions Club.
- 1f. Approves and authorizes Chairman to sign the Trinity County Law Enforcement Inter-Agency and Departmental Pursuit Policy (County Policy No. 2003-01), which provides guidelines intended to reduce potential hazards to the public and pursuing officers generated by police pursuits of fleeing suspects.

### **GENERAL SERVICES**

- 1i. Approves and authorizes the General Services Department to purchase a Daewoo Forklift, in the amount of \$14,500, for Solid Waste.

### **PERSONNEL**

- 1k. Pursuant to Trinity County Code Section 2.60.410(2), authorizes hiring Tammy Romero as Lactation Aide, Range G156 Step B, for the WIC Division of Health and Human Services, effective January 22, 2003. Cost for FY 02/03 is 540.

### **SHERIFF**

- 1l. Approves and authorizes Chairman to sign a resolution (County Resolution No. 2003-012), authorizing the

Chairman, Sheriff and Undersheriff be authorized to execute, for and on behalf of Trinity County, any actions necessary for the purpose of obtaining federal financial assistance under P.L. 107-206, as requested by the California State Office of Emergency Services.

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

- 1g. **No action taken by the Board:**  
Approve extension of lease for Gallery and office of Trinity County Arts Council at 206 Main Street, in the amount of \$4,250 for ten months. Comments received from Jim Cudziol, Art Director, Joe Kasper, Arts Council Chair, Jan Brummett, Arts Council and Rebecca Westerman, Student.
- 1h. **Tabled to February 18, 2003 meeting:**  
Increase the hourly fee, retroactive to October 1, 2002, from \$49 to \$60.28 for the services of County Counsel being direct billed to County departments and special districts.
- 1j. On motion of Supervisor Reiss, seconded by Supervisor Modine, pursuant to Trinity County Code Section 2.60.410(2) authorizes hiring Cindy Andrews as Administrative Clerk 1, Range G122 Step C, for the Human Services Division of Health and Human Services, effective January 1, 2003. Supervisor Miller – No.

**2. COUNTY MATTERS**

- 2a. **Tabled to February 18, 2003 meeting:**  
Waive reading and direct the Clerk to let the record show that an ordinance amending Chapter 2.20 of the County Code pertaining to Elected County Offices and Consolidated County Offices, is introduced.

**5. PRESENTATIONS/DISCUSSION ITEMS**

- 5b. Teresa Winovitch, California State Fair Counties Exhibits Coordinator to appear and request Trinity County participate in the 2003 Counties Exhibits Program.

**2. COUNTY MATTERS CONTINUED...**

- 2b. On motion of Supervisor Reiss, seconded by Supervisor Modine, waives reading and directs the Clerk to let the record show that an ordinance amending Section 9.28.030

of the County Code pertaining to Discharge of Firearms at Ruth Lake, is introduced with the following vote polled: Supervisors Modine, Reiss, Freeman and Miller – Aye.

**3. COUNTY AUDITOR/CONTROLLER**

- 3a. Brian Muir reports on agenda meeting.
- 3b. Brian Muir reports on other matters of interest to the Board.
- 3c. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves funds for mandatory training for a cook, currently employed at Trinity Hospital, who has applied for the position of Food Service Manager, in the amount of \$670. Comments received from David Hughes, Hospital Administrator.

**PUBLIC COMMENT**

Comments received from William Johnson.

**12:10 PM**

**ADJOURN**

**1:30 PM**

**6. PUBLIC HEARINGS**

- 6a. **OPENS PUBLIC HEARING:** Discussion on the Fiscal Year 2003-2004 Community Development Block Grant (CDBG) \$500,000 General Allocation grant application for the Rehabilitation of the Hayfork Community Center which includes the 10% set-aside activity of the Rehabilitation of the Lewiston Community Center.

- Presentation given by Patricia Mortensen, Grants and Housing Rehabilitation Loan Administration.
- Receives public and written comments from: Steve Judson, Building and Development Services; John Whitaker, General Services Director and Clayton Cole, Lawrence and Associates.

**CLOSES PUBLIC HEARING**

On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves and authorizes the Chairman to sign a resolution (County Resolution No. 2003-009), approving the submittal of an application for CDBG's FY 2003-2004 General Allocation, with the elimination of the waiver of all Building and Development fees, in the amount of \$500,000

for the rehabilitation of the Hayfork Community Center, which includes a 10% set-aside activity for the rehabilitation of the Lewiston Community Center; and

Authorizes the County Auditor/Controller to sign the CDBG application and Statement of Assurances. Approved with the following vote polled: Supervisors Reiss, Freeman, Modine and Miller – Aye.

- 6b. **OPENS PUBLIC HEARING:** Discussion on the expenditure of \$3,552 of CDBG Program Income for the Hayfork Wood Center/Business Incubator.
- Presentation given by Patricia Mortensen, Grants and Housing Rehabilitation Loan Administration.
  - No public or written comments received.

#### **CLOSES PUBLIC HEARING**

On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves and authorizes the Chairman to sign a resolution amending open CDBG contract #99-EDBG-690, with funds from the CDBG Economic Development Revolving Loan Fund, for Hayfork sewer assessment costs of the Wood Center property, in the amount of \$3,552. Approved with the following vote polled: Supervisors Reiss, Freeman, Modine and Miller – Aye.

- 6c. **OPENS PUBLIC HEARING:** Discussion on proposal to amend Zoning Ordinance front yard setbacks in Agriculture (A), Agriculture Preserve (AP), and Agricultural Forest (AF) Districts from 50 feet to 20 feet; and front, side and rear yard setbacks in Agricultural Forest District from zero feet to 20 feet. Applicant: Trinity County Planning Department. PW-02-09.

#### **CLOSES PUBLIC HEARING**

On motion of Supervisor Reiss, seconded by Supervisor Freeman, waives reading and directs the Clerk to let the record show that an Ordinance amending Trinity County Zoning Ordinance No. 315, reflecting the changes in Section 13.K, Section 13.1.G, Section 14.K, Section 14.L, Section 14.M, and 14.N, Applicant: Trinity County Planning Department (PW-02-09, is introduced with the following vote polled: Supervisors Reiss, Freeman, Modine and Miller – Aye. Comments received from John Jelich, Planning

Director; Steve Judson, Building and Development Services Director and Colleen O'Sullivan, Citizen.

- 6d. **OPENS PUBLIC HEARING:** On Zoning Ordinance amendment to Section 21 (General Commercial Zoning District) to allow "Adult Day Support Centers" and an amendment to Section 10 (Definitions) to add a definition for Adult Day Support Centers.

**CLOSES PUBLIC HEARING**

On motion of Supervisor Reiss, seconded by Supervisor Freeman, waives reading and directs the Clerk to let the record show that an Ordinance amending Trinity County Zoning Ordinance No. 315, reflects the amendment to Section 21 (General Commercial Zoning District) to allow "Adult Day Support Centers" and an amendment to Section 10 (Definitions) to add a definition for Adult Day Support Centers (PW-02-06), is introduced with the following vote polled: Supervisors Reiss, Freeman, Modine and Miller – Aye. Comments received from John Jelich, Planning Director.

- 6e. **OPENS PUBLIC HEARING:** On Zoning Ordinance amendment from Unclassified-B3-5 Rural Residential five-acre minimum (RR-5) (Garrett).

**CLOSES PUBLIC HEARING**

On motion of Supervisor Reiss, seconded by Supervisor Freeman, 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 11-210-84 from Unclassified-B3-5 (U-B3-5) to Rural Residential five-acre minimum (RR-5), and flood Hazard (FH) on all that portion located within the 100-year floodplain of the South Fork of the Trinity River and Kerlin Creek, located on Lower South Fork Road, Hyampom. Applicant: V. Garrett (P-02-33), is introduced with the following vote polled: Supervisors Freeman, Reiss, Modine and Miller – Aye. Comments received from John Jelich, Planning Director.

- 6f. **OPENS PUBLIC HEARING:** To accept public comment regarding fees, exemptions and credit for Solid Waste disposal.

No comments received.

## **CLOSES PUBLIC HEARING**

On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign resolution establishing fees, exemptions and credits for Solid Waste disposal (County Resolution No. 2003-008). Property owners shall be assessed and fees shall be collected in accordance with Section 25830 and 25831 of Government Code. Approved with the following vote polled: Supervisors Freeman, Reiss, Modine and Miller – Aye. Comments received from John Whitaker, General Services.

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

### **HOSPITAL**

#### **7. TRINITY HOSPITAL MATTERS**

- 7a. Hospital Administrator, David Hughes reports on the status of Trinity Hospital.
- 7b. Accepts Hospital Financial Planning Committee report given by Crystal Betts, Hospital Chief Financial Officer.
- 7c. Accepts Hospital Medical Staff Report given by Dr. Harwood.

**3:20 PM**  
**3:25 PM**

#### **RECESSES RECONVENES**

- 7d. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves sending the Hospital Survey to registered voters in Trinity County. Comments received from Dero Forslund, County Clerk/Recorder.
- 7e. On motion of Supervisor Modine, seconded by Supervisor Freeman, approves and authorizes Chairman to sign contract for the purchase of refurbished GE HiSpeed Advantage CT Scanner, in the amount of \$223,500. Comments received from Vickie Williams, Ancillary Director; David Hughes, CEO; Crystal Betts, CFO.
- 7f. On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, approves and authorizes Chairman to sign Trinity Hospital department manuals for Staff Development; Home Health; Med/Surg; Hematology, Urinalysis, Semen and Serology.

- 7g. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves Department Standards:
- Reporting Suspected EMTALA/COBRA Violations
  - Transfer of Individuals with an Emergency Medical Condition including Emergency Screening.
- 7h. On motion of Supervisor Freeman, seconded by Supervisor Modine and carried, approves Amendment No. 1 to the contract with Rockne Brookshier, DDS (County Contract No. 2003-038), in an amount not to exceed \$30,000, to extend the term of the contract as temporary dentist for the hospital dental clinic to February 28, 2003, with corrections and subject to routing as to form and content. Comments received from David Hughes, CEO.

#### **PUBLIC COMMENT**

Comments received from Judy Morris, Weaverville Chamber of Commerce.

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

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

- 4a. Report received from Department Heads.

Agriculture Commissioner/Sealer: Mark Lockhart  
Arts Council Director: Jim Cudziol

Additional report received from Dero Forslund, County Clerk/Recorder.

- 4b. No reports from members of the Board.

- 4c. No report from County Counsel.

#### **5. PRESENTATIONS/DISCUSSION ITEMS CONTINUED...**

- 5a. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Appreciation (County Resolution No. 2003-011), for the 27 years of dedication that Mark Groves has provided to the people of Trinity County during his tenure as Planning Commissioner for District 1; and

Appoints Supervisor Ralph Modine to present the resolution to Mark Groves at his retirement dinner on the evening of February 8, 2003.

**PUBLIC COMMENT**

Comments received from Judy Morris.

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

**MEET IN HOSPITAL CLOSED SESSION:**

- B. Government Code Section 54962; Health and Safety Code Section 32155. Subject Matter: Report of Quality Assurance Committee.

5:30 p.m.

**ADJOURN HOSPITAL CLOSED SESSION; RECONVENE  
IN OPEN SESSION**

**CHAIRMAN REPORTS ON CLOSED SESSION**

- B. *Report of Quality Assurance Committee was heard.*

Chairman reports that the Hospital Governing Board did not complete the Closed Session items on the posted agenda and they will have to be continued.

Chairman announces that the Hospital Governing Board will recess and reconvene at 11:00 a.m. on February 5, 2003 at a continued hearing.

**RECESS AS HOSPITAL GOVERNING BOARD;  
RECONVENE AS THE BOARD OF SUPERVISORS**

Chairman reports that the Board of Supervisors did not complete the Closed Session items on the posted agenda and they will have to be continued.

Chairman announces that the Board of Supervisors will recess and reconvene at a continued hearing at 11:00 a.m on February 5, 2003.

Chairman directs County Counsel David Hammer to post the continuance on the door of the meeting room.

CONTINUED TO FEBRUARY 5, 2003...

**FEBRUARY 5, 2003**

**11:00 AM**

**BOARD OF SUPERVISORS RECONVENES IN OPEN SESSION**

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

**MEETS IN CLOSED SESSION**

- A.** Government Code Section 54954.5. Subject Matter: Public Employee Employment: Director of Nursing.

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

**SUBSEQUENT ITEM**

On motion by Supervisor Modine, seconded by Supervisor Reiss and carried, agrees to hear as subsequent item to discuss and/or take action in closed session on personnel matters relating to the Hospital Administrator, on a finding that there is a need to take immediate action which came to the attention of the Board during their last closed session, subsequent to the agenda being posted.

**MEETS IN CLOSED SESSION**

- Subsq.** Government Code section 54957 regarding personnel matter relating to Hospital Administrator.

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

***CHAIRMAN REPORTS ON CLOSED SESSION***

- A.** *Discussion regarding Director of Nursing*

- Subsq.** *Chairman reports that she is setting a Special Meeting of the Board of Supervisors for February 21, 2003 at 9:00 a.m.*

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

**MEET IN CLOSED SESSION:**

C. Government Code Section 54954.5. Conference with Labor Negotiators. County Negotiators: Brian Muir. Employee Organizations:  
Hospital and Certified Registered Nurse Anesthetist

D. Government Code Section GC54956.9 (B)). Potential Litigation - Conference with Legal Counsel. One case.

Claim filed by Charles S. Evans, Jr.

E. Gov. Code section 54956.9, subd. (a.) Existing Litigation – Conference with Legal Counsel. Number of Cases: One (Litigation has been formally initiated).

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

**ADJOURN CLOSED SESSION; RECOVENE TO OPEN SESSION**

**CHAIRMAN REPORTS ON CLOSED SESSION**

C. *Chairman reports that instructions were given to the County Negotiator, Brian Muir, regarding Hospital and CRNA labor negotiations.*

D. *Chairman reports that claim of Charles S. Evans, Jr., is approved.*

E. *Chairman reports that instructions were given to County Counsel to proceed with pending litigation County of Trinity v. Trinity Public Utilities District, case no. 01CV038. County Counsel is instructed to prepare and submit for the next board meeting a resolution to seek amendment to legislation.*

**12:40 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

BILLIE A. MILLER, Chairman  
Board of Supervisors, County of  
Trinity, State of California

By: \_\_\_\_\_  
Deputy

