

Trinity County Board of Supervisors

MINUTES

OCTOBER 21, 2003
8:30 AM

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 8:30 am and there are:

PRESENT SUPERVISORS:

Supervisor Billie Miller – District 2, Chairman

Supervisor Robert Reiss – District 5, Vice-Chairman

Supervisor Ralph Modine – District 3

Supervisor Howard Freeman – District 4

District 1 - Vacant

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 Miller - Presiding

TIME **ITEM NO.**

8:30 AM **PLEDGE OF ALLEGIANCE**

1. **CONSENT AGENDA**

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, Consent Agenda items 1a. through 1u., with the exception of 1e., 1f., 1i., 1k., 1m., 1n., 1o., 1p., 1q. and 1s., are approved with the following vote polled: Supervisors Freeman, Reiss, Modine 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 October 7, 2003, as submitted by Clerk.
- 1b. Finds no objection to the application for four (4) one-day alcoholic beverage licenses to be issued to the La Grange Café to serve alcoholic beverages at the Veteran’s Memorial Hall on each of the following dates:
 - November 1, 2003: Trinideli Comedy Night
 - November 8, 2003: Rocky Mountain Elks Foundation
 - November 9, 2003: Marine Corp League
 - December 13, 2003: Trinity River Lumber
- 1c. Acknowledges receipt of notice, pursuant to Health and Safety Code Section 25180-7, of hazardous waste discharge located at 4/10s of a mile east of Ranger Station Road in Big Bar.
- 1d. Waives reading and directs the Clerk to let the record show that Ordinance No. 1277, amending Chapter 10.48 of the Trinity County Code, Pertaining to Parking Restrictions, is enacted.

AGRICULTURE/SEALER

- 1g. Approves and authorizes Chairman to sign the Pesticide Use Report Agreement # 03-0052C (Contract No. 2003-492), revenue in the amount of \$136 for FY 03/04, with the Department of Pesticide Regulation, to provide electronic submittal of pesticide use report records.

CLERK/RECORDER

- 1h. Accepts Canvass of October 7, 2003 Consolidated Special Election completed on October 14, 2003 and directs the Clerk to let the record show that the Official Statement of Votes Cast is

hereby made a part of the minutes of the Board of Supervisors, and declare the following:

Measure A:	Yes	2696	53.39%
	No	2354	46.61%

GENERAL SERVICES

- 1j. Declares a 1986 Dodge Ram 50 and 1991 Dodge Spirit from the Probation Department as surplus and authorizes the General Services Department to oversee the sale by Greater Northern California Auto Auction.

1986 Dodge Ram 50 Pickup	VIN: JB7FL20EOHPO30315
1991 Dodge Spirit	VIN: 1B3XA46K4MF561544

GRANTS

- 1l. Appoints Chris Erikson, Lewiston Business Owner, to the CDBG Housing Rehabilitation Loan Committee.

SHERIFF

- 1r. Approves \$600 annual uniform allowance for the Undersheriff position in the Sheriff's Department.

TRANSPORTATION

- 1t. Approves and authorizes Chairman to sign Resolution No. 2003-126, Authorizing Ron Martin, Road Superintendent and Dave Kaundart, Equipment Shop Supervisor, as County Representatives to Screen and Acquire Federal Surplus Property from the California State Agency for Surplus Property for County Use.
- 1u. Approves and authorizes the Transportation Director to sign Amendment No. 1 to the contract with R.S.S.E. Inc. (Contract No. 2003-493), increasing the maximum amount from \$58,785 to \$63,845, to install new fuel dispensing equipment.

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

- 1f. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves and authorizes Chairman to sign Amendment No. 4 to the contract with John A. Barker and

Associates (Contract No. 2003-490), for misdemeanor and conflict indigent public defense services. No fiscal impact.

- 1e. On motion of Supervisor Modine, seconded by Supervisor Reiss and carried, approves and authorizes Chairman to sign three-year contract with Derrick W. Riske, James H. Dippery, Jr., Joanna R. Correll, and Elizabeth E. Johnson (Contract No. 2003-491), in the amount of \$420,000, for felony public defense services, with corrections.
- 1i. On motion of Supervisor Freeman, seconded by Supervisor Modine and carried, approves and authorizes Chairman to sign Amendment No. 1, to the contract with Gordon H. Chong and Partners (Contract No. 2003-496), increasing the maximum amount from \$10,000 to \$20,000, for architectural services at Trinity Hospital. Comments received from John Whitaker, General Services Director.
- 1k. On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, authorizes Chairman to sign Production Agreement with KIXE-TV (Contract No. 2003-488), in the amount of \$10,906.30 for production of video Trinity Scenic Byway to be funded by USFS Grant No. 00-DG-11051400-006, Trinity Media Arts Production, with corrections. Comments received from Pat Mortensen, Grants and Housing Rehabilitation Loan Administrator.
- 1m. On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, authorizes hiring two Assessment Technician's I or II in the Assessor's office at Range G152/G162. Cost for FY 03/04 for one Assessment Tech I is \$22,550 and for two Assessment Tech II's is \$45,100. Comments received from Dero Forslund, County Clerk/Recorder.
- 1n. On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, authorizes hiring an Account Clerk I or II at Health and Human Services (Health Division) at Range G127/G136. Cost for FY 03/04 is \$19,670. Comments received from Linda Wright, Health and Human Services Director.
- 1o. On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, authorizes hiring a Storekeeper for the Department of Transportation, effective December 1, 2003. Cost for FY 03/04 is \$21,443. Comments received from Carl Bonomini, Transportation Director.

- 1p. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, authorizes hiring a Mental Health Clinician I and II at Behavioral Health Services at Range G196/G205. Cost for FY 03/04 for the Clinician I is \$33,369 and for Clinician II is \$36,323.
- 1q. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, authorizes hiring a Social Worker I at Health and Human Services (Adult Protective Services) at Range G173. Cost for FY 03/04 is \$26,746.
- 1s. On motion of Supervisor Modine, seconded by Supervisor Reiss and carried, approves budget increase, in the amount of \$234,876, to the OES budget, as a result of unanticipated revenue from the State Homeland Security Program. Comments received from Dave Laffranchini, Undersheriff.

2. COUNTY MATTERS

- 2a. On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves and authorizes Chairman to sign Resolution No. 2003-124, Recognizing Jackie Jackson for Her Many Years of Service to Trinity County. Approves with the following vote polled: Supervisors Reiss, Freeman, Modine and Miller – Aye. Comments received from Jackie Jackson, Assessment Clerk.
- 2b. On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution No. 2003-125, Recognizing Linda Rose for Her Many Years of Service to Trinity County. Approves with the following vote polled: Supervisors Freeman, Reiss, Modine and Miller – Aye.
- 2c. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, agrees to table discussion of the formation of a Hospital District until after the first of the year, 2004. Comments received from John Jelich representing LAFCO.
- 2d. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, appoints Supervisor Miller to continue to represent the Trinity County Board of Supervisors on the California State Association of Counties Board of Directors.
- 2e. Appearance by Kathy Martens, Director of Planning and Development, Trinity Players, Inc., who requests withdrawal of application for waiver of County Building, Planning and Health

Department fees, in the amount of \$15,358, for permits for the creation of the Performing Arts Center ; and

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, directs the County Auditor/Controller to draft a letter in support of the creation of the Performing Arts Center and approves and authorizes Chairman to sign said letter. Comments received from Steve Judson, Building and Development Services Director and John Jelichich, Planning Director.

2f. Tables discussion for a Moratorium on County Fee Waivers until the December 2, 2003 meeting. Comments received from Carl Bonomini, Transportation Director, Steve Judson, Management Team Leader and John Whitaker, General Services Director.

2g. On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, approves inclusion of Trinity County Board of Supervisors on a letter of concern to the Governor, Governor-Elect and the Legislature regarding the California Department of Forestry's removal of seasonal firefighting resources, as requested by the Mendocino Board of Supervisors.

2h. Discussion of community choice aggregation with regard to electrical energy, AB 117, which allows the County to buy and sell power; and

Direction to authorize County Counsel and Auditor to take action necessary to add Trinity County as an intervener in the California Public Utilities Commission rule making hearing to implement portions of AB117 October 29th, 2003. Comments received from Dero Forslund, County Clerk/Recorder.

2i. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, appoints Dave Laffranchini, Mark Stuart, Richard Smith, John Hall, Supervisor Miller and Supervisor Modine to the Ad Hoc Committee to focus on the importance of the Volunteer Fire Departments and to find solutions to the current challenges they are facing per Grand Jury recommendations made in the Pre-Hospital Care Grand Jury Report.

2j. No action taken to select an Official County Seal. (Reconsidered in afternoon session).

3. COUNTY AUDITOR/CONTROLLER

- 3a. Brian Muir, County Auditor/Controller reports on Agenda Meeting.
- 3b. Brian Muir, County Auditor/Controller: No report on other matters of interest to the Board.

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

- 4a. No reports from Department Heads.
- 4b. Reports from Members of the Board: Supervisors Freeman, Modine and Miller.
- 4c. Report from David Hammer, County Counsel.

PUBLIC COMMENT

The public is invited to address issues not on the agenda and to submit items for future consideration.

**10:45 AM
1:30 PM**

**RECESS
RECONVENE**

- 2j. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, agrees to reconsider item 2j.

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, selects the seal submitted by Mark Steele from the 1986 contest, as the new County Seal and directs County Counsel to bring back resolution to accept the seal.

5. PUBLIC HEARINGS

- 5a. **OPENS PUBLIC HEARING:** Discusses the adoption of the update of the Noise Element of the Trinity County General Plan and adoption of a Noise Ordinance.

Staff report received from: John Jelich, Planning Director and Jeannie Bonomini, Senior Planner.

Public comment received from: Dennis Fox, citizen.

CLOSES PUBLIC HEARING

1. On motion of Supervisor Freeman, seconded by Supervisor Modine, approves and authorizes the Chairman to sign Resolution No. 2003-127, Amending the County General Plan by adopting a Noise Element. Approved with the following vote polled: Supervisors Modine, Freeman and Miller – Aye; Supervisor Reiss - No; and
 2. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, directs Planning Department staff to address concerns made by the Board regarding the ordinance amending Trinity County Zoning Ordinance No 315, by adding section 30.6 (Noise Standards) implementing noise level standards and bring ordinance back at the December 16, 2003 meeting.
- 5b. **OPENS PUBLIC HEARING:** Discusses the request for a rezone from Mobile Home Park and Retail Commercial to Rural Residential 1-acre minimum or more restrictive zoning. Location: Hyampom. Applicant: Merlo. APN: 011-340-81 and 83.

CLOSES PUBLIC HEARING

1. 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 011-340-81 from Mobile Home Park to Rural Residential 5-acre minimum and the change in APN 011-340-83 from Retail Commercial to Rural Residential 5-acre minimum, located on Lower South Fork Road, Hyampom. Applicant: R&R Merlo (P-03-15), is introduced with the following vote polled: Supervisors Freeman, Reiss, Modine and Miller – Aye.
- 5c. **OPENS PUBLIC HEARING:** Discusses Rezone from Unclassified to Rural Residential 5-acre minimum and Rural Residential 2.5-acre minimum. Location: Salyer. Applicant: Duey. APN: 008-020-37.

Staff report received from: John Jelichich, Planning Director.

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 008-020-37 from Unclassified to Rural Residential 5-acre minimum and Rural Residential 2.5-acre minimum located on Salyer Loop Road, Salyer. Applicant: Duey. APN: 008-020-37, is introduced with the following vote polled: Supervisors Freeman, Reiss, Modine and Miller – Aye.

**RECESSES AS THE BOARD OF SUPERVISORS;
RECONVENES AS THE TRANSPORTATION COMMISSION**

- 5d. **OPENS PUBLIC HEARING:** Discusses the proposed 2003 Trinity County Transit Development Plan Draft Final Report.

Staff report received from: John Jelich, Secretary, Transportation Commission.

CLOSES PUBLIC HEARING

On motion of Supervisor Freeman, seconded by Supervisor Modine, accepts the proposed 2003 Trinity County Transit Development Plan Draft Final Report and directs staff to return with staff recommendation on appropriate transit modifications. Supervisor Reiss – No.

6. TRANSPORTATION COMMISSION MATTERS

- 6a. Reviews the 2002/2003 Trinity Transit operation costs and fare box recovery ratio. Comments received from John Jelich, Secretary of Transportation Commission.

- 6b. Reviews Trinity Transit's July and August transit operation cost and fare box recovery ratio.

**RECESSES AS THE TRANSPORTATION COMMISSION;
RECONVENES AS THE BOARD OF SUPERVISORS**

PUBLIC COMMENT

Comments received from Dennis Fox, Citizen.

MEET IN CLOSED SESSION

- A. Government Code Section 54954.5. Public Employee Performance Evaluation – Chief Probation Officer.

ADJOURN CLOSED SESSION; RECONVENE TO OPEN SESSION:

- A. *Evaluation with Chief Probation Officer*

3:08 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