

TRINITY COUNTY
BOARD OF SUPERVISORS
MEETING MINUTES

DECEMBER 7, 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 Modine – District 3

Supervisor Billie Miller – District 2

Supervisor William Chambers - District 1

ABSENT SUPERVISORS: None

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

Welcome to the Trinity County Board of Supervisors meeting. As a courtesy to others, please turn off or put on silent all cell phones, pagers, or other electronic devices which might disrupt the meeting.

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 Jim Woods, Deputy District Attorney, representing the Bargaining Unit.

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 1e., 1h., 1i., 1l., 1s., 1u., 1v., and 1w., with the following vote polled: Supervisors Modine, Miller, Chambers and Freeman – Aye.

BOARD CONSENT MATTERS

- 1a. Approves minutes from November 16, 2004, as submitted by Clerk.
- 1b. Approves special meeting minutes of November 15, 2004, as submitted by Clerk.

AGRICULTURE/WEIGHTS AND MEASURES

- 1c. Approves and authorizes Chairman to sign the Memorandum of Understanding agreement with Siskiyou County Agriculture/Weights and Measures Department and the Trinity County Agriculture Department (Contract No. 2004-486), revenue in the maximum amount of \$10,000.

AUDITOR

- 1d. Approves and authorizes budget adjustment in the Library for additional revenue received, in the amount of \$2,301.80.
- 1f. Approves and authorizes budget adjustment in the District Attorney's Office, to reflect the loss of \$25,032 of grant income and revenue.

- 1g. Approves and authorizes budget adjustment in the Airports Division of Building and Development Services, in the amount of \$5,154.60, to accommodate additional cost attributed to the Funderberg Investigation.

COUNTY CLERK/RECORDER

- 1j. Accepts Canvass of the November 2, 2004 Presidential General Election completed on November 19, 2004 and directs the Clerk to let the record show that the Official Statement of Votes Cast is hereby made a part of the minutes of the Board.
- 1k. Approves and authorizes request of County Clerk/Recorder to carry over 200 hours of compensatory time for Toni Kasper from calendar year 2004 to 2005; and

Approves and authorizes request of County Clerk/Recorder to carry over 110 hours of compensatory time for Tammy Chryst from calendar year 2004-2005.

FAIR

- 1m. Approves and authorizes Chairman to sign the Trinity County Fair Operating Budget for 2005.

GENERAL SERVICES

- 1n. Approves and authorizes Chairman to sign contract with Basic Laboratory (Contract No. 2004-489), in the amount of \$20,000, to provide general chemical, bacteriologic, heavy metal and organic chemical analysis of water samples on an as needed basis and at the request of Trinity County.
- 1o. Approves and authorizes the sale of 5 surplus vehicles at Greater Northern California Auto Auction, as listed:
1. General Service, Hayfork Park (formerly Building Inspector's)
1978 Chevy Pickup
VIN CCD149Z115165
 2. District Attorney's Office
1988 GMC (Jimmy)
VIN 1GKEV18K9JF511146

3. General Services (formerly Public Works)
1986 Ford F-350 Pickup
VIN 1FTHF36LGPB70708
4. Sheriff
1999 Ford Expedition
VIN 1FMPU181XXLA33650
5. Health and Human Services
1992 Ford Aerostar
VIN 1FMDA21X7NZB67962

GRANTS AND HOUSING REHABILITATION

- 1p. Accepts the Final Report of USFS Grant #R5-14-98-34, "Downriver Community Resource Center: Phase IV" and authorizes Chairman to sign closing documents, total USFS funding in the amount of \$45,000.

INFORMATION AND TECHNOLOGY

- 1q. Approves and authorizes Chairman to sign Amendment No. 1 to the contract with ComTech Communications (wireless bridge installation) to increase the maximum cost to County by \$735.42 from General Fund.

PLANNING/NATURAL RESOURCES

- 1r. Approves and authorizes Chairman to sign Amendment No. 1 and subsequent amendments to the existing contract with Natural Resources Conservation Service Wetlands Reserve Program #66-9104-0-140 (Contract No. 2004-491). No fiscal impact.

PROBATION/COLLECTIONS

- 1t. Approves and authorizes Chairman to sign contract with the Franchise Tax Board (Contract No. 2004-493), potential revenue in the amount of \$20,000, at a cost of 15% of amount collected, for the Court ordered debt collections program.

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

AUDITOR

- 1e. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, approves and authorizes two budget adjustments in the Sheriff's Office, for reallocation of expenses in the Jail and Office of Emergency Services. This is a transfer from one account to another in the amount of \$14,000, actual fiscal impact is \$0.

BEHAVIORAL HEALTH SERVICES

- 1h. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign contract with AmeriCorps Program (Contract No. 2004-488), in the amount of \$12,225, for Alcohol or Other Drug services to Trinity County clients for FY 2004-2005, with corrections.

BUILDING AND DEVELOPMENT SERVICES/AIRPORTS

- 1i. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, accepts the work performed by Valley Slurry Seal Company of West Sacramento, on Contract No. 04-AIR-01 and Contract No. 04-AIR-02, and authorizes the Director of Airports to sign and record the Notice of Completion.

COUNTY COUNSEL

- 1l. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, denies Amendment No. 2 to the Public Defender Contract with Derrick W. Riske, James H. Dippery, Jr., Joanna R. Correll and Elizabeth W. Johnson, Attorney's at Law, to amend Termination, Compensation and method of payment clauses. No fiscal impact. Comments received from Brian Muir, County Auditor/Controller and Jim Woods, Deputy District Attorney.

PLANNING/NATURAL RESOURCES

- 1s. On motion of Supervisor Modine, seconded by Supervisor Miller, approves and authorizes Chairman to sign Amendment No. 1 to the Contract for Property Information Guarantees with Trinity County Title Company (Contract No. 2004-492), for properties adjacent to the Trinity River for \$800, at no cost to the General Fund, all funds are completely reimbursable under grant agreement #03-FG230776 with the U.S. Bureau of Reclamation. Supervisor Chambers – Abstains.

TRANSPORTATION

- 1u. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, approves and authorizes the Director of Transportation to sign Amendment No. 1 to the contract with Martin Appraisal and Acquisition Co. (Contract No. 2004-494), for acquisition of right of way on Deerlick Springs Road No. 335. No fiscal impact. Comments received from Carl Bonomini, Transportation Director.
- 1v. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Amendment No. 1 to the contract with Blackburn Consulting, Inc. (Contract No. 2004-495), for Geotechnical Investigation on Lower South Fork Road, in Hyampom. No fiscal impact. Comments received from Carl Bonomini, Transportation Director.
- 1w. On motion of Supervisor Chambers, seconded by Supervisor Modine, approves request of Brad Miller to carryover, in excess of 80 hours compensatory time, from calendar year 2004 to 2005. Supervisor Miller – Abstains.

2. COUNTY PERSONNEL MATTERS

- 2a. Brian Muir reports on estimated cost of PERS golden handshake for the positions of Deputy Director General Services and one Deputy District Attorney IV, estimated cost for FY 04/05 is \$26,635 savings to the General Fund, and FY 05/06 is \$78,121 savings to the General Fund.
- 2b. On motion of Supervisor Miller, seconded by Supervisor Chambers, establishes position and approves job specification of Trinity County Volunteer Fire Services Coordinator and direct that said position be allocated to the Department of Board of Supervisors and directs the Personnel Department to advertise for letters of interest, effective December 8, 2004. No fiscal impact. Comments received from Richard Smith, Weaverville Fire Chief.

4b. Report from Department Heads.

- Dero Forslund, County Clerk/Recorder/Assessor

2. COUNTY PERSONNEL MATTERS, Continued....

- 2c. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, pursuant to Trinity County Code Section 2.60.410 authorizes hiring Mary Carrel as an Administrative Clerk II Range G140 Step B, in the Behavioral Health Department, effective November 12, 2004. Approximate cost in salary and benefits for FY 04/05 at B step is \$855. Hiring authorized on November 16, 2004 due to resignation. Comments received from Monica Stygar, Personnel Analyst II.
- 2d. On motion of Supervisor Chambers, seconded by Supervisor Miller and carried, authorizes hiring two Social Workers at Health and Human Services (due to two retirements in the Child Protective Services and Adult Protective Services). Approximate cost in salary and benefits for this fiscal year for one Social Worker would be \$20,925 for both positions \$41,850. Comments received from Monica Stygar, Personnel Analyst II.
- 2e. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, authorizes hiring an Accounting Technician I at Health and Human Services (due to a resignation in the Health Department). Approximate cost in salary and benefits for this fiscal year would be \$25,805. Comments received from Monica Stygar, Personnel Analyst II.
- 2f. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, authorizes hiring a half-time Transportation Aide and reinstating an employee who was laid off to a ½ time position due to resignations in the Behavioral Health Services Department. Approximate cost in salary and benefits for this fiscal year would be \$25,805. Comments received from Monica Stygar, Personnel Analyst II.
- 2g. On motion of Supervisor Chambers, seconded by Supervisor Miller and carried, approves increasing the hours of the Administrative Coordinator in the Information and Technology Department from half time to full time, effective November 1, 2004. Approximate increase in salary would be \$1,070. Comments received from Monica Stygar, Personnel Analyst II.

3. COUNTY MATTERS

PLANNING/NATURAL RESOURCES DIVISION

- 3a. On motion of Supervisor Modine, seconded by Supervisor Miller and carried, approves and authorizes Chairman to sign comment letters to the Bureau of Reclamation and Trinity Public Utilities District on the proposed Environmental Assessment/Finding of No Significant Impact for renewal of the long-term water contracts for the Delta-Mendota Canal Unit of the Central Valley Project, subject to review by Vice-Chairman Modine. Supervisor Chambers – Abstains. Comments received from Tom Stokely, Senior Planner, Natural Resources Division.

4. REPORTS

- 4a. Chairman reports on Agenda Meeting.
- 4b. Reports from Department Heads, **continued...**
- Carl Bonomini – Transportation
 - Brian Muir – County Auditor/Controller
- 4c. Reports from Members of the Board: Supervisors Chambers, Modine, Miller and Freeman.
- 4d. Report from Jeanette Palla, County Counsel.

5. PRESENTATION/DISCUSSION ITEMS

5a. Trinity County Chamber of Commerce.

Presentation given by Pat Zugg regarding Transient Occupancy Tax dollars allocated to the Trinity County Chamber; and

Presentation given by Pat Zugg regarding the California State Fair booth; and

On motion of Supervisor Modine, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign the California State Fair application.

5b. Weaverville Chamber of Commerce.

Presentation given by Pat Zugg regarding Transient Occupancy Tax dollars allocated to the Weaverville Chamber. Comments received from Ed Bates, President Weaverville Chamber of Commerce.

6. HOSPITAL

HOSPITAL PERSONNEL MATTERS

- 6a. On motion of Supervisor Chambers, seconded by Supervisor Miller and carried, approves request to offer double time pay for nurses willing to cover holidays, in lieu of hiring registry personnel at a much higher rate. Cost is \$650.00 in double time pay versus \$1000 + expenses for registry. Comments received from Larry McDonough, Administrator and Diane Rieke, Director of Nurses.
- 6b. On motion of Supervisor Modine, seconded by Supervisor Chambers and carried, approves the preparation of Notification of Layoff letters from the Board of Supervisors to employees working at the Trinity Hospital, route final draft to members of the Transition Team for review and approval; and

Approves and authorizes Chairman to sign said Notification of Layoff letters and submit to the County Personnel Office, which would then send letters immediately upon notification of the formation of the Joint Powers Authority (JPA). Comments received from Larry McDonough, Administrator.

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

ADMINISTRATION

- 6c. Larry McDonough gives Hospital Administrative Report:
- Critical Access Designation
 - Billing Update
 - Accounts Payable
 - TPUD Transfer
- 6d. Larry McDonough gives Finance Committee report.
- 6e. Larry McDonough gives Medical Staff Report.
- 6f. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, approves and authorizes the Chairman to sign the following Standards and Policies as submitted by Trinity Hospital:

1. Oxygen Flow Sheet-SNF
 2. Outdates-Reviewing Medication
 3. Access to Medical Records
 4. Release of Health Information
 5. Diet as Tolerated
 6. Cleaning of Floor Care Equipment
 7. Isolation-Activities for Residents
 8. Transportation
 9. Resident Council
 10. Protocol Administration
- 6g. On motion of Supervisor Miller, seconded by Supervisor Modine and carried, approves and authorizes Chairman to sign the following Trinity Hospital Standards Manuals:
1. Top Care Manual
 2. Critical Access Hospital Manual
- 6h. On motion of Supervisor Chambers, seconded by Supervisor Modine and carried, approves and authorizes Chairman to sign Medical Staff Rules and Regulations submitted by Trinity Hospital.

CONTRACTS

- 6i. On motion of Supervisor Chambers, seconded by Supervisor Miller and carried, approves and authorizes Chairman to sign Amendment No. 2 to the contract with Healthcare Connections, Inc. (Contract No. 2004-496), for temporary laboratory scientist staffing. No additional fiscal impact. Comments received from Larry McDonough, Administrator.
- 6j. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Amendment No. 4 to the contract with Valley Emergency Physicians Medical Group, P.C. (Contract No. 2004-321), extending the term from August 1, 2004 to January 30, 2005. Cost to County by \$237,384 from Operational and General Funds, and providing for a 30 day termination clause. Comments received from Larry McDonough, Administrator and John Whitaker, General Services Director.

PUBLIC COMMENT

Comments received from Pat Zugg, Chambers of Commerce.

MEETS IN HOSPITAL CLOSED SESSION

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

ADJOURNS CLOSED SESSION; RECONVENES TO OPEN SESSION

CHAIRMAN REPORTS ON HOSPITAL CLOSED SESSION:

- A. Receives report of Quality Assurance Committee.
- B. Approves the following Provisional Medical Staff Privileges:
 - Laura Dooley, MD
 - Aaron Jones, MD
 - Richard Rutherford, MD

For December 2004 through November 2005

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

MEETS IN CLOSED SESSION:

- C. Government code Section 54954.5 (d) and 54956.9 (a)). Liability Claims and/or Existing Litigation.
 - Claimant: Frank Passatero (Claim No. 6108-90-0026)
Agency Claimed Against: Trinity County
- D. Government code Section 54954.5 (d) and 54956.9 (a)). Liability Claims and/or Existing Litigation.
 - Claimant: William Barcellona (Claim No. 6108-92-0105)
Agency Claimed Against: Trinity County
- E. Government Code Section 54956.9, subd. (a). Existing Litigation, Conference with Legal Counsel. Number of Cases: One.

- County of Trinity v. Pacific Gas and Electric Company
Case No. 04CV056
- F.** Government Code Section 54956.9, subd. (b)(1) Anticipated Litigation – Conference with Legal Counsel. No. of cases: One.
- Claim filed by Randall C. Clement.
- G.** Government Code Section 54954.5. Public Employee Appointment or Employment – County Administrative Officer.
- H.** Government Code Section 54954.5. Public Employee Appointment or Employment – Certified Registered Nurse Anesthesiologist.

ADJOURNS CLOSED SESSION; RECONVENES TO OPEN SESSION

CHAIRMAN REPORTS ON CLOSED SESSION:

- C.** On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, agrees to offer settlement in the amount of \$22,500 for the following claim:
- Claimant: Frank Passatero (Claim No. 6108-90-0026)
Agency Claimed Against: Trinity County
- D.** On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, agrees to offer settlement in the amount of \$15,000 for the following claim:
- Claimant: William Barcellona (Claim No. 6108-92-0105)
Agency Claimed Against: Trinity County
- E.** On motion of Supervisor Modine, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign settlement agreement for payment to PG&E in the sum of \$16,357.80 and release to the County the balance of the \$81,789.00 in funds on deposit with the Trinity County Treasurer, for the following claim:

County of Trinity v. Pacific Gas and Electric Company
Case No. 04CV056

- F.** Denies the following Claim:
- Claim filed by Randall C. Clement.
- G.** Due to the top County Administrative Officer Candidate withdrawing his application, the current Board of Supervisors agrees to let the incoming Board of 2005 to proceed with the recruitment.
- H.** Direction given to recruit to fill position vacated by Phil Jones, Certified Registered Nurse Anesthesiologist.

12:15 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

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

By: _____
Deputy Clerk