

TRINITY COUNTY
BOARD OF SUPERVISORS
MEETING MINUTES

March 16, 2004

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

CALL MEETING TO ORDER IN OPEN SESSION

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Miller, seconded by Supervisor Freeman and carried, Consent Agenda items 1a. through 1j., with the exception of 1g., are approved with the following vote polled: Supervisors Freeman, Miller, Modine 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 from March 2, 2004 as submitted by Clerk.

BEHAVIORAL HEALTH SERVICES

- 1b. Approves and authorizes the Director of Behavioral Health to sign Contract No. 03-73257-000 with the California Department of Mental Health (Contract No. 2004-104), regarding state hospital bed purchase and usage. No impact to General Fund.

COUNTY CLERK/RECORDER

- 1c. Accepts Canvass of the March 2, 2004 Direct Primary Election completed on March 5, 2004 and direct the Clerk to let the record show the Official Statement of Votes Cast is hereby made a part of the minutes of the Board, and the following candidates are hereby declared elected to the offices specified. Terms beginning January 2005:

Supervisor District 2:	Jeff W. Morris
Supervisor District 3:	Roger Jaegel
Supervisor District 5:	Robert A. Reiss

GENERAL SERVICES

- 1d. Approves and authorizes Chairman to sign Amendment No. 1 to the contract with Eureka-Humboldt Fire Extinguisher Co. Inc. (Contract No. 2004-103), increasing the maximum amount from \$10,000 to \$13,000, for servicing of fire extinguishers and suppression systems.

- 1e. Approves and authorizes Chairman to sign Grant of Easement to Verizon California, Inc., revenue in the amount of \$5,000, for the property located off Highway 3 across from the landfill and airport.
- 1f. Authorizes work to be performed by the General Services Department for Courts, and for payment to be transferred from Courts to General Services, in the amount of \$854.25 for a data line and installation of a push button locking system in Judges Chambers.

HEALTH AND HUMAN SERVICES

- 1h. Approves and authorizes the Director of Health and Human Services Department to sign request made by Trinity County Health and Human Services to the California Department of Social Services for a twelve-month waiver from the Able-Bodied Adults Without Dependents Program Food Stamp Program work requirements. No impact to General Fund.

PLANNING/NATURAL RESOURCES

- 1i. Approves and authorizes Chairman to sign Amendment No. 6, with Remy, Thomas and Moose, LLP (Contract No. 2004-101), increasing the contract amount from \$153,333 to \$178,333, to provide ongoing legal representation with respect to issues arising from the Supplemental Environmental Impact Report and Statement; and other environmental documentation and permitting issues related to the Trinity River Restoration Program.

TRANSPORTATION

- 1j. Approves Subdivision Map for Ruth Lake C. S. D., with the exclusion of the dedications for Parcels A & B, and authorize Board Clerk to sign map. (Map is available for review in the Board of Supervisors Office.)

**THE FOLLOWING ITEM HAS BEEN PULLED FROM THE
CONSENT AGENDA AND CONSIDERED SEPARATELY.**

HEALTH AND HUMAN SERVICES

- 1g. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves and authorizes Chairman to sign Amendment No. 1 (Contract No. 2004-102), to contract with Trinity Professional Pharmacy, increasing the maximum amount from \$40,000 to \$60,000, for an unanticipated demand for services.

2. COUNTY MATTERS

- 2a. On motion of Supervisor Modine, seconded by Supervisor Miller, to direct the Fire Chief's Association to come up with a list of priorities and make decision on the placement of 2 surplus fire protection vehicles (Fire Engine No. 8 and a Water Tender) from the Weaverville Fire District to other Volunteer Fire Departments in Trinity County and request that these vehicles be donated before the onset of the fire season.

Motion fails 2-2. (Supervisors Freeman and Reiss – No.)

Tables item to afternoon session.

Comments received from Dave Murphy and Richard Smith, Fire Chiefs Association.

- 2b. Hospital Administrator, Larry McDonough, appears and states that the Hospital is capable of providing medical evaluations at no cost to the Volunteer Fire Departments.
- 2c. On motion of Supervisor Freeman, seconded by Supervisor Miller, gives direction to County Counsel to draft Ordinance to prohibit skate boarding and other skating related activities at the Trinity County Library parking lot during hours of operation. Supervisor Reiss – No. Comments received from Oresta Esquibel, Librarian; John Whitaker, General Services Director; Tim Saxon, Rotary President; Hansie Freebury, Library Patron and Ed Bates, Weaverville Chamber of Commerce.
- 2d. On motion of Supervisor Miller, seconded by Supervisor Reiss, for General Services to discontinue the disposal of trash in the Weaverville Historic District.

Motion withdrawn...

Direction given to Supervisors Freeman and Miller to meet with General Services Director to work out an agreement/solution to the disposal of the trash in the

downtown areas of Weaverville/Trinity County and bring back to the Board.

Comments received from Ed Bates, Weaverville Chamber of Commerce; Tim Saxon, Rotary President; Jeff Morris, Business Owner; and Colleen O'Sullivan, Citizen.

- 2e. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, directs County Counsel and Supervisors Freeman and Modine to draft an ordinance to establish a Trinity County Hospital Advisory Commission; contingent upon the passage of Measure H, (Hospital Special Tax). Comments received from Marvin Stewart, Citizen.
- 2f. On motion of Supervisor Freeman, seconded by Supervisor Miller, waives reading and directs the Clerk to let the record show that an ordinance to amend Chapter 15.04 of the Trinity County Code adopting the California Building Codes, is introduced with the following vote polled: Supervisors Miller, Freeman and Modine – Aye; Supervisor Reiss – No. Comments received from Steve Judson, Building and Development Services Director.
- 2g. On motion of Supervisor Freeman, seconded by Supervisor Modine, approves and authorizes Chairman to sign Resolution No. 2004-019, Approving a Grant Application and Contract Execution for Funding from the Rural Telecommunication Infrastructure Grant Program Authorizing the Execution of a Grant Agreement and any Amendments thereto with the California Public Utilities Commission. Approves with the following vote polled: Supervisors Modine, Freeman, Miller and Reiss – Aye. Comments received from Marvin Stewart, Citizen.

3. COUNTY AUDITOR/CONTROLLER

- 3a. County Auditor/Controller, Brian Muir, reports on agenda meeting.
- 3b. County Auditor/Controller, Brian Muir, reports on other matters of interest to the Board.
- 3c. On motion of Supervisor Freeman, seconded by Supervisor Miller, approves and authorizes Chairman to sign Resolution No. 2004-020, Authorizing Trinity County to Issue Tax and Revenue Anticipation Notes for the 2004/2005 Fiscal Year, in

an amount not to exceed \$4,500,000. Approves with the following vote polled: Supervisors Miller, Freeman, Modine and Reiss – Aye.

- 3d. On motion of Supervisor Freeman, seconded by Supervisor Modine, authorizes hiring a Natural Resources Aide for the Planning Department, effective April 1, 2004. Cost for FY 03/04 is \$10,890. Comments received from John Jelichich, Planning Director.
- 3e. On motion of Supervisor Freeman, seconded by Supervisor Modine, authorizes hiring an Administrative Clerk, effective April 1, 2004, in the General Services Department. Cost for FY 03/04 is \$7,205.
- 3f. On motion of Supervisor Miller, seconded by Supervisor Reiss and carried, authorizes the recruitment and hiring of up to two Correctional Officer/Dispatcher I or II in the Sheriff Department, effective March 1, 2004. Cost FY 03/04 for CO/D I is \$9,921 and for CO/D II is \$10,702.

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

- 4a. Report from Department Heads:

Dero Forslund, County Clerk/Recorder reports on open and expired Building Permits.
- 4b. Reports from Members of the Board: Supervisors Freeman, Miller, Modine and Reiss.
- 4c. Report from David Hammer, County Counsel

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

5. TRANSPORTATION COMMISSION

On motion of Supervisor Miller, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution No. 2004-021 (T), Adopting the 2004 Regional Transportation Improvement Program, re-spreading and programming \$26,580,000, available over the next five fiscal years. Approves with the following vote polled: Supervisors Freeman, Miller, Modine and Reiss – Aye.

**RECESSES AS TRANSPORTATION COMMISSION;
RECONVENES AS HOSPITAL GOVERNING BOARD**

6. HOSPITAL

- 6a. Hospital Finance Committee report. Comments received from Larry McDonough, Hospital Administrator.

Tables to April 6, 2004 meeting.

- 6b. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves and authorizes Chairman to sign Medical Billing Service Agreement and Addendum with California Physician Reimbursement, Inc. (Contract No. 2004-100), in the maximum amount of \$550,000, for billing and compensation services at the Hospital. Comments received from Larry McDonough, Hospital Administrator. Supervisor Reiss – No.

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

PUBLIC COMMENT

Comments received from Connor Nixon, Lewiston Resident and Duane Heryford, Retired Entrepreneur.

**11:10 PM
1:30 PM**

**RECESSES
RECONVENES**

7. PUBLIC HEARINGS

- 7a. **Reschedule and Re-Advertise Public Hearing: Noise Element.**

Chairman directs Planning Staff to reschedule and re-advertise proposed Amendment to Zoning Ordinance Creating Section 30.6, Noise Element.

COUNTY MATTERS CONTINUED

- 2a. On motion of Supervisor Freeman, seconded by Supervisor Reiss, makes recommendation to the Fire Chief's Association to donate the Fire Engine No. 8 to the Down River Fire Department. Supervisor Miller – No.

The Board makes no recommendation to the Fire Chief's Association on the donation of the water tender.

PUBLIC COMMENT

Comments received from John Walker, Lewiston Gun Club.

MEETS IN CLOSED SESSION

- A. Government Code Section 54956.9, subd. (a). Existing Litigation - Conference with Legal Counsel. Number of cases: Two (Litigation has been formally initiated).
 - March, et al. vs. Diebold Election Systems, Inc. et al. Sacramento County Superior Court Case No. 04CS00176.
 - California Farm Bureau Federation, et al. vs. California Department of Forestry and Fire Protection, et al. Sacramento County Superior Court Case No. 04CS00225.

- B. Government Code Section 54954.5. Conference with Labor Negotiators. County Negotiator: Brian Muir. Employee Organization: Hospital.

ADJOURNS CLOSED SESSION; RECONVENES TO OPEN SESSION:

Chairman reports on Closed Session:

- A. *Direction given to County Counsel.*
- B. *Direction given to Labor Negotiators.*

2:15 PM ADJOURNS

TRINITY COUNTY BOARD OF SUPERVISORS

Attest:

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

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

By: _____
Deputy Clerk