

Trinity County Board of Supervisors

MINUTES

DECEMBER 16, 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 1b. through 1y., with the exception of 1a., 1k., and 1p., 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

- 1b. Finds no objection to the issuance of a one-day alcoholic beverage license to the Rotary Club of Weaverville to serve alcoholic beverages at its annual Chinese New Year dinner to be held at the Veteran’s Memorial Hall on February 21, 2004.
- 1c. Finds that the proposed license will meet public convenience and necessity, and find no objection to the issuance of an off-sale, on-sale Beer and Wine Alcoholic Beverage License to Hawkins Bar and Grill located on Highway 299 West in Hawkins Bar.
- 1d. Approves appointment of Carmen Wolfinbarger to the PSA 2 Area Agency on Aging Advisory Council, as recommended by PSA 2 AAA.

AGRICULTURE/SEALER OF WEIGHTS & MEASURES

- 1e. Approves and authorizes Chairman to sign Pesticide Regulation Contract (Contract No. 2003-562), revenue in the amount of \$1,395, to implement and enforce pesticide permit regulations for FY 03/04 with the Department of Pesticide Regulation.

BEHAVIORAL HEALTH SERVICES

- 1f. Approves and authorizes Chairman to sign contract with Butte County (Contract No. 2003-563), in the amount of \$14,000, for Mental Health Inpatient Services.
- 1g. Approves and authorizes Chairman to sign letter to Stephen Mayberg, Director, State Department of Mental Health, to dispute the provision in the County’s Performance Contract with the State that creates an unfunded mandate to provide mental health services to emotionally disturbed students.

BUILDING AND DEVELOPMENT SERVICES

- 1h. Approves the purchase of a Total Station from Pacific Survey Supply, in the amount of \$7,505, to conduct data collection and surveying functions, including identifying obstructions to airspace of the Airports and development of site maps for various public works and Natural Resource Division projects.

GENERAL SERVICES

- 1i. Authorizes Chairman to sign agreement with Philip Transportation for Hazmat collection (Contract No. 2003-564), in the amount of \$28,459, to provide pick-up and transport services of household hazardous waste during the Solid Waste HAZMAT collection program.
- 1j. Approves and authorizes Chairman to sign Amendment No. 1 to contract with Ron's Backhoe and Excavating (Contract No. 2003-570), in the amount of \$6,375 for a total cost of \$31,375, for additional services to clean debris buried in the Hayfork Septage Ponds.

GRANTS ADMINISTRATION

- 1l. Approves and authorizes County Auditor-Controller to sign Amendment No. 1 to the agreement with Watershed Research and Training Center (Contract No. 2003-572), to eliminate the Adopt-A-Watershed budget amount of \$1,000 and increase The Outdoor Club budget from \$3,000 to \$4,000, and to extend the term of the agreement to twenty two months.
- 1m. Approves and authorizes Chairman to sign Amendment No. 1 to the Production Agreement with KIXE-TV (Contract No. 2003-571), to increase the contract amount by \$1,313, for a total amount of \$12,219.30, in order to obtain helicopter aerial footage for the Trinity Scenic Byway Video and to provide an additional thirty days for the submittal of the draft video.

HOSPITAL

- 1n. Approves and authorizes Chairman to sign one-year renewal addendum and hardware/software maintenance agreement with Dairyland Healthcare Solutions (Contract No. 2003-573), in the amount of \$23,000, for training, consulting, hardware/software updates and programming, effective January 1, 2004.

PERSONNEL DEPARTMENT

- 1o. Approves and authorizes Chairman to sign Policy No. 2003-04, Sick Leave and Physician's Notices.
- 1q. Approves and authorizes request of County Clerk/Recorder to carry over an additional 220 hours of compensatory time for Toni Kasper, from calendar year 2003 to 2004.

TRANSPORTATION DEPARTMENT

- 1r. Approves and authorizes Chairman to sign Amendment No. 1 (Contract No. 2003-568), to the agreement with Cross Petroleum, in the amount of \$26,200, extending the agreement until February 28, 2004, to supply petroleum products to the north county areas.
- 1s. Approves and authorizes Chairman to sign Amendment No. 1 to the agreement with L & M Renner, Inc. (Contract No. 2003-569), in the amount of \$4,770, extending the agreement until February 28, 2004, to supply petroleum product to the south county areas.
- 1t. Accepts the proposal of Les Schwab Tire Center of Redding (Contract No. 2003-574), in the amount of \$88,291.33, for the furnishing of new tires, tubes and providing tire recapping services, and approves and authorize Chairman to sign agreements for same.
- 1u. Approves Property Acquisition Contract with James Tauscher (Contract No. 2003-558), and approves and authorizes Chairman to sign Resolution of Acceptance of Real Property No. 2003-134, in the amount of \$8,500.

ADDENDUM TO CONSENT ITEMS

AUDITOR

- 1v. Approves and authorizes budget Adjustment and transfer of \$1,000 from Board Contingency fund to Public Works for annual field inspections of County Levees with the U.S. Corp of Engineers, prepare annual levee reports and with prior approval of the CAO/Auditor, make minor repairs to the County's pedestrian bridges.

HEALTH AND HUMAN SERVICES

- 1w. Approves and authorizes Chairman to sign contract with Human Response Network (HRN) (Contract No. 2003-560), in the amount of \$55,000, to provide in-home family management and other services designed to prevent child abuse.
- 1x. Approves and authorizes Chairman to sign Amendment No. 1 to the contract with Human Response Network (Contract No. 2003-560), in the amount of \$9,450, increasing the contract amount from \$12,194 to \$21,644, to implement the Youth Outreach Program in 2004.
- 1y. Approves and authorizes Chairman to sign contract with Six Rivers Planned Parenthood (Contract No. 2003-559), in the amount of \$39,318, to provide HIV Education and Prevention Services within Trinity County.

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

- 1a. Tables to afternoon session:

Approve minutes of December 2 & 3, 2003, as submitted by Clerk.
- 1k. On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, approves and authorizes Chairman to sign agreement with Trinity Lakes Resort and Marina (Contract No. 2003-576), for the use of recycling trailers as a part of the waste diversion program, with corrections. No fiscal impact.
- 1p. Pulled indefinitely:

Approve and authorize Chairman to sign policy, Establishing Procedures for Call Back Pay for an On-Call Employee Conducting County Business from His or Her Residence.

2. COUNTY AUDITOR/CONTROLLER

- 2a. Brian Muir, County Auditor/Controller reports on Agenda Meeting.
- 2b. Brian Muir, County Auditor/Controller reports on other matters of interest to the Board.

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

- 3a. Reports from Department Heads: Mark Lockhart, Agriculture Commissioner/Sealer of Weights and Measures; John Jelich, Planning Director; Steve Judson, Building and Development Services Director and Dero Forslund, County Clerk/Recorder.
- 3b. Reports from Members of the Board: Supervisor Modine and Supervisor Miller.
- 3c. Report from David Hammer, County Counsel.

4. PRESENTATION/DISCUSSION

4a. Trinity County Food Bank

Carolyn Beans, Assistant Director, updates the Board on the Food Bank warehouse and their non-profit organization status and presents the Board with two checks totaling \$16,820, to repay funds provided for the construction of the Food Bank warehouse.

4b. Trinity Occupational Training

Laird Crandall, TOT Executive Director gives overview of Trinity Occupation Training's Business 1st Division assigned to assist businesses.

Comments received from:

Business 1st Team:

Linda Morecraft
Ginger Lynch
Sherrie Whitham

And:

Jim Knight, Trinity River Lumber Company
Kevin Cahill, State Farm

4c. Resource Advisory Committee

Jim French, RAC Chairman updates the Board on the status of RAC projects, years 1, 2, 3 and discusses plans for the next RAC season. Comments received from Joyce Anderson,

USFS; Linda Wright, RAC member; Joseph Bower, RAC member; Pat Frost, RAC member.

PUBLIC COMMENT

Comments received from Ted Wilson.

SUBSEQUENT ITEM

On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, agrees to hear a subsequent item regarding Planning Department closures, on a finding that there is a need to take immediate action and the need for action came to the attention of the Board subsequent to the posting of the agenda.

On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, approves and authorizes the closure of the Planning Department on December 24, 26, and 31, 2003 and January 2, 2004.

10:30 AM
1:30 PM

RECESSES
RECONVENES

- 1a. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves minutes of December 2 & 3, 2003, as submitted by Clerk, with corrections.

5. EMPLOYEE AND DEPARTMENT HEAD OF THE YEAR PRESENTATIONS

- 5a. Chairman Miller presents Employee of the Year Award to Wendy Tyler, Executive Secretary.
- 5b. Chairman Miller presents Department Head of the Year Award to Brian Muir, County Auditor/Controller.

6. PUBLIC HEARINGS

- 6a. **OPENS PUBLIC HEARING:** Discusses the fiscal Year 2004-2005 Community Development Block Grant (CDBG Program and receives proposed projects from the Public for the General Allocation, Native American Allocation, Planning and Technical Assistance Grants and Program Income Projects.

- Presentation given by Patricia Mortensen, Grants and Housing Rehabilitation Loan Administration.
- Receives public comments from:

Cecilia Bodmer, Soup Kitchen Outreach and Sharon Mackenzie, Golden Age Center and Pat Mortensen for Hawkins Bar.

CLOSES PUBLIC HEARING

On motion of Supervisor Freeman, seconded by Supervisor Modine, selects Housing Rehabilitation as the major activity and the Rehabilitation of the West Trinity Community Service Building as the set-aside activity for the CDBG 2004-2005 General Allocation grant application, in the maximum amount of \$500,000, which includes a set-aside activity in the amount of \$46,250.

- 6b. **OPENS PUBLIC HEARING:** Discusses the rezone of APN 24-510-72 from Rural Residential to Multifamily Residential, property located on Ransom and Boudreaux Roads, Weaverville. Applicant: Frazier, P-03-25.

Staff Report received from John Jelichich, Planning Director.

CLOSES PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried,

1. Approves and authorizes Chairman to sign Resolution No. 2003-135, Amending the Weaverville Community Plan by Changing the General Plan designation from Rural Residential to Multifamily Residential; and
2. Waives reading and directs the Clerk to let the record show that Ordinance No. 315-729, Amending Trinity County Zoning Ordinance No. 315, Rezoning APN 24-510-72 from Rural Residential one-acre minimum to Duplex, located on Ransom and Boudreaux Roads, Weaverville (Applicant: Frazier, P-03-25), is introduced.

Approved with the following vote polled: Supervisors Freeman, Reiss, Modine and Miller – Aye.

- 6c. **CONTINUES PUBLIC HEARING TO MARCH 16, 2004:**

Continues Public Hearing to adopt an Ordinance, Amending Trinity County Zoning Ordinance No. 315, by adding Section 30.6 (Noise Standards) implementing noise level standards, to the March 16, 2004 meeting.

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

7. TRANSPORTATION COMMISSION MATTERS

- 7a. On motion of Supervisor Modine, seconded by Supervisor Reiss, approves and authorizes Chairman to sign Resolution No. 2003-133 (T), Approving Master Fund Transfer Agreement with the California Department of Transportation, to allow the Transportation Commission to be reimbursed for Federal and State funds administered by the Caltrans Office of Regional and Interagency Planning. Approves with the following vote polled: Supervisors Reiss, Modine, Freeman and Miller – Aye.

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

PUBLIC COMMENT

No comments received from the public.

SUBSEQUENT CLOSED SESSION

On motion of Supervisor Modine, seconded by Supervisor Reiss and carried, agrees to hear a subsequent item regarding Hospital Labor Negotiations, on a finding that there is a need to take immediate action and the need for action came to the attention of the Board subsequent to the posting of the agenda.

MEET IN CLOSED SESSION

SUBSEQUENT CLOSED SESSION ITEM

- Subsq.** Government Code Section 54954.5. Conference with Labor Negotiators. County Negotiator: Brian Muir, Employee Organization: Hospital.
- A.** Government Code section 54956.9, subd. (a). Existing Litigation – Conference with Legal Counsel. Number of Cases: Two. (Litigation has been formally initiated).

Stierli, et al. v. Trinity County
Case No.: 01CV038

Funderburg, et al. v. State of California, et al.
Case No.: 02CV012

ADJOURN CLOSED SESSION; RECONVENE TO OPEN SESSION:

Chairman reports on closed session:

Subsq. Conference with Labor Negotiator.

A. *Direction given to County Counsel on the following cases:*

*Stierli, et al. v. Trinity County
Case No.: 01CV038*

*Funderburg, et al. v. State of California, et al.
Case No.: 02CV012*

3:20 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,

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

By: _____
Deputy