

**TRINITY COUNTY  
BOARD OF SUPERVISORS**

**MINUTES**

**MAY 18, 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 – 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, approves the Consent Agenda as presented, with the exception of 1c., 1d., 1e., 1f., and 1i., with the following vote polled: Supervisors Freeman, Miller, Chambers, 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 May 4, 2004, as submitted by Clerk.
- 1b. Approves Special Meeting minutes from April 30, 2004, as submitted by Clerk.
- 1g. Appoints Judy Pflueger to the Board of Directors of the Far Northern Regional Center representing Trinity County, as recommended by The FNRC.
- 1h. Ratifies appointment of Mark Lancaster to fill vacant board member position on the Weaverville/Douglas City Parks and Recreation District Board of Directors.
- 1j. Finds no objection to the issuance of a one day alcohol beverage license to the Weaverville Lions Club to serve beer at the Weaverville Lions Club County Chili Cook-off, to be held at Lowden Park in Weaverville on Saturday, June 12, 2004.
- 1k. Finds no objection to the issuance of a one day alcohol beverage license to the Douglas City Volunteer Fire Department to serve beer and wine at the Veteran's Memorial Hall on Saturday, June 19, 2004.
- 1l. Approves and authorizes Chairman to sign letter in support of the Hayfork's Spirit Club's Hayfork Blood Drive on May 24, September 13 and November 22, 2004 and in support of an encroachment permit application for the Hayfork Blood Drive, as submitted by the Hayfork Spirit Club, to hang a banner across Highway 3 in Hayfork on May 18 -25, September 7-14 and November 16-23, 2004.

- 1m. Approves and authorizes Chairman to sign Amendment No. 1 to the contract with Redwood Toxicology Laboratory, Inc. (Contract No. 2004-192), in the amount of \$7,500, for County employee drug testing services.

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

- 1n. Approves and authorizes Chairman to sign the California State Department of Food and Agriculture Petroleum Contract #04-0181 (Contract No. 2004-193), in the amount of \$900 for FY 04/05, to perform petroleum and automobile product inspections.
- 1o. Approves and authorizes Chairman to sign the California State Department of Food and Agriculture Weighmaster Contract #04-0126 (Contract No. 2004-194), in the amount of \$750 for FY 04/05, to perform weighmaster inspections.

#### **AUDITOR/CONTROLLER**

- 1p. Approves budget adjustment for County Buildings Program in structures and improvements for water damage at Trinity Hospital, in the amount of \$11,769, from water damage insurance proceeds.
- 1q. Approves budget increase by the Health and Human Services (4180), WIC Program, in the amount of \$2,900, from Federal Funding.
- 1r. Approves budget increase for the Building and Development Services Department (Airport Development) (1853), in the amount of \$52,222, from an increase of State Grant.

#### **BEHAVIORAL HEALTH SERVICES**

- 1s. Approves and authorize Chairman to sign contract with Northern Valley Catholic Social Services (Contract No. 2004-195), in the maximum amount of \$50,000, for counseling services.

#### **BUILDING AND DEVELOPMENT SERVICES**

- 1t. Waives reading and directs the Clerk to let the record show that Ordinance No. 1280, Amending Chapter 15.04 of the Trinity County Code pertaining to the Building Code, creating the Building Department Appeals Board, is enacted.

### **CHILD SUPPORT SERVICES**

- 1u. Authorizes Child Support Services to close to the public on Fridays, each week, effective July 2004, due to a 25% reduction in staff.

### **COUNTY COUNSEL**

- 1v. Approves and authorizes Chairman to sign Appointment of County Counsel and Employment Agreement with Jeanette Palla (Contract No. 2004-196); salary and benefits for FY 04/05 in the amount of \$128,605.83.

### **DISTRICT ATTORNEY**

- 1w. Approves and authorizes Chairman to sign Resolution No. 2004-037, Authorizing the District Attorney to submit to the Office of Emergency Services an application to receive funding for the Anti-Drug Abuse Enforcement Program Grant, in the amount of \$179,856, for the period 7/1/04 – 6/30/05; and further authorizes the District Attorney to sign the Grant Award Agreement, including any extensions or amendments thereof.

### **GRANTS AND HOUSING REHAB LOAN ADMIN**

- 1x. Approves and authorizes the Chairman to sign the Memorandum of Understanding between the County of Trinity and the Hayfork Community Center, Inc. (Contract No. 2004-197), relating to the responsibilities of each party for the Hayfork Community Center Rehabilitation Project.
- 1y. Approves and authorizes Chairman to sign contract with Whitson, Inc., of Willow Creek (Contract No. 2004-188), in the amount of \$40,480, for the rehabilitation of the Hawkins Bar West Trinity Community Service Building and authorize Chairman to sign the Notice of Award and other contract documents.

### **HEALTH AND HUMAN SERVICES**

- 1z. Declares the model 1133HF live-scan system as surplus and authorizes distribution to another agency.

- 1aa. Approves and authorizes Chairman to sign contract with Instructional Access to provide 2.5 days of hands on training to seven Independent Living Program participants (Contract No. 2004-191). Maximum payable under contract is \$14,565, which is funding through Welfare to Work grant for FY 03/04.

### **PLANNING/NATURAL RESOURCES**

- 1bb. Approves and authorizes Chairman to sign Resolution No. 2004-038), Adopting the 2004 Trinity County Bikeways Master Plan.
- 1cc. Approves and authorizes Chairman to sign agreement with the Pacific Coast Fish, Wildlife and Wetlands Association, for the engineering design, environmental analysis and permitting activities associated with the Salmon Creek Fish Access and Habitat Improvement Project (Contract No. 2004-205), in the amount of \$30,000, fully reimbursable through grant agreement #03051 with the California Coastal Conservancy.

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

- 1c. **Tables:** Resolution in Support of Rotary's 2004 4<sup>th</sup> of July Parade.
- 1d. On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, approves and authorizes Chairman to sign Resolution No. 2004-035, Pertaining to Parking during the 2004 4<sup>th</sup> of July Parade, with corrections. Approves with the following vote polled: Supervisors Freeman, Miller, Chambers, Modine and Reiss – Aye.
- 1e. **Tables to afternoon session:** Application for waiver of County Department of Transportation encroachment fee, in the amount of \$100, as requested by the Rotary Club of Weaverville.
- 1f. On motion of Supervisor Modine, seconded by Supervisor Freeman, approves and authorizes Chairman to sign response to Grand Jury Final Report, Health and Human Services Committee Final Report, Review of Trinity Hospital and Health Care System. Supervisor Chambers – Abstains.
- 1i. On motion of Supervisor Miller, seconded by Supervisor Freeman, approves and authorizes Chairman to sign

Resolution No. 2004-033, (superceding Resolution No. 2004-028) Establishing an Emergency Medical Services Advisory Committee, to include a representative from the Fire Chief's Association. Approves with the following vote polled: Supervisors Freeman, Miller, Chambers, Modine and Reiss – Aye. Comments received from John Hall, Trinity County Life Support.

## **2. COUNTY MATTERS**

- 2a. On motion of Supervisor Miller, seconded by Supervisor Chambers, approves and authorizes Chairman to sign Resolution No. 2004-036, Authorizing Approval of the Amendment to the Cooperative Fire Agreement between the County of Trinity and the California Department of Forestry and Fire Protection; and

Approves and authorizes Chairman to sign amendment to the California Department of Forestry/Trinity County Amador Agreement #2CA23206 for Amador Training Officer Service during FY 03/04 (Contract No. 2004-189), in the amount of \$8,804. Approves with the following vote polled: Supervisor Chambers, Miller, Freeman, Modine and Reiss – Aye.

- 2b. Discusses Trinity Transit's July 2003 through March 2004 transit operation expenditures and fare box revenue.

## **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.
- 3c. On motion of Supervisor Freeman, seconded by Supervisor Chambers, to fund shortfall at Arts Council by other funds, but not from the Transient Occupancy Tax. Motion Fails 3-2.

On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, agrees to restructure Arts Council to a non-county entity and agrees to fund shortfall from Transient Occupancy Tax and other general fund accounts to County Arts Council budget, in the amount of \$24,616. Comments received from Jim Cudziol, Arts Council Director.

3d. On motion of Supervisor Freeman, seconded by Supervisor Chambers, approves and authorizes Chairman to sign Resolution of Intention No. 2004-039, to Approve an Amendment to Contract between the Board of Administration California Public Employees Retirement System and the Board of Supervisors County of Trinity, to provide Golden Handshake to eligible Safety Unit employees. Approves with the following vote polled: Supervisors Chambers, Freeman, Modine, Miller and Reiss – Aye.

3e. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, establishes position of Administrative Services Officer and change allocation to read as: 2 Administrative Clerk I or II or Administrative Clerk, Sr. or Administrative Coordinator I or II (G) or Administrative Services Officer (M) (maximum 1 Administrative Coordinator I or II and 1 Administrative Services Officer) in the General Services Department effective May 1, 2004; and

Approves a promotional recruitment effective May 1, 2004. Administrative Services Officer annual salary with the caveat to end of year is \$1,800 increase or consolidation of two positions to one for a savings of approximately \$16,000 annually. Comments received from John Whitaker, General Services Director.

3f. On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, authorizes the recruitment of a Diagnostic Imaging Technologist at the Hospital, effective June 1, 2004. Approximate cost in salary and benefits for 12 months is \$58,314. Supervisors Modine and Reiss – No. Comments received from Larry McDonough, Hospital Administrator.

3g. On motion of Supervisor Freeman, seconded by Supervisor Chambers and carried, approves job specification and establishes a temporary position of Deputy County Counsel at range D914 and directs that said changes be made to the Salary Schedule and Alphabetical Listing of Positions, effective June 2, 2004 and terminating on June 30, 2004. Approximate cost in salary and benefits for one month is \$11,046.

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

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

#### **TABLED CONSENT ITEMS**

- 1c. On motion of Supervisor Freeman, seconded by Supervisor Chambers, approves and authorizes Chairman to sign Resolution No. 2004-034, In Support of Rotary's 2004 4<sup>th</sup> of July Parade. Approves with the following vote polled: Supervisors Chambers, Freeman, Miller, Modine and Reiss – Aye. Comments received from Dero Forslund, County Clerk/Recorder.
- 1e. On motion of Supervisor Miller, seconded by Supervisor Chambers, denies application for waiver of County Department of Transportation encroachment fee, in the amount of \$100, as requested by the Rotary Club of Weaverville. Supervisor Modine – Abstains; Supervisor Reiss – No.

#### **SUBSEQUENT ITEMS**

- 1. On motion of Supervisor Modine, seconded by Supervisor Reiss, agrees to hear a subsequent item relating to grant request for 30 day extension on public comments for the Draft Trinity River Fishery Restoration Supplemental Environmental Impact Report, 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. Supervisor Chambers – Abstains.

On motion of Supervisor Modine, seconded by Supervisor Reiss, approves grant request for 30 day extension on the Draft Trinity River fishery restoration supplemental environmental impact report until July 22, 2004. Supervisor Chambers – Abstains. Comments received from Tom Stokely, Principal Planner, Natural Resources Division.

- 2. On motion of Supervisor Modine, seconded by Supervisor Reiss and carried, agrees to hear a subsequent item regarding a Resolution of Acceptance of Real Property from Lois E. Waters, on the 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. Supervisor Chambers – Abstains.

On motion of Supervisor Modine, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution of Acceptance No. 2004-040 of Real Property from Lois E. Waters, Trustee of the Lois E. Waters Revocable Trust of 2000, dated April 28, 2000. Approves with the following vote polled: Supervisors Freeman, Modine, Miller and Reiss – Aye; Supervisor Chambers – Abstains. Comments received from Tom Stokely, Senior Planner, Natural Resources.

## **5. PRESENTATION/DISCUSSION ITEMS**

- 5a. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, reviews and accepts the final product of USFS Grant #00-DB-11051400-006, "Trinity Scenic Byway" video and approves the release for broadcast of the video on the KIXE TV productions "Jobs: The TV Show", and "Northstate Profile". Comments received from Lorraine Dechter, KIXE.

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

## **6. HOSPITAL**

- 6a. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves and authorizes Chairman to sign Medical Director agreement with Donald E. Krouse, M.D., for the same salary amount as previous Medical Director, for the Trinity Community Health Clinic (Contract No. 2004-190). Subject to routing and approval as to form and content. Comments received from Larry McDonough, Hospital Administrator.
- 6b. On motion of Supervisor Freeman, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Professional Services Agreement with Dana Gray, N.P., in the amount not to exceed \$20,000 per year, to be the Nurse Practitioner of the Trinity Community Health Clinic (Contract No. 2004-184). Effective May 18, 2004. Subject to routing and approval as to form and content. Comments received from Larry McDonough, Hospital Administrator. Comments received from Larry McDonough, Hospital Administrator.

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

**PUBLIC COMMENT**

Comments received from Ed Bates, Resident

**SUBSEQUENT ITEM**

3. On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, agrees to hear a subsequent closed session item regarding the Hospital Bargaining Unit, 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.

**MEETS IN CLOSED SESSION**

3. **SUBSEQUENT ITEM:** Government Code Section 54954.5. Conference with Labor Negotiator. County Negotiator, Brian Muir. Hospital
  - A. Government Code Section 54954.5. Public Employee Complaints or Charges.
  - B. Government Code Section 54954.5. Public Employee Performance Evaluation – Director of Child Support.
  - C. Government Code Section 54956.9, subd. (a). Existing Litigation – Conference with Legal Counsel. No. of cases: One. (Litigation has been formally initiated).
    - County of Trinity v. Trinity Public Utilities District  
Case No. 01CV038

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

*Chairman reports on Closed Session*

3. *Gave direction to Labor Negotiator.*
  - A. *Heard Employee Complaint.*
  - B. *Evaluation of Director of Child Support.*

C. *Direction given to County Counsel.*

**11:53 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  
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