

TRINITY COUNTY
BOARD OF SUPERVISORS
MINUTES

OCTOBER 5, 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 District 5 – Vacant

Supervisor Howard Freeman – District 4, Chairman

Supervisor Ralph Modine – District 3 – Vice-Chairman

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 Freeman - Presiding

TIME **ITEM NO.**

8:30 AM **CALL MEETING TO ORDER IN OPEN SESSION**

All contracts submitted to the Board are subject to routing for approval as to form and content.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Comments received from Steve Davey, Prop 68 and Charlie Capelli, Junction City.

1. CONSENT AGENDA

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Miller, seconded by Supervisor Modine and carried, approves Consent Agenda as presented, with the exception of 1b., 1j.0, 1k., and 1n., with the following vote polled: Supervisors Modine, Miller, Chambers and Freeman – Aye.

BOARD CONSENT MATTERS

- 1a. Approves minutes from September 21, 2004, as submitted by Clerk. **Binder Book**
- 1. Appoints Colleen O'Sullivan, Rose Owens and Mike Rourke to the Trinity County Resource Conservation District (TCRCD) Board of Directors, as recommended by TCRCD. **CT 04 rcd**
- 1d. Approves and authorizes Chairman to sign Resolution No. 2004-092, approving the assignment of the cable television franchise from LB Cable LLC to Techcore Consultants II, Inc. **TTC 04 tch al**

AGRICULTURE/SEALER C 04 3

- 1e. Approves contract and ratifies signature of Chairman, effective June 15, 2004, on the Wyden agreement #04-WY-11051456-014 between the Shasta-Trinity National Forest Service, United States Department of Agriculture and Trinity County Agricultural Department (Contract No. 2004-430), in the revenue amount of \$32,076, to implement the Plan developed by the Trinity County Weed management Cooperative Group.
- 1f. Approves and authorizes Chairman to sign the Pesticide Permit agreement #04-0049C (Contract No. 2004-429), revenue in the amount of \$184. for FY 04/-05 with the Department of Pesticide Regulation.

AUDITOR C 04 6

- 1g. Approves and authorizes budget increase to Building and Grounds salaries in the total amount of \$12,435, for Extra Help Custodian/Hospital Services Worker previously approved by the Board of Supervisors at the September 21, 2003 meeting and BioMed overtime authorized by Hospital Administrator, Larry McDonough.
- 1h. Approves and authorizes Auditor to sign a Maintenance Agreement with Ray Morgan Company (Contract No. 2004-427), to maintain new IR C6800 Copier in Planning Department.
- 1i. Approves contract with Trinity County Chamber of Commerce for use of Transient Occupancy Tax Funds (Contract No. 2004-428), in the amount \$50,000, allocated in the amount Fiscal Year 04/05 Budget.

HEALTH AND HUMAN SERVICES C 04 20

- 1l. Approves and authorizes Chairman to sign the Children's Protective Services System Improvement Plan (SIP) for Child Welfare Services (CWS) in Trinity County (Contract No. 2004-425). No Fiscal Impact.
- 1m. Approves and authorizes Chairman to sign the Trinity County Health and Human Services Health Services Unit Certification Statement for Child Health and Disability Prevention (CHDP) and California Children's Services (CCS) program budget and plan for FY 2004/2005 (Contract No. 2004-426). Funding through Health Realignment Funds in the amount of \$6,000.

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

BOARD CONSENT

- 1b. On motion of Supervisor Miller, seconded by Supervisor Modine and carried, appoints Supervisor Freeman as a primary and Supervisor Chambers as an alternate to represent the Trinity County Board of Supervisors on the California State Association of Counties Board of Directors for the year 2005.
AS 04 csac

**BUILDING AND DEVELOPMENT SERVICES/AIRPORT
DIVISION C 04 9**

- 1j. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, approves and authorizes the Chairman to sign a letter to the Chairman of the U.S. Senate Committee on Commerce, Science and Transportation urging prompt consideration of Senate Bill 1960 that exempts airports in qualifying economically depressed communities from matching grant obligations under the Airport Improvement Program. Subject to routing and approval as to form and content.

COUNTY CLERK/RECORDER C 04 11

- 1k. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, approves and authorizes expenditure, in the amount of \$25,000, from the Clerk's Automated Record Retrieval Trust fund, for the purchase of various pieces of equipment and software. Comments received from Dero Forslund, County Clerk/Recorder.

PLANNING/NATURAL RESOURCES C 04 24 / nr

- 1n. On motion of Supervisor Miller, seconded by Supervisor Chambers, approves and authorizes the Chairman to sign Amendment No. 1, with corrections, to the Memorandum of Understanding with the Trinity County Resource Conservation District (Contract No. 2004-424), approved June 6, 2003, for implementation of a wetlands restoration project at Trinity Alps Industrial Park. The County has recently been awarded an additional grant, in the amount of \$46,294, to supplement the revegetation component of this project. The amount will consist of extending the term of agreement to January 2007 and increasing the total contract amount by \$46,294.

2. COUNTY MATTERS

- 2a. On motion of Supervisor Miller, seconded by Supervisor Chambers, waives \$100 encroachment permit fee for the Title III Water Storage Tank Project, as requested by the Downriver Volunteer Fire Company, Inc. This encroachment permit is for the Big Bar Location. Comments received from Carl Bonomini, Transportation Director. C 04 27

- 2b. On motion of Supervisor Chambers, seconded by Supervisor Miller and carried, waives \$100 encroachment permit fee for an access road to the fire Company's property in Big Flat, as requested by the Downriver Volunteer Fire Company, Inc.
C 04 27

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 Chambers, seconded by Supervisor Modine, authorizes the recruitment and hiring of a Loss Prevention Specialist I or II at Range N180/N181 and N190/N191 in the Department of Risk Management, effective December 1, 2004. Approximate cost in salary and benefits for this FY is \$22,195. C 04 2 prs

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

- 4a. Reports received from Department Heads.
- Steve Roberts, Building and Development Services/Airport Division. Comments received from Bob Fessler.
 - Brian Muir, Auditor/Controller, Personnel, Grants, Information and Technology and Behavioral Health Services.
 - John Whitaker, General Services.
 - Linda Wright, Health and Human Services.
 - Dero Forslund, County Clerk/Recorder/Assessor.
- 4b. Report from Members of the Board: Supervisors Miller, Chambers, Modine and Freeman.
- 4c. Report from County Counsel: Jeanette Palla.

5. PRESENTATION/DISCUSSION ITEMS

5a. California State Department of Transportation

Chris Cummings, Caltrans Project Manager, provides an update on the status of partnered State Transportation Improvement Project Projects and State Highway Operation and Protection Program in Trinity County. S 04 sdo trns

5b. California State Department of Forestry and Fire Protection

Bill Britton, Battalion Chief, appears and informs the Board of an amendment to increase the cost to provide and Amador training Officer for the winter period 2004/2005. Original cost to County was \$8,804 for a six month period, new maximum increase cost to County is \$14,540 for a six month period.

S 04 sdo cdf

PUBLIC COMMENT

Comments received from John Hall, Trinity County Life Support and Dixie Capelli, Junction City.

**10:35 PM
1:30 PM**

**RECESSES
RECONVENES**

6. PUBLIC HEARINGS

6a. OPENS PUBLIC HEARING: To consider a Resolution amending the Lewiston Community Plan by changing the General Plan designation from Commercial to Rural Residential; and

Introduction of an Ordinance rezoning APN 025-340-17 from General Commercial to Rural Residential 1-acre minimum, located on Trinity Dam Boulevard at Turnpike Road, Lewiston. Applicant: Burton and Scribner, P-04-27.

Staff Report by John Jelich, Planning Director.

CLOSE PUBLIC HEARING

On motion of Supervisor Chambers, seconded by Supervisor Miller, approves and authorizes Chairman to sign Resolution

amending the Lewiston Community Plan by changing the General Plan designation from Commercial to Rural Residential; and

Waives reading and directs the Clerk to let the record show that an ordinance amending Trinity County Zoning Ordinance No. 315, rezoning APN 025-340-17 from General Commercial to Rural Residential 1-acre minimum, located on Trinity Dam Boulevard at Turnpike Road, Lewiston.; Applicant: Burton and Scribner, P-04-27, is introduced with the following vote polled: Supervisors Miller, Chambers, Modine and Freeman – Aye.

C 04 24

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

2:00 PM

7. HOSPITAL C 04 21

7a. Tables to the October 15, 2004 meeting:

Presentation by HFS Consultants concerning Alternative Hospital Model; and

Discuss and/or take action on Alternative Hospital Model.

ADMINISTRATION

7b. Accepts Administrative Report – Larry McDonough

- Critical Access Hospital Review and Accreditation
- Telemedicine
- Business Office Update
- General Status of the Hospital

7c. No Report of Finance Committee.

7d. Accepts Medical Staff Report.

7e. On motion of Supervisor Chambers, seconded by Supervisor Miller and carried, approves and authorizes Chairman to sign Hospital Standard: Administrative Coverage for the Hospital Facility.

CONTRACTS

- 7f. On motion of Supervisor Chambers, seconded by Supervisor Miller and carried, approves and authorizes Chairman to sign Declaration of Intent to Contract with California Department of Health Services (Contract No. 2004-421), for the Administration of the Physician Services Account.
- 7g. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Declaration of Intent to Contract with California Department of Health Services (Contract No. 2004-422), for the Administration of the Hospital Services Account.
- 7h. On motion of Supervisor Chambers, seconded by Supervisor Modine, approves and authorizes Chairman to sign agreement and addendum with Mardon EDP Consultants, Inc. (Contract No. 2004-423), to provide billing services, in the maximum amount of \$360,000.

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

2:30 PM

8. CALIFORNIA STATE ASSEMBLY MEMBER PATTY BERG

California State Assembly Member Patty Berg appears and gives an end of the year State wrap-up to the Board.

S 04 assembly

PUBLIC COMMENT

Comments received from Dixie Capelli, Junction City.

SUBSEQUENT ITEM

On motion of Supervisor Modine, seconded by Supervisor Chambers and carried, agrees to hear subsequent item 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:

Government Code Section 54954.2 (b) (2).

Trinity County v. PUD

Harwood v. Trinity County, et al.

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

MEETS IN CLOSED SESSION (HOSPITAL) C 04 21 cs

- A.** Government Code Section 54962; Health and Safety Code Section 1461. Subject Matter: Staff Privileges.
- B.** Government Code Section 54962; Health and Safety Code Section 32155. Subject Matter: Report of Quality Assurance Committee.

ADJOURNS CLOSED SESSION; RECONVENES TO OPEN SESSION

CHAIRMAN REPORTS ON HOSPITAL CLOSED SESSION.

- A.** *Grants staff privileges to the following:*

*Dr. Daniel Harwood, MD
Edward Dolci, MD
Randall Meredith, MD*

- B.** *Hears Quality Assurance Committee Report*

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

MEETS IN CLOSED SESSION: C 04 8 cs

- C.** Government Code Section 54956.9, subd. (b)(1) Anticipated Litigation – Conference with Legal Counsel. No. of cases: One.
 - Claim filed by Smiley James Harris, et al.

Subsq. Government Code Section 54954.2 (b) (2). Existing Litigation - Conference with Legal Counsel. No. of Cases: Two.

Trinity County v. PUD

Harwood v. Trinity County, et al.

ADJOURNS CLOSED SESSION; RECONVENE TO OPEN SESSION

CHAIRMAN REPORTS ON CLOSED SESSION

C. *Denies claim filed by Smiley James Harris, et al.*

Subsq. *Existing Litigation:*

- *PUD – Motion to move forward with PUD appeal...motion fails on a 2-2 vote.*

Up-date on Harwood v. Trinity County, et al.

3:45 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

HOWARD R. FREEMAN, CHAIRMAN
Board of Supervisors, County of
Trinity, State of California

By: _____
Deputy Clerk