

# TRINITY COUNTY

## BOARD OF SUPERVISORS

### MINUTES

MARCH 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

TIME      ITEM NO.

**8:00 AM**                      **MEET IN CLOSED SESSION**

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

Nikki Delmage v. Trinity County  
Case No.: 02CV073

Mark Delmage v. Trinity County  
Case No.: 02CV074

*Chairman reports on closed session:*

- A.      *Direction given to County Counsel.*

**8:30 AM**

**PLEDGE OF ALLEGIANCE**

**1. CONSENT AGENDA**

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Modine, seconded by Supervisor Reiss and carried, Consent Agenda items 1a. through 1z., with the exception of 1b., 1c., 1h., 1r., 1t., 1u., and 1x., are approved with the following vote polled: Supervisors Reiss, Modine, 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 February 18, 2003, as submitted by Clerk.
- 1d. Acknowledges receipt of notice, pursuant to Health and Safety Code Section 25180-7, of hazardous waste discharge located at Trinity Dam Blvd. in Lewiston, as submitted by the California Highway Patrol.
- 1e. Appoints Supervisor Freeman to the Five County Salmonid Restoration Group.

**AUDITOR**

- 1f. Approves and authorizes Chairman to sign Resolution No. 2003-021, Authorizing Pre-Tax Payment of Employee PERS Contributions.

**BEHAVIORAL HEALTH**

- 1g. Approves and authorizes Director of Behavioral Health Services to sign Safe and Drug Free Schools State of California Grant Agreement No. SDF03-03 (Contract No. 2003-078), in the revenue amount of \$579,827.
- 1i. Approves and authorizes Chairman to sign contract with Human Response Network (Contract No. 2003-079), in the maximum amount of \$26,000, for the provision of Children's System of Care.

**BUILDING AND DEVELOPMENT SERVICES – ENVIRONMENTAL HEALTH DIVISION**

- 1j. Approves and authorizes Chairman to sign Resolution No. 2003-022, alleging a Public Nuisance exists on Trinity County Assessor's Parcel Number 024-430-41, off Pioneer Lane, Weaverville, California (Dinwiddie); and setting public hearing for March 18, 2003 at 1:30 in the County Library Conference Room. Cost for abatement is estimated to be \$7,600 plus a title report fee of \$400.

### **CHILD SUPPORT**

- 1k. Approves and authorizes Chairman to sign Amendment No. 4 to the contract with Anthony S. Alpert (Contract No. 2003-084), to provide legal representation to Department of Child Support Services pending recruitment of a Child Support Attorney. Cost not to exceed \$15,000 for the term of the extension.

### **CLERK/RECORDER**

- 1l. Approves and authorizes Chairman to sign services contract with BMI Imaging Systems (Contract No. 2003-077), in the amount of \$12,000, for microfilming old official records.

### **FAIR**

- 1m. Approves and authorizes the Chairman to sign the revised Trinity County Fair Association By-laws.

### **GENERAL SERVICES**

- 1n. Declares vehicles as surplus and authorizes sale, plus authorizes the transfer of a pickup from Agriculture/Sealer of Weights and Measures to the General Services Department.

Vehicles for sale are:

1987 Dodge Ram 50 pickup # JB7F29E3HP041656(from Probation)  
1995Chevrolet Corsica 4-door sedan # 1GILD5542SY44336(from

H&HS)

1996 Ford Bronco XL 4X4 # 1FMEU15H5TLB95767(from Sheriff)  
1990 Ford LTD Crown Victoria # 2FACP276MX17276(from Sheriff)

### **HEALTH AND HUMAN SERVICES**

- 1o. Approves and authorizes Director of Trinity County Department of Health and Human Services to sign agreement with Jenifer Kerby and Robert Keenan (Contract No. 2003-111), in the maximum amount of \$12,736, to

provide an Emergency Shelter Care foster home in Weaverville.

- 1p. Approves and authorizes Chairman to sign agreement with Rodney and Lynn Plew (Contract No. 2003-082), in the amount of \$19,104, to provide an Emergency Shelter Care foster home in Weaverville.
- 1q. Approves and authorizes Chairman to sign contract with Human Response Network (HRN) (Contract No. 2003-081), in the maximum amount of \$78,297 from the Child Abuse Prevention, Intervention and Treatment Allocation and CWS Augmentation Funds, to provide in-home family management and other services designed to prevent child abuse.

**PERSONNEL**

- 1s. Changes job title of Laboratory Assistant to Certified Phlebotomy Technician, effective March 1, 2003.

**SHERIFF**

- 1v. Authorizes Sheriff to accept \$50,000 from the California Department of Boating and Waterways for the purchase of equipment for the Boating Program. Increase the Lake Patrol Budget as follows:

2260	Office Expense	\$ 5,000
2700	Special Dept. Expense	\$39,000
4300	Fixed Assets-Equipment	\$ 6,000

- 1w. Waives reading and directs the Clerk to let the record show that Ordinance No. 1271, amending Chapter 2.20 of the County Code, transferring the office of Coroner to the Sheriff, is enacted.

**TRANSPORTATION**

- 1y. Authorizes Director of Transportation to enter into a Lease of Personal Property Agreement (Contract No. 2003-110), and Purchase Option Agreement to rent a John Deere Tractor 7210 equipped with a mid-mount Boom Flail Mower at

\$5,000 per month, plus sales tax, for a period of twelve months in accordance with the terms in the agreements and further approve and authorize the Director to sign the agreements. Total Cost for FY's 02/03 and 03/04 is \$60,000.

- 1z. Declares 1967 Kaiser Jeep water truck (Serial Number 0128-10819, TC Inv.#12563) surplus and authorizes the Director of Transportation to dispose of it by direct sale to a Trinity County Public Agency and authorize Director to dispose of said items to Forest Glen Fire Department for \$25.

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

- 1b. On motion of Supervisor Reiss, seconded by Supervisor Modine and carried, approves minutes of Special Meeting of February 21, 2003, with corrections.
- 1c. On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves and authorizes Chairman to sign Resolution No. 2003-020, opposing the Governor's 2003-04 State Budget Proposal to Permanently Eliminate the Open Space Subvention Program (Williamson Act). Approved with the following vote polled: Supervisors Reiss, Freeman, Modine and Miller – Aye.
- 1h. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves and authorizes Chairman to sign three year personal services contract with Human Response Network (Contract No. 2003-080), in the maximum amount of \$405,000 from grant funds received from the California Department of Alcohol and Drug Programs for Safe and Drug Free Schools.
- 1r. On motion of Supervisor Freeman, seconded by Supervisor Modine and carried, pursuant to Trinity County Code section 2.60.410 (2), authorizes hiring Karen Johnson, Business Services Representative II Range G132 Step C for the Hospital, effective October 15, 2002. Cost for FY 02/03 is

\$2,060. Comments received from Crystal Betts, Hospital Chief Financial Officer.

- 1t. Item pulled: Pursuant to Trinity County Code section 2.60.410 (2), authorize hiring Dee McGraw as Business Services Representative I Range G122 Step D for the Hospital, effective March 1, 2003. Cost for FY 02/03 is \$2,600.
- 1u. On motion of Supervisor Modine, seconded by Supervisor Reiss, approves and authorizes Chairman to sign Amended Agreement with the Department of Fish and Game (Contract No. 2003-069), for Grant P0010337 for Trinity River Bridges Replacements, which will allow full expenditure of \$350,000 contained in the grant by March 15, 2003, the end of the contract period. Comments received from Tom Stokely, Senior Planner.
- 1x. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, awards agreement to supply County of Trinity with aggregates to Eagle Rock, Inc. of Weaverville (Contract No. 2003-083), in the amount of \$36,446.94 for schedules I, II & III and approves and authorizes Chairman to sign.

## **2. COUNTY MATTERS**

- 2a. Tables to March 18, 2003 meeting: Amendment to contract with Northern California Emergency Medical Services EMS, Inc., which would require the County to make up the pro-rata share of any State reductions. Comments received from John Hall, Trinity County Life Support.
- 2b. On motion of Supervisor Freeman, seconded by Supervisor Modine, approves application to Cal-Trans for biennial permit to allow for the installation of non-decorative banners to be hung across State Route 299 between 215 Main Street (Hammer) and 222 main Street (Olson). Supervisor Reiss – No.
- 2c. On motion of Supervisor Modine, seconded by Supervisor Freeman, waives reading and directs the Clerk to let the record show that an Ordinance amending chapter 15.04 of the Trinity County Code pertaining to Adoption of the Uniform Building Code is re-introduced with the following

vote polled: Supervisors Freeman, Modine and Miller – Aye;  
Supervisor Reiss – No.

- 2d. Tables indefinitely: Resolution to Vacate a Portion of Nugget Lane, County Road No. 245, as presented by the Trinity County Transportation Department.

**3. COUNTY AUDITOR/CONTROLLER**

- 3a. Brian Muir reports on agenda meeting.  
3b. No report on other matters of interest to the Board.

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

- 4a. Reports from Department Heads:

Steve Judson, Building and Development Services  
John Jelicich, Planning Department  
Linda Wright, Health and Human Services  
Dero Forslund, Clerk/Recorder

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

**9:30 AM**  
**9:40 AM**

**RECESSES**  
**RECONVENES**

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

**5. GRAND JURY REPORTS**

Appoints Supervisor Reiss to respond to the following Grand Jury Report:

- Development & Environment Committee Final Report – Building and Development Services Department.

**6. PROPOSALS FOR TITLE III FUNDS “SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000”.**

The following proposal has been considered by the Board of Supervisors and has been given a 45 day comment period prior to consideration of approval, pursuant to Title III Secure Rural Schools and Community Self-Determination Act of 2000:

- 6a. On motion of Supervisor Modine, seconded by Supervisor Reiss and carried, accepts proposal from the Watershed Research and Training Center (Contract No. 2003-097), in the amount of \$20,000, to continue to expand the Indian Valley Conservation Education Center.

**WITHDRAW TITLE III APPLICATION PROPOSALS FROM GENERAL SERVICES**

- 6b. On motion of Supervisor Modine, seconded by Supervisor Reiss and carried, withdraws proposal from Trinity County General Services, in the amount of \$150,000 for a tub grinder, which was approved by the Board at the September 3, 2002 meeting; and

Withdraws proposal from Trinity County General Services, in the amount of \$212,000, for a 10 ton truck capable of transporting the 8 ton tub grinder to each transfer site. Plus an articulating backhoe and front end loader to gather wood and brush and load the tub grinder.

**7. TRINITY OCCUPATIONAL TRAINING PRESENTATION**

Receives Job Link's annual presentation to the Board regarding their staff workgroups: Employer Services, Job Fair, Job Seeker and Youth Services. Comments received from Laird Crandall, Trinity Occupational Training Executive Director; Donna Pate, CalWORK's, Employment Program Supervisor; Susan Molyneux, EDD Department Representative and Carol Spring, TOT Senior Counselor.

**PUBLIC COMMENT**

No comment received.

**10:00 AM**

**ADJOURNS**

**1:30 PM**

**8. PUBLIC HEARINGS**

**OPENS PUBLIC HEARING:** On request for 1) a General Plan Amendment from Agriculture to Rural Residential; 2) a rezone from Agriculture 10-acre minimum (AG-10) to Rural Residential 5-acre minimum (RR-5). Location: Lewiston.

Applicant: Coffin, Bell, Sumner. APN: 025-180-10, 11, and 12. P-02-40.

### **CLOSES PUBLIC HEARING**

On motion of Supervisor Reiss, seconded by Supervisor Freeman:

- 1) Approves and authorizes Chairman to sign Resolution No. 2003-037, amending the Lewiston Community Plan by changing the General Plan designation on APN 025-180-10, 11, and 12 from Agriculture to Rural Residential; and
- 2) 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 025-180-10, 11, and 12 from Agriculture 10-acre minimum (AG-10) to Rural Residential 5-acre minimum (RR-5) located at the junction of Coffin Road and Old Lewiston Road, Lewiston. Applicant: Coffin, Bell, and Sumner (P-02-40), is introduced.

Both items 1 and 2 are approved with the following vote polled: Supervisors Freeman, Reiss, Modine and Miller – Aye.

**1:45 PM**

### **9. FINAL ENVIRONMENTAL IMPACT REPORT FOR THE EAST CONNECTOR ROADWAY PROJECT**

Comments received from Gigi Maybe, Randall Sessna, Judy Morris, Scott White, Lyle Hymas, Jeff Morris, Liz Johnson

On motion of Supervisor Modine, seconded by Supervisor Reiss, adopts Resolution No. 2003-018, certifying that the final Environmental Impact Report (EIR) (including the change set forth in errata document Exhibit A of the staff report) for the East Connector project has been completed in compliance with the California Environmental Quality Act; that the final EIR was presented to the Board of Supervisors and that the Board has reviewed and considered the information contained in the final EIR prior to approving the East Connector project; and that the final EIR (as revised by errata) reflects the County's independent judgment and analysis. Approves with the following vote polled: Supervisors Reiss, Modine, Freeman and Miller – Aye.

(Note: Associated actions of selecting a project alternative and adopting findings and a monitoring program as required by the California Environmental Quality Act (CEQA) will be

discussed and /or acted upon by the Board of Supervisors at 7:00 p.m., March 4, 2003.)

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

**HOSPITAL**

**10. TRINITY HOSPITAL MATTERS**

- 10a. Interim Hospital Administrator, George Koortbojian, reports on the status of Trinity Hospital.
- 10b. Accepts Hospital Financial Planning Committee report given by Crystal Betts, Chief Financial Officer.
- 10c. No Hospital Medical Staff Report given.
- 10d. On motion of Supervisor Freeman, seconded by Supervisor Modine and carried, approves Amendment No. 3 to the contract with Northern Diagnostic Pathology (Contract No. 2003-075), in an amount not to exceed \$27,000, to extend the term and maximum cost of the contract.
- 10e. On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, approves Amendment No. 1 to the contract with North State Blood Center (Contract No. 2003-076), in the amount of \$60,000, to extend the term of the contract.
- 10f. On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, approves contract with Clark, Lowry and Koortbojian (Contract No. 2003-074), for hospital services, not to exceed \$200,000, and approves and authorizes Chairman to sign.

**PUBLIC COMMENT**

**MEET IN HOSPITAL CLOSED SESSION:**

- B.** Government Code Section 54954.5. Subject Matter: Public Employee Employment: Director of Nursing.
- C.** Government Code Section 54962; Health and Safety Code Section 32155. Subject Matter: Report of Quality Assurance Committee.

**ADJOURN CLOSED SESSION; RECONVENE TO OPEN SESSION**

*Chairman reports on closed session*

- B. *Accepted resignation, Bonnie Powell.*
- C. *Received report of Quality Assurance Committee.*

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

**MEET IN CLOSED SESSION:**

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

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

Claim filed by Enterprise Rent-A-Car

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

Pacific Gas and Electric Company, a California Corporation, Case No. 01-30923 DM

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

*Chairman reports on closed session*

- D. *Gave direction to County Negotiators.*
- E. *Claim was denied.*
- F. *Authorized payment of \$274. for attorney's fees and gave direction to County Counsel.*

**3:45 PM**

**RECESSES**

**Supervisor Klipp, Present**

**7:00 PM**

**11. EAST CONNECTOR ROADWAY PROJECT**

**(Meeting to be held at the Veteran's Memorial Hall)**

Comments received from attorney and staff:

John Jelicich, Planning Director  
Jan Smith, Department of Transportation  
Jim Moose, Attorney at Law  
Carl Bonomini, Transportation Director

Comments received from the public:

John Wallace, Audrey Bush-Hall, Ed Bates, Lyle Hymas, John Knight, Shelley Harlan, Ron Yingling, Joseph Bower, Bob Rowen, John Richards, Juanita Arellanes, Scott White, John Smith, Diane Campion, Ken Herrett, Trudy Furst, Judy Morris, Pat Truman, Jeff Morris, Mary Whitmore, Nancy Wallace, Don Lethbridge, Dee Sanders, Liz Johnson, Christine Edwards, Jeri Lynn Walters, Greg Olson, Albert Zaitz, Jim Skaggs, Mary Markel.

On motion of Supervisor Modine, seconded by Supervisor Reiss, approves and authorizes Chairman to sign Resolution No. 2003-019:

- 1) Designating Alternative 2: Senior Center, Option A: Bicycle Path and Sub Alternative C: Glen Road.
- 2) Making CEQA Findings of Fact, which state that "changes or alterations have been required in, or incorporated into, the project that mitigate, to a less than significant level, all of the significant environmental effects as identified in the EIR."
- 3) Adopting the Mitigation Monitoring Program as identified in Appendix A of the final EIR.
- 4) Directs Staff to proceed with design, right-of-way acquisition and construction of the selected alternative.
- 5) Authorizes Chairman to sign the Notice of Determination and directs staff to file said notice with the Trinity County Clerk and State Office of Planning and Research.

Approved with the following vote polled: Supervisors Reiss, Modine, Klipp and Miller – Aye; Supervisor Freeman – No.

**9:35 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