

TRINITY COUNTY
BOARD OF SUPERVISORS
MEETING MINUTES

JUNE 15, 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, Jeanette Palla – 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

Supervisor Modine – Absent

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, approves Consent Agenda as presented, with the exception of 1t., with the following vote polled: Supervisors Miller, Freeman, 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 June 1, 2004, as submitted by Clerk.
- 1b. Waives reading and directs the Clerk to let the record show that an ordinance amending Chapter 11.04 of the Trinity County Code pertaining to the Arts Council, is introduced.
- 1c. Waives reading and directs the Clerk to let the record show that Ordinance No. 1282, amending Chapter 2.60.840 of the Trinity County Code pertaining to Public Employees Retirement System (PERS), is enacted.
- 1d. Approves and authorizes Chairman to sign Standard Encroachment Permit Application to allow for the installation of non-decorative banners to be hung across State Route 299 between 215 Main Street and 222 Main Street in Weaverville.
- 1e. Finds no objection to the application for a one day alcoholic beverage license to serve beer and wine at the 2nd Annual Father's Day Weekend Boogie and Blues Festival to be held on Saturday, June 19, 2004, at the Lee Fong Park Amphitheater, Weaverville.
- 1f. Approves and authorizes Chairman to sign Letter to Assemblywoman Lois Wolk, supporting opposition of Assembly Bill 1983, Wolk, Reclamation Board, regarding flood control.

- 1g. Appoints the following individuals to the newly formed Coffee Creek Fire Protection District, pursuant to Section 13836 of the California Health and Safety Code:

Jim Abercrombie
Bob Cunningham
John Eaker
Keith Groves
Robert Kausen
Ray Vasconcellos
Cheever Wright
Kathy Milovich

AGRICULTURE/SEALER OF WEIGHTS AND MEASURES

- 1h. Approves and authorizes the Agricultural Commissioner, Mark T. Lockhart to sign the Memorandum agreement between the Resource Conservation District (RCD) and the Agriculture Department (Contract No. 2004-246), in the amount of \$24,537, for removal of Dyers Woad (noxious weeds).
- 1i. Approves and authorizes Chairman to sign the High-Risk Pest Exclusion contract #04-0351 for FY 04/05 with the Department of Food and Agriculture (Contract No. 2004-247), revenue in the amount of \$122.24.
- 1j. Approves and authorizes Chairman to sign the Glassy-Winged Sharpshooter contract #04-0398 for FY 04/05 with the Department of Food and Agriculture (Contract No. 2004-248), revenue in the amount of \$12,882.40.

AUDITOR/CONTROLLER

- 1k. Approves and authorizes budget increase by the Agriculture Department (2490), unanticipated revenue in the amount of \$7,073.77, from money received from unclaimed gas tax to be used to upgrade radio communications and internet connections.

BEHAVIORAL HEALTH SERVICES

- 1l. Approves and authorizes Chairman to sign Agreement to not participate in a voluntary reduction in the State FY 2003/2004 Substance Abuse and Crime Prevention Act (SACPA) of 2000 County Funding Allocation (Contract No. 2004-249). Loss of

revenue, in the amount of \$46,493, should the County elect to participate.

BUILDING AND DEVELOPMENT SERVICES/AIRPORTS

- 1m. Approves and authorizes the Chairman to sign the Contract with Hunt Land Surveying, Inc. (Contract No. 2004-250), in the amount not to exceed \$100,000 (90% FAA, 4.5% State and 5.5% Local match), to provide surveys and aerial mapping at four county airports

DISTRICT ATTORNEY

- 1n. Approves and authorizes Chairman to sign Resolution No 2004-049, Authorizing the District Attorney to submit to the Office of Emergency Services an application to receive funding for the Trinity County Vertical Prosecution Program Grant, in the amount of \$155,550 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.
- 1o. Approves and authorizes Chairman to sign Resolution No. 2004-050, Authorizing the District Attorney to submit to the Department of Justice an application to receive funding for the Trinity County Spousal Abuser Prosecution Program Grant, in the amount of \$39,914 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.

GENERAL SERVICES

- 1p. Approves and authorizes Chairman to sign a lease agreement with Mattole Valley Charter School (Contract No. 2004-251), to lease the Teen Center Building in Lowden Park. Revenue in the amount of \$850 per month.

HEALTH AND HUMAN SERVICES

- 1q. Approves and authorizes Chairman to sign Amendment No. 1 to the contract with Dr. Ray Carlson (Contract No. 2004-256), in the maximum amount of \$30,000, to provide psychological evaluations when individuals are referred by Trinity County Health and Human Services Department.

- 1r. Approves and authorizes Chairman to sign Amendment No. 1 to the contract with Human Response Network (HRN) (Contract No. 2004-257), in the maximum amount of \$149,836, to provide Stage I childcare services to eligible CalWORKs recipients.
- 1s. Approves and authorizes Chairman to sign Amendment No. 1 to the contract with Rodney and Lynn Plew (Contract No. 2004-258), in the maximum amount of \$76,416, to provide a foster care Emergency Shelter Home.

PLANNING/NATURAL RESOURCES

- 1u. Waives reading and directs the Clerk to let the record show that Ordinance No. 12, amending Trinity County Zoning Ordinance 315, by deleting Section 12 (Mining) in its entirety and adding Section 30.1 (Surface Mining and Reclamation.); Applicant: Planning Department (PW-02-10), is enacted.
- 1v. Waives reading and directs the Clerk to let the record show that Zoning Ordinance No. 315-732, amending Trinity County Zoning Ordinance #315, rezoning APN 018-210-06 from Unclassified to Agriculture-Forest 40-acre minimum – B3 (AF-40-B3) located Van Duzen Road, approximately 6.8 miles south of Highway 36, Mad River area (Applicant: S&S Adams), is enacted.
- 1w. Waives reading and directs the Clerk to let the record show that Zoning Ordinance No. 315-733, amending Trinity County Zoning Ordinance #315, rezoning APN 024-510-30 from General Commercial to Highway Commercial, located at 52841 State Highway 299, Weaverville (Applicant: D&R Hodges, P-04-10)), is enacted.

PROBATION

- 1x. Approves and authorizes Chairman to sign Resolution No. 2004-052, Authorizing Board of Corrections, Juvenile Justice Crime Prevention Act Program. County of Trinity desires to start the Trinity County Juvenile Incarceration Alternatives Program to be funded in part with funds made available through the Board of Corrections.

TRANSPORTATION

- 1y. Waives formal bidding requirements, finds that competitive bidding would not be in the public's best interest, and authorizes the Director of Transportation to sign the Personal Services Contract with Angelone's Quality Janitorial Service, (Contract No. 2004-253), in the amount of \$10,320 for FY 04/05, to perform janitorial services for the Department of Transportation for a period of one year and annually to extend the termination date, by Contract Amendment, so long as all other terms and conditions of the Personal Services Contract remain unchanged.
- 1z. Approves and authorizes the Chairman to sign the Personal Services Contract with Martin Appraisal and Acquisition Company of Redding (Contract No. 2004-259), in the amount of \$12,500, for appraisal and acquisition of Right of Way on Deerlick Springs Road No. 335.
- 1aa. Approves Resolution for Notice of Intent No. 2004-053, to change the name of County Road No. 163, Lakeview Drive to North Lakeview Drive.
- 1bb. Approves Resolution for Notice of Intent No. 2004-054, to change the name of the Spur portion of County Road No. 444, Salyer Loop Road to County Road No. 444A, Salyer Court.

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

PLANNING/NATURAL RESOURCES

- 1t. On motion of Supervisor Freeman, seconded by Supervisor Miller, approves and authorizes the Chairman to sign letter to the Bureau of Reclamation with comments on the Trinity River Fishery Restoration Supplemental Environmental Impact Statement. Supervisor Chambers – Abstains.

2. COUNTY MATTERS

- 2a. On motion of Supervisor Chambers, seconded by Supervisor Reiss, denies proposal to consolidate Planning Department offices resulting in closure of Natural Resources office in Hayfork and agrees to renew the office lease in Hayfork for one year, starting when the current lease expires in September. Supervisor Miller – No. Comments received from John Jelichich, Planning Director and Tom Stokely, Senior Planner.

- 2b. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, agrees to reduce the Weaverville Library hours to 20 hours per week and the Hayfork Library to 20 hours per week and the Trinity Center Library to 6 hours a week; and

Approves the closure of the Main Library in Weaverville from Thursday, July 1 through Saturday, July 3, 2004 and the Hayfork Branch Library on July 1 and 2, 2004 for reorganization. Comments received from Oresta Esquibel, Librarian; David Ohde, Friends of the Library; Ed Bates, Weaverville; Jan Mountjoy, Hayfork; Stuart Clay, Trinity Center; Maria Hill, Hayfork; Jim French, Weaverville; John Richards, Weaverville.

- 2c. Acknowledges receipt and appoints Supervisor Freeman to respond to the Grand Jury Special Committee Final Report – Compliance on Annual Audits for Special Districts.
- 2d. On motion of Supervisor Freeman, seconded by Supervisor Chambers and carried, accepts and forwards to the California Department of Housing and Community Development “Hayfork Community Center Master Plan Final Report, June 2004” prepared by Lawrence and Associates and the Grants and Housing Rehabilitation Loan Office of CDBG Planning and Technical Assistance Grant #02-STBG-1766. Comments received from Pat Mortensen, Grants Coordinator.
- 2e. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves the request of the Trinity County Arts Council to provide advanced funding for the FY 04/05, in the amount of \$7,500 from the Transient Occupancy Tax, to continue operation of the Main Street Gallery and Lee Ranch House and to provide for the preparation and applications necessary to establish a 501 c 3 California Non-Profit Corporation. Comments received from Joe Kasper, Chairman, Trinity County Arts Council.

SUBSEQUENT ITEM

On motion of Supervisor Miller, seconded by Supervisor Reiss and carried, agrees to hear subsequent item, regarding agreement to perform tariff schedule related work with Pacific Gas & Electric, 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 Miller, seconded by Supervisor Reiss and carried, approves and authorizes Chairman to sign agreement to perform tariff schedule related work with Pacific Gas and Electric Company (Contract No. 2004-138), in the amount of \$219,500, and authorizes the Director of Transportation to sign, for relocation of utility lines on the Mad River Road – FHWA Project FH149 – 1 (2). Subject to routing and approval as to form and content. Comments received from Carl Bonomini, Transportation Director.

- 2f. On motion of Supervisor Freeman, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign amendment #1 to agreement with Valley Industrial Communications Inc. (Contract No. 2004-260), in the amount of \$24,516.37 for a total maximum cost to County of \$34,516.37, to install new console equipment for the Sheriff's Department 911 system remodel.

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 Miller, seconded by Supervisor Freeman and carried, adopts the Fiscal Year 2004/2005 Preliminary Budget, including enterprise funds and dependent special districts, of \$65,928,006.
- 3d. On motion of Supervisor Freeman, seconded by Supervisor Chambers, approves and authorizes Chairman to sign Resolution No. 2004-055, to Grant Designated Period for Two Years Additional Service Credit; and

Approves and authorizes Chairman to sign Certification of Compliance with Government Code Section 20903 (Golden Handshake). Salary Savings in the amount of \$45,733. Approves with the following vote polled: Supervisors Chambers, Freeman, Miller and Reiss – Aye.

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

4a. Report from Department Heads.

- Sheriff Lorrac Craig reports on Sheriff's budget.

4b. Report from Members of the Board: Supervisors Chambers, Miller and Freeman.

4c. Report from Jeanette Palla, County Counsel.

5. PRESENTATION/DISCUSSION ITEMS

5a. **Grants Administration**

On motion of Supervisor Freeman, seconded by Supervisor Chambers and carried, accepts and forwards to California Department of Housing and Community Development "Trinity County Vineyard and Winery Marketing Plan, June 2004", prepared by Impact Consulting & Training, Inc. for CDBG Planning and Technical Assistance Grant #02-EDBG-870; and

Kelly Bearden, Consultant for the study, gives a power point presentation. Comments received from Pat Mortensen, Grants Coordinator.

5b. **CANCELLED: Marine Corps League (MCL) and Veteran's of Foreign Wars (VFW) presentation.**

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

6. TRANSPORTION COMMISSION

6a. On motion of Supervisor Freeman, seconded by Supervisor Chambers and carried, approves and authorizes Chairman of the Transportation Commission to sign agreement with Maas & Associates (Contract No. 2004-261), in the amount of \$40,000, for Transportation Development Act Administration and State Transportation Program Management services. Comments received from John Jelichich, Planning Director.

6b. On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, approves and authorizes Chairman to sign Resolution No. 2004-048 (T)), Approving Master Fund

Transfer Agreement with California Department of Transportation. Approves with the following vote polled: Supervisors Freeman, Miller, Chambers and Reiss – Aye. Comments received from John Jelichich, Planning Director.

- 6c. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Resolution No. 2004-051 (T), Authorizing allocation of Local Transportation Funds (LTF) in the amount of \$250,000 for Fiscal Year 2004/2005. Approves with the following vote polled: Supervisors Miller, Chambers, Freeman and Reiss – Aye. Comments received from John Jelichich, Planning Director.
- 6d. On motion of Supervisor Freeman, seconded by Supervisor Miller, approves and authorizes Chairman to sign Resolution No. 2004-056, Overall Work Program and Budget for the 2004-2005 Fiscal Year and authorizes the Executive Secretary to execute the Regional Transportation Planning Agency Regional Transportation Planning Process Certification. Approves with the following vote polled: Supervisors Miller, Freeman, Chambers and Reiss – Aye. Comments received from John Jelichich, Planning Director.

Supervisor Modine - Present

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

7. HOSPITAL

- 7a. On motion of Supervisor Modine, seconded by Supervisor Reiss and carried, agrees to schedule a public hearing on July 6, 2004 at 6 pm, to suspend hospital services and put the hospital license in abeyance for a year. Approves with the following vote polled: Supervisors Modine, Miller and Reiss – Aye. Supervisors Freeman and Chambers – No.

Comments received from Larry McDonough, Hospital Administrator; Connor Nixon, Lewiston; Linda Wright, Director of Health and Human Services; Ed Bates, Weaverville; Carol Fall, Covington Mill; Bob Voeks, Weaverville; Joe Kasper, Lewiston; Jim Skinner, Weaverville; Terry Lee, Chief Probation Officer; Mike Stearman, Douglas City; Dero Forslund; County Clerk/Recorder; Vicky Williams, Hospital Employee; Shelley Harlan, Weaverville; Dr. Dan Harwood;

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

- 7b. On motion of Supervisor Modine, seconded by Supervisor Reiss, approves the action of the Hospital Governing Board to schedule a public hearing on July 6, 2004 at 6 pm, to suspend hospital services and put the hospital license in abeyance for a year. Supervisors Freeman and Chambers – No.

12:00 PM

RECESSES

1:30 PM

RECONVENES

Supervisor Modine – Absent

8. PUBLIC HEARINGS

- 8a. **OPENS PUBLIC HEARING:** To consider request to remove parcel numbers 025-540-46 (Mead-Bennett); 003-110-10 (Unalayee); and 019-610-18 (Hubbard) from Annual Solid Waste parcel fee rolls.

CLOSES PUBLIC HEARING

On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves the removal of parcel numbers 025-540-46 (Mead-Bennett) and 003-110-10 (Unalayee) from Annual Solid Waste parcel fee rolls; and

Denies request of removal of parcel number 019-610-18 (Hubbard).

- 8b. **OPENS PUBLIC HEARING:** To consider the use of the California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Project Funds for 2005.

CLOSES PUBLIC HEARING

On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, approves and authorizes the draw down of California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Project Funds, for 2005.

PUBLIC COMMENT

Comments received from Mrs. Florence Hanson, Shelley Harlan and Kristina Adams.

MEETS IN CLOSED SESSION

- A. Government Code Section 54954.5. Public Employee Performance Evaluation – Librarian.
- B. Government Code Section 54954.5. Public Employee Performance Evaluation – General Services Director

ADJOURNS CLOSED SESSION; RECONVENES TO OPEN SESSION:

Chairman reports on Closed Session

- A. *Evaluation of Librarian.*
- B. *Evaluation of General Services Director.*

2:25 PM ADJOURN

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