

Trinity County Board of Supervisors

MEETING MINUTES

JANUARY 20, 2004

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 Robert Reiss – District 5, Chairman

Supervisor Howard Freeman – District 4, Vice-Chairman

Supervisor Ralph Modine – District 3

Supervisor Billie Miller – District 2

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 Reiss - 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 Modine, seconded by Supervisor Freeman and carried, Consent Agenda items 1a. through 1o., with the exception of 1d., 1e. and 1g. are approved with the following vote polled: Supervisors Freeman, Modine, Miller and Reiss– 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 6, 2004, as submitted by Clerk.
- 1b. Approves special meeting minutes of January 12, 2004, as submitted by Clerk.
- 1c. Finds that the proposed license will meet public convenience and necessity, and finds no objection to the issuance of an on-sale beer and wine alcoholic beverage license to the Strawhouse, located at 457 Highway 299, Junction City.
- 1f. Accepts resignation of Gary Ramsden and appoints Alan Cooley as member of the Lewiston Cemetery Advisory Commission, as recommended by the Commission.

FAIR

- 1h. Approves Trinity County Fair Budget, with corrections.

HEALTH AND HUMAN SERVICES

- 1i. Accepts and approves Resolution No. 2004-006, Approving County Participation in the Implementation of Child Welfare Services Redesign. Review and approve Part I of the Trinity County Child Welfare Services Redesign Implementation Cohort 1 County Plan Outline Part 1 for January 1, 2004 through June 30, 2004.
- 1j. Approves and authorizes Chairman to sign Amendment No. 1 to the Personal Services Contract with Kent Brusett, M.D., (Contract No. 2004-023), in the amount of \$50,000, for providing County Health Officer services.

LIBRARY

- 1k. Approves schedule for closing the Main Library in Weaverville on Tuesdays following County holidays that fall on Mondays.

PLANNING / NATURAL RESOURCES

- 1l. Accepts Trinity Transit's July through December transit operation report and fare box recovery ratio.
- 1m. Approves and authorizes Chairman to sign Memorandum of Understanding (Contract No. 2004-027), with the United States Bureau of Reclamation (USBR)/Trinity River Restoration Program for the transfer of ownership of the flat car structures over the Trinity River at Biggers Road, from the USBR and/or the USBR's contractor to the County.

SHERIFF

- 1n. Waives reading and directs the Clerk to let the record show that Ordinance No. 1278, amending Chapter 6.04 of the Trinity County Code, concerning animal regulation, is enacted.

TRANSPORTATION

- 1o. Approves and authorizes Chairman to sign Resolution No. 2004-007, Accepting the Road Maintenance Manual "A Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds".

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

- 1d. On motion of Supervisor Modine, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution No. 2004-001, National Forest Counties & Schools Coalition Designation of the Amounts of Funding to be Assigned to Title II and Title III Projects. Approves with the following vote polled: Supervisors Freeman, Modine, Miller and Reiss – Aye.
- 1e. On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, re-appoints Ralph Modine, Delia Stewart and Josette Esguerra to the In-Home Support Services Advisory Committee for another two year term.
- 1g. Tables to afternoon session:

Approve and authorize Chairman to sign Amendment No. 2, with Plumas County Mental Health/Sierra House Board and Care, in the amount of \$11,400, for continued long term residential care.

2. COUNTY MATTERS

- 2a. On motion of Supervisor Freeman, seconded by Supervisor Modine, approves and authorizes Chairman to sign Resolution No. 2004-005, Retirement of James Curran, Social Worker Supervisor I. Approves with the following vote polled: Supervisors Modine, Freeman, Miller and Reiss – Aye.
- 2b. On motion of Supervisor Freeman, to continue disposal of trash in the Weaverville Historic District. Motion fails for lack of second.

On motion of Supervisor Modine, seconded by Supervisor Reiss, to discontinue disposal of trash in the Weaverville Historic District. Supervisor Miller – Abstains; Supervisor Freeman – No. Motion fails 2 – 2.

Chairman Reiss makes executive decision to remove trash barrels in the Weaverville District.

County Counsel states that the Chairman cannot make that executive decision, but the County Administrator can.

Chairman withdraws executive decision.

Motion stays: Fails with 2 – 2 vote.

Comments received from Ed Bates, Weaverville Chamber of Commerce; Greg Olson, business owner; Jeff Morris, business owner; John Whitaker, General Services Director; Jim French, Superintendent of Schools and Jerry Fulton, Fair Director.

SUBSEQUENT ITEM

On motion of Supervisor Modine, seconded by Supervisor Miller and carried, agrees to hear subsequent item regarding appointment of Supervisor to represent District 1 by Governor Schwarzenegger, 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 Freeman, seconded by Supervisor Modine and carried, approves and authorizes Chairman to sign letter to encourage Governor Schwarzenegger to appoint a Supervisor to represent District 1.

- 2c. On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, agrees to discontinue the "Lets Go Van" service in Trinity County by January 30, 2004.
- 2d. On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, authorizes hiring a replacement Mechanic I or II in the Department of Transportation, effective February 1, 2004. Cost for FY 03/04 is \$17,634. Comments received from Carl Bonomini, Transportation Director.
- 2e. On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, establishes position and approves job specification of Environmental Health Director at range G218; and

On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, authorizes the recruitment of Environmental Health Director, effective February 1, 2004. Cost for FY 03/04 is \$29,473; and

On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, deletes allocation of Environmental Health Specialist III, effective February 1, 2004 in the Building and Development Services Department. Savings for FY 03/04 is \$25,037. Comments received from Steve Judson, Building and Development Services and Linda Wright, Health and Human Services Director.

- 2f. On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, authorizes hiring two Juvenile Counselors as extra help for the Probation Department, effective February 1, 2004. Money has already been budgeted, no fiscal impact. Comments received from Terry Lee, Chief Probation Officer.
- 2g. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves 5% Out of Class Compensation for Ken Gulley, Road Maintenance Leadworker I, effective January 16, 2004. Cost for FY 03/04 is \$243. Comments received from Carl Bonomini, Transportation Director.

3. COUNTY AUDITOR/CONTROLLER

3a. Brian Muir, County Auditor/Controller reports on Agenda Meeting.

3b. Brian Muir, County Auditor/Controller reports 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: John Jelichich, Planning Director.

4b. Reports from Members of the Board: Supervisors Modine and Miller.

4c. No report received from County Counsel.

5. PRESENTATION/DISCUSSION

5a. CalTrans:

Chris Cummings, Project Manager, appears and provides information regarding the Weaverville Shoulder Widening Reimbursement Agreement for Prop 116 Funds.

On motion of Supervisor Freeman, seconded by Supervisor Miller, approves and authorizes Chairman to sign Contributions Agreement with CalTrans (Contract No. 2004-025), for the Weaverville Shoulder Widening Project.

5b. United States Forest Service:

Roberto Delgado, District Ranger for Mad River; Sharon Heywood, Forest Supervisor for Shasta/Trinity National Forest; Joyce Anderson, Ranger and Donna Harmon, Ranger, appear and update the Board on President Bush's New Forest Initiative and its impact on Trinity County.

PUBLIC COMMENT

No comments received.

**10:50 AM
1:30 PM**

**RECESSES
RECONVENES**

Chairman reports that a Planning Department Public Hearing regarding an addendum to the EIR for the Trinity River Bridges Project, which was advertised for this meeting has been postponed to the February 3, 2004 meeting at 1:30 p.m. at the Weaverville Library.

BEHAVIORAL HEALTH SERVICES

- 1g. Tables to February 3, 2004:

Approves and authorizes Chairman to sign Amendment No. 2, with Plumas County Mental Health/Sierra House Board and Care, in the amount of \$11,400, for continued long term residential care.

6. HOSPITAL MATTERS

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

- 6a. Accepts Notice of Termination for all services as requested by Clark, Lowry & Koortbojian, effective January 28, 2004.
- 6b. On motion of Supervisor Freeman, seconded by Supervisor Modine, directs Auditor to contact Larry McDonough and request that he act as temporary Hospital Administrator and to advertise for a Hospital Administrator both locally and out of the area. Supervisor Miller – Abstains; and

Direction given to consider Teddy Doppelhauer to act as Administrator, if Larry McDonough declines.

On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, directs that staff advertise locally for the position of Director of Nurses.

Liz MacGard, Interim Director of Nursing, reports on staffing at Trinity Hospital.

Comments received from Dr. Daniel Harwood; Bob Voeks, Friends of the Hospital and Carol Harper, Friends of the Hospital.

- 6c. No report from Clark, Lowry, Koortbojian on critical care designation, due to report not being complete at this time; and

Board requests that this issue be brought back as a special meeting of the Board on Monday, January 26, 2004 at 10:00 a.m. to discuss the designation of Trinity Hospital as a critical care access facility. Time needed for report to be completed and to allow Medical Staff time to review report. Comments received from Reverend Sibbet.

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

- 6d. Issue is tabled to special meeting on January 26, 2004:
- Discuss and/or take action to approve action taken by the Trinity Hospital Governing Board regarding designation of Trinity Hospital as a critical care access facility.
- 6e. Receives report by John Jelichich, Trinity LAFCO Executive Officer, on the formation of a health care district. Comments received from Dero Forslund, County Clerk/Recorder/Assessor; Shelley Harlan; Ed Bates and Dr. Daniel Harwood.
- 6f. Tables to February 3, 2004 meeting:
- Discuss and/or take action to call a special election for a benefit assessment for Trinity Hospital. Comments received from Dr. Dan Harwood; Dero Forslund, County Clerk/Recorder/Assessor; Connor Nixon; Shelley Harlan; Gail Goodyear; Ed Bates; Hal Goodyear and Bob Voeks.
- Direction given to Supervisor Freeman and Supervisor Miller to work with Gail Goodyear on issue of Humboldt Area Foundation Trust.
- 6g. Tables to February 3, 2004 meeting:
- Discuss and/or take action to call a special election for an increase in sales tax for medical services.
- 6h. Direction given to County Auditor/Controller and County Treasurer/Tax Collector to research and find 3.5 million dollar bond to help fund the Hospital deficit. Comments received from Ed Bates.
- 6i. On motion of Supervisor Freeman, seconded by Supervisor Miller, to approve and authorize Chairman to sign agreement with CSU, Chico Research Foundation, in the amount of \$2,000,

for preparation of analysis regarding the Hospital's economic impact on the County in terms of business revenue, personal income and jobs; and to approve and authorize Chairman to sign Agreement with CSU, Chico Research Foundation, in the amount of \$3,400, for preparation of analysis regarding the Hospital's impact on residential land value in the County because of out-migration resulting from the closure of the hospital. Supervisors Modine and Reiss – No. Motion fails 2-2. Comments received from William Koch, Carol Fall, Colleen O'Sullivan and Ed Bates.

Direction to contact Sharon Avery, California Health Care Association, to give presentation to the Board.

- 6j. On motion of Supervisor Freeman, seconded by Supervisor Miller, approves and authorizes Chairman to sign Amendment No. 2 to the contract with Healthcare Staffing Network (Contract No. 2004-024), to increase maximum cost from \$60,000 to \$90,000, to provide temporary staffing at Trinity Hospital. Supervisor Reiss – No.

SUBSEQUENT ITEM

On motion of Supervisor Modine, seconded by Supervisor Miller and carried, agrees to hear subsequent item regarding Public Employee Union Action regarding Paul Valdez, 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 Freeman, seconded by Supervisor Miller, agrees to waive probation period for Paul Valdez, as requested by the Public Employee Union.

PUBLIC COMMENT

Comments received from Carol Fall, Dr. Daniel Harwood, Bill Iverson, Shelley Harlan, Dr. Bill Beckley.

MEETS IN CLOSED SESSION

- A. Government Code Section 54956.9, subd. (b)(1) Anticipated Litigation – Conference with Legal Counsel. No. of cases: Three.
- Claim filed by Richard T. Butts

- Claim filed by Marlene D. Larkin
- Claim filed by Robert E. Nitzke

ADJOURNS CLOSED SESSION; RECONVENES TO OPEN SESSION:

Chairman reports on closed session:

A.

- *Denies claim filed by Richard T. Butts*
- *Authorizes settlement of claim filed by Marlene D. Larkin*
- *No action taken on claim filed by Robert E. Nitzke*

4:55 PM ADJOURNS

All Ordinances introduced or enacted have been published or posted as provided in Government Code Section 25124.

TRINITY COUNTY BOARD OF SUPERVISORS

Attest:

DERO B. FORSLUND
CHAIRMAN
County Clerk/Recorder/Assessor,
Ex-Officio Clerk of the Board,
County of Trinity, State of California

ROBERT A. REISS,
Board of Supervisors, County of
Trinity, State of California

By: _____
Deputy Clerk