

**TRINITY COUNTY  
BOARD OF SUPERVISORS**

**MEETING MINUTES**

**APRIL 20, 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

Supervisor William Chambers - District 1

**ABSENT SUPERVISORS:** None

**County Auditor/Controller,** Brian Muir – Absent

**County Counsel,** David Hammer – Present

**County Clerk,** Dero Forslund – Absent

**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 Freeman, seconded by Supervisor Miller and carried, Consent Agenda items 1a. through 1s., with the exception of 1b., 1f., 1n., 1o., 1r., , are approved with the following vote polled: Supervisors Freeman, Miller, Modine, Chambers 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 April 6, 2004 as submitted by Clerk.
- 1c. Appoints Carol Pasch to the PSA 2 Area on Aging Advisory Council for a term of two years, as recommended by the PSA 2 Area on Aging.
- 1d. Finds no objection to the issuance of a daily alcoholic beverage license to the Soroptimists of Trinity County to serve alcoholic beverages at their First Annual Bunco Tournament to be held at the Veteran's Memorial Hall on May 7, 2004.

### **AGRICULTURE/SEALER OF WEIGHTS AND MEASURES**

- 1e. Designates the Trinity County Agricultural Commissioner as the Pierce's Disease Coordinator for the Pierces Disease Control Program (Glassywinged Sharpshooter) in Trinity County. No Fiscal Impact.

### **AUDITOR/CONTROLLER**

- 1g. Approves budget increase of \$3,500 to General Services Building and Grounds/Professional Services from Provisions of Contingencies for Lyons Tree Service to top and trim trees at Junction City Park due to storm damage on December 28/29, 2003.
- 1h. Approves budget increase for Probation 2460 (JDF), in the amount of \$741.27, due to unanticipated Revenue.

- 1i. Approves budget adjustment for Building and Development Services, Airport Division to increase Airport Development Maintenance budget by \$52,222 (State Funds \$47,260.82, County Airport Funds \$5,222.00) to reflect the actual project cost and revised budget.

### **BEHAVIORAL HEALTH SERVICES**

- 1j. Approves and authorizes Chairman to sign Amendment No. 3 with California Specialty Hospital d.b.a. St. Helena Hospital (Contract No. 2004-149), in the maximum amount of \$13,000, to continue to provide inpatient services to Trinity County Behavioral Health Clients.
- 1k. Approves and authorizes Chairman to sign Amendment No. 2 with Victor Treatment Centers, Inc. (Contract No. 2004-150), in the amount of \$103,000, to continue to provide Mental Health Services to our Trinity County clients.

### **BUILDING AND DEVELOPMENT SERVICES/AIRPORT DIVISION**

- 1l. Approves and authorizes Chairman to sign Contract No. 04-AIR-01 with Valley Slurry Seal Co. of West Sacramento, for Pavement Maintenance at Trinity Center, Weaverville, Hayfork and Ruth Airports, (Contract No. 2004-156), all subject to routing and further subject to Federal approvals and receipt of State matching grants. Total Project Budget is \$475,400; local match is \$26,147, from County Airport Funds.
- 1m. Approves and authorizes Chairman to sign Contract No. 04-AIR-02 with Valley Slurry Seal Co. of West Sacramento, for pavement Maintenance at Hyampom Airport, (Contract No. 2004-157), all subject to routing and further subject to State Grant approvals. Additionally accepts State Grant for the work and authorizes the Director of Building and Development Services to sign the grant Agreement for \$117,778, assure sponsors share (grant match).

### **SHERIFF**

- 1p. Approves the State of California Department of Boating and Waterways Financial Aid Program Contract for FY 2004-2005 (Contract No. 2004-151). Grant amount is \$106,714, with \$3,000 from General Fund for insurance costs.

- 1q. Approves and authorizes Sheriff's Department to file an application for the California State Parks Off-Highway Motor Vehicle Recreation Project Funds for 2005. Revenue in the amount of \$37,000.

### **TRANSPORTATION**

- 1s. Finds that there is no advantage to the County to request competitive bid for Liquid Asphalt and Asphalt Emulsion, and accepts Vendor's request to extend the agreement one (1) year, and authorizes the Chairman to sign Addendum #1 to proposal No. 03-1, Liquid Asphalt and Asphalt Emulsion with Albina Fuel Co. of Portland, Oregon (Contract No. 2004-152), in the amount of \$74,177.70.

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

#### **BOARD CONSENT**

- 1b. **Tables to May 4, 2004 meeting:**

Approve and authorize Chairman to sign response to Grand Jury Final Report, Judicial Committee re Citizen Complaint against Robert Reiss, County Supervisor, District 5.

#### **AUDITOR**

- 1f. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves budget adjustment for Buildings and Grounds Maintenance of structures, revenue in the amount of \$2,983.06, insurance proceeds for damages done to bandstand drinking fountain. Comments received from John Whitaker, General Services Director.

#### **GENERAL SERVICES**

- 1n. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves and authorizes Lawrence and Associates (Contract No. 2004-155), to perform the following services, and authorizes General Services to apply for funds for items from Prop. 40 Administrator: Mapping and design of improvements for Lowden Park, Hayfork Park, and Junction City Park. Authorization not to exceed \$130,546 cap and contract is subject to routing and approval of form and content.

Comments received from John Whitaker, General Services Director.

## **PLANNING/NATURAL RESOURCES**

- 1o. On motion of Supervisor Freeman, seconded by Supervisor Modine and carried, authorizes Chairman to sign letter to the US Bureau of Reclamation regarding the renewal of long-term water service contracts that receive their water, in part, from the Trinity River Division of the Central Valley Project. No impact to General Fund. Comments received from Tom Stokely. Supervisor Chambers abstains.

## **TRANSPORTATION**

- 1r. **Tables to May 4, 2004 meeting:**

Approve and authorize Chairman to sign contract to purchase parcel #025-510-17, (Contract No. 2004-154), adjacent to Brown's Mountain Road at the Bucktail Subdivision, funding through a Bureau of Reclamation grant; \$3,000 will be contributed by the Transportation Department.

## **2. COUNTY COUNSEL**

- 2a. David Hammer, County Counsel reports on agenda meeting.
- 2b. No report on other matters of interest to the Board.
- 2c. On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, authorizes the recruitment and hiring of an Assistant Planner or Associate Planner in the Planning Department, Natural Resources Division, effective July 1, 2004. Cost for FY 04/05 for Assistant is \$47,841 and for Associate is \$52,000. Supervisor Chambers abstains. Comments received from John Jelichich, Planning Director.
- 2d. On motion of Supervisor Freeman, seconded by Supervisor Modine and carried, authorizes the hiring of an Account Clerk II or Accounting Technician I in the Planning Department, Natural Resources Division, effective May 1, 2004. Cost for FY 03/04 for Account Clerk II is \$6,231 and for Accounting Technician I is \$6,855. Supervisor Chambers abstains. Comments received from John Jelichich, Planning Director.

- 2e. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, authorizes recruitment and hiring of 6 extra help Road Maintenance Worker I's, in the department of Transportation, effective May 1, 2004. Cost for FY 03/04 per worker is \$11,854. Comments received from Carl Bonomini, Director of Transportation.
- 2f. On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, authorizes recruitment and hiring of extra help Solid Waste Equipment Operator/Driver II in the department of General Services, effective May 1, 2004. Cost for FY 03/04 is \$11,818. Comments received from John Whitaker, General Services Director.

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

- 3a. Report from Department Heads: John Whitaker, General Services Director and Sheriff Lorrac Craig.
- 3b. Report from Members of the Board: Supervisors Freeman, Miller and Chambers.
- 3c. Report from David Hammer, County Counsel.

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

**4. HOSPITAL**

- 4a. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves Finance Committee Reports:
- January 2004 Financial Statements
  - February 2004 Financial Statements
- 4b. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves and authorizes Chairman to sign Amendment No. 1 to the contract with Medical Doctor Associates (Contract No. 2004-153), increasing the maximum amount from \$10,000 to \$45,000, for temporary anesthetist staffing. Supervisor Reiss – No.

Comments received from Larry McDonough, Hospital Administrator.

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

**PUBLIC COMMENT**

No comment received.

**10:00 AM  
1:30 PM**

**RECESSES  
RECONVENES**

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

**5. TRANSPORTATION COMMISSION PUBLIC HEARING**

- 5a. **OPENS PUBLIC HEARING:** To consider the 2004 Trinity County Bikeways Master Plan and project priority list.

Staff report received from John Jelcich, Planning Director.

**CLOSES PUBLIC HEARING**

On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, accepts the 2004 Trinity County Bikeways Master Plan and approves project priority list on Table 4 of the plan.

- 5b. **OPENS PUBLIC HEARING:** To consider Resolution, Adopting Definitions for "Unmet Transit Needs" and "Reasonable to Meet" and Resolution, Adopting Definitions for "Unmet Transit Needs" and "Reasonable to Meet".

**CLOSES PUBLIC HEARING**

On motion of Supervisor Freeman, seconded by Supervisor Miller, approves and authorizes Chairman to sign Resolution No. 2004-026, Adopting Definitions for "Unmet Transit Needs" and "Reasonable to Meet"; Approves with the following vote polled: Supervisors Miller, Freeman, Chambers, Modine and Reiss – Aye; and

On motion of Supervisor Freeman, seconded by Supervisor Miller, approves and authorizes Chairman to sign Resolution No. 2004-027, Finding that there are No Unmet Transit Needs in Trinity County that are Reasonable to Meet. Approves with the following vote polled: Supervisors Miller, Freeman,

Chambers, Modine and Reiss – Aye. Comments received from John Jelichich, Planning Department; Scott Abrahams, Alta Planning and Design; Steve Mitchell, Lewiston Resident and Patricia Mitchell, Lewiston Transit Bus Driver.

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

**PUBLIC COMMENT**

No comments received.

**MEET IN CLOSED SESSION**

- A.** Government Code Section 54956.9, subd. (b)(1). Anticipated Litigation - Conference with Legal Counsel. Number of cases: Two.
- Claim filed by Rick Hosking.
  - Claim filed by Dale Carpenter
- B.** Government Code Section 54956.9, subd. (a). Existing Litigation – Conference with Legal Counsel. No. of cases: Three.
- OPTC v. Trinity County  
Case No. 03CV023
  - County of Trinity v. Trinity Public Utilities District  
Case No. 01CV038
  - Stierli, et al v. Trinity County  
Case No. 02CV012

**ADJOURNS CLOSED SESSION; RECONVENES TO  
OPEN SESSION:**

*Chairman reports on Closed Session*

- A.** *Anticipated Litigation – two cases:*
- *Claim filed by Rick Hosking is approved.*
  - *Claim filed by Dale Carpenter is denied.*
- B.** *Existing Litigation – three cases:*

- *Direction given to County Counsel.*

**3:15 PM      ADJOURN**

TRINITY COUNTY BOARD OF SUPERVISORS

Attest:

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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