

**TRINITY COUNTY**  
**BOARD OF SUPERVISORS**  
**MEETING MINUTES**

**MAY 03, 2005**

**1:30 PM**

**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 1:30 pm and there are:

**PRESENT SUPERVISORS:**

Supervisor, District 5 - Vacant

Supervisor Howard Freeman – District 4, Chairman

Supervisor Roger Jaegel – District 3

Supervisor Jeff Morris – 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.**

**1:30 PM**

**CALLS 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**

No comments received.

**1. CONSENT AGENDA**

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

- 1a. Approves special meeting minutes of April 18, 2005, as submitted by Clerk.
- 1c. Approves special meeting minutes of April 20, 2005, as submitted by Clerk.
- 1d. Approves special meeting minutes of April 27, 2005, as submitted by Clerk.
- 1e. Re-appoints Wallace Brinkley, representing District 1, to the Trinity County Fair Association Board of Directors for a term to coincide with the District 1 Supervisors term, as requested by Supervisor Bill Chambers.
- 1f. Approves and authorizes Chairman to sign Proclamation No. 2005-01, proclaiming the week of May 15-21, 2005 as National Emergency Medical Services (EMS) Week, as requested by the North Coast Medical Services.
- 1g. Approves and authorizes Chairman to sign Resolution No. 2005-032, Supporting the annual 4th of July Parade 2005, as requested by the Weaverville Rotary Club.
- 1h. Approves and authorizes Chairman to sign Resolution No. 2005-033, Pertaining to Parking during the annual 4th of July Parade 2005, as requested by the Weaverville Rotary Club.

1i. Approves and authorizes Chairman to sign letter of opposition to Assembly Bill 667, which will eliminate local control for evaluation Local Child Support Agencies and will place said agency Directors under State control, as requested by the Child Support Services Director.

1j. Approves and authorizes Chairman to sign Resolution No. 2005-031, Opposing Suspension of Proposition 42 (passed in 2002) Funding to Local Government, which shifts sales tax on petroleum fuels from the State's General Fund to Transportation Investment Fund for transportation purposes; and

Approves and authorizes Chairman to sign transmittal letters to State Senator Samuel Aanestad and State Assembly Member Patty Berg, as requested by the Department of Transportation Director.

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

1b. On motion of Supervisor Jaegel, seconded by Supervisor Chambers and carried, approves meeting minutes of April 19, 2005, with corrections.

**2. REPORTS**

2a. Agenda Meeting Report.

2b. County Counsel Report.

2c. Department Head Report.

- Pat Mortensen, Coordinator, Grants and Housing Rehabilitation Loan Office.

2d. Board of Supervisor's Reports: Supervisors Morris, Jaegel, Chambers and Freeman.

**3. PRESENTATION ITEMS/DISCUSSION ITEMS**

Presentation by Judy Hoffman, Quality Improvement Coordinator, Trinity County Behavioral Health Services, regarding the Mental Health Services Act approved by voters in November 2004, which established a 1% tax on all earned income over \$1 million annually to finance mental health

service improvement and expansion. Comments received from Terry Lee, Behavioral Health Services Board.

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

**4. TRANSPORTATION COMMISSION**

Presentation by Chris Cummings, Caltrans project manager, regarding Regional Improvement Program (RIP) funded projects on the State highway system in Trinity County and on the Trinity State Highway Operational Protection Program (SHOPP).

Chris Cummings introduces Clint Burkenpas, who will be taking over as Caltrans Project Manager, as Chris moves on to another position within Caltrans.

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

**PUBLIC COMMENT**

No comments received.

**MEET IN CLOSED SESSION**

**A. Government Code Section 54957.6. Labor Negotiations:**

County Designated Representatives: Jeanette Palla, County Counsel; Wyatt Paxton, Building and Development Services Director and Mark Lockhart, Agricultural Commissioner.

**B. Government Code Section 54954.5 Public Employee Appointment or Employment:**

Title: County Administrative Officer

**C. Government Code Section 54956.9, subd. (b)(1) Anticipated Litigation – Conference with Legal Counsel. No. of cases: Two.**

- Claim filed by Tanya Menezes Cooper
- Claim filed by Tony Suda

**RECONVENES IN OPEN SESSION**

5:00 PM  
6:00 PM

RECESSES  
RECONVENES

### CHAIRMAN REPORTS ON CLOSED SESSION

- A.** *Direction given to County Designated Representatives; continues Closed Session to 8:00 AM on Thursday, May 5, 2005.*
- B.** *The CAO Selection Committee is recommending a candidate subject to Board of Supervisors approval and a background check. The identity of the candidate cannot be disclosed pending the background check.*
- C.** *Anticipated Litigation:*
- *Claim filed by Tanya Menezes Cooper is denied.*
  - *Claim filed by Tony Suda is denied.*

### 5. PUBLIC HEARINGS

OPEN PUBLIC HEARING: To consider:

- 1) Mitigated Negative Declaration on the tentative subdivision map and rezone for the Independent Order of Odd Fellows (IOOF) on their camp in Lewiston on APNs 15-210-05, 36 & 43; and
- 2) Ordinance No. 315-738, amending the Trinity County Zoning Ordinance by rezoning APNs 15-210-05, 36, & 43 from Unclassified to Specific Unit Development.
- 3) Resolution No. 2005-035, adopting finding of fact and approving a tentative map for the Independent Order of Odd Fellows (P-04-67). (APNs 15-210-05, 36 & 43).

CLOSE PUBLIC HEARING.

- 1) On motion of Supervisor Chambers, seconded by Supervisor Jaegel and carried, approves Mitigated Negative Declaration on the tentative subdivision map and rezone for the Independent Order of Odd Fellows (IOOF) on their camp in Lewiston on APNs 15-210-05, 36 & 43; and
- 2) No action taken by the Board on Ordinance No. 315-738, amending the Trinity County Zoning Ordinance by

rezoning APNs 15-210-05, 36, & 43 from Unclassified to Specific Unit Development. Ordinance to be introduced at the May 17th meeting under the Consent Agenda. Supervisor Morris – No.

- 3) On motion of Supervisor Jaegel, seconded by Supervisor Chambers, approves and authorizes Chairman to sign Resolution No. 2005-035, adopting finding of fact and approving a tentative map for the Independent Order of Odd Fellows (P-04-67). (APNs 15-210-05, 36 & 43). Approves with the following vote polled: Supervisors Chambers, Jaegel, and Freeman – Aye. Supervisor Morris – No.

**6. ABANDONMENT OF SLATTERY GULCH ROAD, JUNCTION CITY**

The Trinity County Board of Supervisors denies request of Mr. and Ms. Cappelli to have the County of Trinity abandon Slattery Gulch Road, County Road No. 411, due to the Superior Courts decision that it is currently a County Road; and gives the Capelli's direction on the process of abandoning County Roads. Comments received from Charlie and Dixie Capelli, Junction City.

**7. MISCELLANEOUS MATTERS**

MISCELLANEOUS MATTERS ITEMS SHOWN HERE ARE IN THE ORDER OF THE AGENDA AND NOT NECESSARILY IN THE IN THE ORDER THEY WERE HEARD.

**AGRICULTURE/WEIGHTS AND MEASURES**

Comments received from Mark Lockhart, Commissioner.

- 7a. On motion of Supervisor Morris, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign the Organic Contract #05-0182 for FY 2005-2006, for registration and renewals; spot inspections; soil and tissue sampling and complaint investigations, in the revenue amount of \$700, with the California Department of Food and Agriculture.
- 7b. On motion of Supervisor Jaegel, seconded by Supervisor Morris and carried, designates the Trinity County Agricultural/Commissioner as the Pierces' Disease

Coordinator for the Pierces Disease Control Program in Trinity County. No fiscal impact.

## **AUDITOR**

Comments received from Brian Muir, Auditor/Controller.

- 7c. On motion of Supervisor Jaegel, seconded by Supervisor Morris and carried, approves and authorizes Chairman to sign contract with Public Resource Management Group (Contract No. 05-199), for State mandated cost reimbursement claims, in the possible revenue amount of \$20,000.
- 7d. On motion of Supervisor Morris, seconded by Supervisor Jaegel and carried, approves and authorizes budget adjustment for the Jail to reclassify service expense and revenue, in the amount of \$4,465, which is being transferred from one account to another for fiscal impact of \$0.
- 7e. On motion of Supervisor Morris, seconded by Supervisor Jaegel and carried, approves and authorizes budget adjustment for the Sheriff to reclassify salaries and service, in the amount of \$34,000, which is being transferred from one account to the another for a fiscal impact of \$0.
- 7f. On motion of Supervisor Morris, seconded by Supervisor Jaegel and carried, approves and authorizes budget adjustment for the Sheriff to reclassify revenue, in the amount of \$10,630, which is being transferred from one account to another for a fiscal impact of \$0.
- 7g. On motion of Supervisor Morris, seconded by Supervisor Jaegel and carried, approves and authorizes approve and authorize budget adjustment in the Building and Development Services to reclassify service expense, in the amount of \$5,930.45, which is being transferred from one account to another for a fiscal impact of \$0.

## **BEHAVIORAL HEALTH SERVICES**

Comments received from Brian Muir, Director.

- 7h. On motion of Supervisor Jaegel, seconded by Supervisor Morris and carried, approves and authorizes Chairman to sign contract with BHC Heritage Oaks Hospital, Inc. (Contract No. 05-205), for Acute Psychiatric Inpatient Mental Health

Services for Trinity County clients, in the amount of \$10,000. Costs of services for this contract shall be paid from Behavioral Health's allocation of Realignment funds.

- 7i. On motion of Supervisor Chambers, seconded by Supervisor Jaegel and carried, approves and authorizes Chairman to sign contract with Redwood Children's Services, inc. (Contract No. 05-203), for Children's Therapeutic Mental Health Services for Trinity County clients, in the amount of \$9,547.20. Costs of services for this contract shall be paid from Medi-Cal and Behavioral Health's Allocation of Realignment funds. Supervisor Morris – No.
- 7j. On motion of Supervisor Morris, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Net Negotiated Amount Contract Amendment No. 1 with Behavioral Health Services and the Department of Alcohol and Drug Programs (Contract No. 04-235.1), for Alcohol and/or Other Drug Services to increase federal Substance Abuse Prevention and Treatment revenues, in the amount of \$335 for FY 2004-2005.
- 7k. On motion of Supervisor Jaegel, seconded by Supervisor Chambers and carried, approves Trinity County's SACPA (Substance Abuse and Crime Prevention Act) Plan for FY2005-2006 (Contract No. 05-211), which describes agreed upon services between Trinity County Behavioral Health Services and the Department of Alcohol and Drug Programs for Prop 36 services for Trinity County clients. Total amount of funding to be provided for these services is \$214,074.

### **CHILD SUPPORT SERVICES**

Comments received from Donna Robson, CSS.

- 7l. On motion of Supervisor Jaegel, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign contract for advertising with Trinity Theatre, LLC, for one year in the amount of \$1,200 from Child Support Administration funding.

### **COUNTY**

- 7m. Appoints Supervisors Morris, with Supervisor Jaegel as an alternate to the Strategic Planning Committee and directs the Committee to report to the Board on a monthly basis.

Comments received from John Jelich, Planning Director/Management Team, Dero Forslund, County Clerk and Brian Muir, Auditor/Controller.

- 7n. On motion of Supervisor Jaegel, seconded by Supervisor Morris and carried, accepts the resignation of Scott Eberly, Trinity Public Superior California Economic Development District (SCEDD) Board member, effective April 30, 2005; and

Directs the Clerk to advertise for the appointment of a new member to SCEDD.

### **COUNTY COUNSEL**

Comments received from Jeanette Palla, Counsel.

- 7o. On motion of Supervisor Jaegel, seconded by Supervisor Morris and carried, approves and authorizes Chairman to sign Amendment No. 2, to the contract with Redwood Toxicology Laboratory, Inc. (Contract No. 02-162.2), for provision of drug screening services, increasing the maximum amount from \$15,000 to \$25,000 from the Probation, Sheriff, District Attorney, Probation, Health and Human Services (CPS), Behavioral Health Services (AODS/Prop 36) and Personnel Departments budgets.

- 7p. On motion of Supervisor Jaegel, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign engagement letter with bond counsel Holland & Knight, which firm will also provide a tax opinion necessary for issuance of tax-exempt debt, in the amount of \$45,000 to be paid upon successful issuance of debt from proceeds of debt issuance.

- 7q. On motion of Supervisor Morris, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign engagement letter with Stone and Youngberg, Placement Agent for a private placement of tax-exempt Certificates of Participation, in an amount not to exceed 1.5% of the par amount of the securities placed, to be paid only if there is a successful placement. Comments received from Richard Bryan, Trinity Tribune.

### **GENERAL SERVICES**

Comments received from Jeanette Palla, County Counsel.

- 7r. On motion of Supervisor Jaegel, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign lease agreement with Laura Alberts, for rental of one room at the Sam Lee Ranch House to be used as an art studio, revenue in the amount of \$80 monthly, beginning on May 1, 2005.
- 7s. No action taken by the Board on contract with J & J Septic Service, to provide service to portable toilets at Trinity Center, Junction City, Big Bar, Burnt Ranch, Hyampom and Hayfork County sites, and if requested by County at the Cemetery Hole and Old Bridge in Lewiston on an as needed basis for one year, in an amount not to exceed \$10,800; 60% Enterprise Fund, 25% Special Aviation Fund and 15% General Fund. Tables to the May 17<sup>th</sup> meeting.

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

Comments received from Pat Mortensen, Administrator.

- 7t. On motion of Supervisor Morris, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Amendment No. 1 with CBC Companies, Inc., extending the date on the agreement and increasing the cost to the County, to provide credit reporting services, in the amount of \$3,000 from CDBG and HOME grant funds.
- 7u. On motion of Supervisor Jaegel, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Amendment No. 1 to the agreement with the Hawkins Bar Volunteer Fire Department (Contract No. 03-458.1), for the purchase of a 1982 Van Pelt/Ford Chassis Fire Engine, in the amount of \$20,000 from Title III funds.
- 7v. On motion of Supervisor Jaegel, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Amendment No. 1, extending the date on the agreement with the Hawkins Bar Volunteer Fire Department (Contract No. 03-462.1), for the purchase of helmets and GPS instruments, in the amount of \$1,100 from Title III funds.
- 7w. On motion of Supervisor Jaegel, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Amendment No. 1, extending the date on the agreement with Downriver Volunteer Fire Company, Inc. (Contract No.

04-243.1), for the purchase of radios and turnouts, in the amount of \$8,592.87 from Title III funds.

## **HEALTH AND HUMAN SERVICES**

Comments received from Linda Wright, Director.

- 7x. On motion of Supervisor Jaegel, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign agreement with the State of California and County of Trinity for Health and Human Services to act as the Enrollment Entity for the Healthy Families and Medi-Cal for Families programs. No fiscal impact.

## **PERSONNEL**

- 7y. On motion of Supervisor Morris, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign agreement for unemployment compensation services with County Personnel Administrators Association of California (CPAAC, and TALX UCeXpress, in the amount of approximately \$350 per year.
- 7z. No action taken by the Board on the recruitment and hire of an Administrative Clerk II or Administrative Clerk Senior or an Administrative Coordinator I, due to a resignation in the department of Personnel. Approximate monthly cost for this fiscal year in salary and benefits would be: Administrative Clerk II \$3,881; Administrative Clerk Senior \$4,111; Administrative Coordinator I \$4,284. The current incumbent's salary with benefits is \$4,549. Tables to the May 17, 2005 meeting.
- 7aa. On motion of Supervisor Morris, seconded by Supervisor Chambers and carried, approves and authorizes the increase of summer hours worked by Gate Attendants to reflect winter and summer hours of operation at the transfer sites previously approved by the Board. Approximate cost would be \$5,300 from the Solid Waste Enterprise Fund.
- 7bb. On motion of Supervisor Jaegel, seconded by Supervisor Morris and carried, changes the salary of Walter Scott, extra help Transportation Aide for Behavioral Health Services from G145A to G145C, effective February 28, 2005. Approximate cost in salary for A Step would be \$1,871 for C Step \$1,933 a difference of \$62 per month.

- 7cc. On motion of Supervisor Morris, seconded by Supervisor Jaegel and carried, approves and authorizes filling the vacant Social Worker allocation in Health and Human Services, effective April 18, 2005. Approximate cost in salary and benefits will be \$4,544. No General Funds will be utilized and this position is funded with Child Welfare Services Redesign dollars.

## **PLANNING/NATURAL RESOURCES**

Comments received from John Jelichich, Director.

- 7dd. On motion of Supervisor Morris, seconded by Supervisor Chambers, approves and authorizes Chairman to sign Resolution No. 2005-034, Rescinding existing Land Conservation Contract and simultaneously entering into a new Land Conservation Contract; and

Approves and authorizes Chairman to sign Land Conservation Contract LCC-1-2005 (Contract No. 05-212), to limit the use of the land described in the contract for purposes of agricultural pursuits and compatible uses, subject to conditions set forth in the Contract and in the California Land Conservation Act of 1965. (Applicant: Sumner, APNs 015-190-04 & 17). Approves with the following vote polled: Supervisors Chambers, Morris, Jaegel and Freeman – Aye.

- 7ee. No action taken by the Board to sign "Resolution to Name the Riparian/Wetland Complex at the Trinity Alps Business Park" as the "Weaver Basin Wetlands" and authorizes that the four ponds within the newly constructed wetlands be named, at a later date, for members of the community that have contributed to the sustainable management of natural resources in the community. No fiscal impact. Approves with the following vote polled: Supervisors

## **SHERIFF**

Comments received from Lorrac Craig, Sheriff.

- 7ff. On motion of Supervisor Jaegel, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Amendment No. 1 to contract with Central Toxicology, Inc. (Contract No. 05-141.1), for forensic toxicology services, extending the term of the contract from June 30, 2005 to May

31, 2006, original contract approved in the amount of \$10,000, no increase in fiscal impact due to this amendment.

- 7gg. On motion of Supervisor Chambers, seconded by Supervisor Jaegel and carried, approves and authorizes Chairman to sign the Federal Equitable Agreement with the U.S. Department of Justice, which allows Trinity County to receive funds and/or property from the U.S. Departments of Justice and Treasury for Asset Seizures. No impact to General Fund.
- 7hh. On motion of Supervisor Morris, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign the State of California Department of Boating and Waterways Financial Aid Program Contract for FY 2005-2006, to continue the Lake Patrol Program, in the amount of \$106,714, with a General Fund impact of approximately \$2,000 in insurance costs.

**ADDENDUM:**

1. On motion of Supervisor Morris, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign contract, in the amount of \$3,000, with Union Bank of California to serve as Trustee for issuance of Certificates of Participation.

**PUBLIC COMMENT**

No Comments received.

**8:40 PM ADJOURN AND CONTINUE CLOSED SESSION ITEM A. ON THURSDAY, MAY 5, 2005 AT 8:00 AM.**

**THURSDAY, MAY 5, 2005**

**8:00 AM CONTINUES CLOSED SESSION ITEM A.**

**A. Government Code Section 54957.6. Labor Negotiations:**

County Designated Representatives: Jeanette Palla, County Counsel; Wyatt Paxton, Building and Development Services Director and Mark Lockhart, Agricultural Commissioner.

**10:00 AM ADJOURNS AND CONTINUE CLOSED SESSION ITEM A. ON FRIDAY, MAY 6, 2005 AT 4:00 PM.**

**FRIDAY, MAY 6, 2005**

**4:00 PM CONTINUES CLOSED SESSION ITEM A.**

**A.** Government Code Section 54957.6. Labor Negotiations:

County Designated Representatives: Jeanette Palla, County Counsel; Wyatt Paxton, Building and Development Services Director and Mark Lockhart, Agricultural Commissioner.

**6:00 PM ADJOURNS AND CONTINUE CLOSED SESSION ITEM A. ON MONDAY, MAY 9, 2005 AT 4:00 PM.**

**MONDAY, MAY 9, 2005**

**4:00 PM CONTINUES CLOSED SESSION ITEM A.**

**A.** Government Code Section 54957.6. Labor Negotiations:

County Designated Representatives: Jeanette Palla, County Counsel; Wyatt Paxton, Building and Development Services Director and Mark Lockhart, Agricultural Commissioner.

**6:00 PM ADJOURNS AND CONTINUE CLOSED SESSION ITEM A. ON FRIDAY, MAY 13, 2005 AT 3:00 PM.**

**FRIDAY, MAY 13, 2005**

**3:00 PM CONTINUES CLOSED SESSION ITEM A.**

**A.** Government Code Section 54957.6. Labor Negotiations:

County Designated Representatives: Jeanette Palla, County Counsel; Wyatt Paxton, Building and Development Services Director and Mark Lockhart, Agricultural Commissioner.

**5:00 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,

HOWARD R. FREEMAN, CHAIRMAN  
Board of Supervisors, County of

Ex-Officio Clerk of the Board,  
County of Trinity, State of California

Trinity, State of California

By: \_\_\_\_\_  
Deputy Clerk