

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

**MAY 4, 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 Freeman, seconded by Supervisor Modine and carried, approves Consent Agenda as presented, with the exception of 1a., 1b., 1f., 1h., 1i., 1j., 1l., 1m., 1r., 1s., and 1aa., with the following vote polled: Supervisors Freeman, Modine, Miller, Chambers and Reiss – Aye.

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

### **BOARD CONSENT MATTERS**

- 1c. Finds that the proposed license will meet public convenience and necessity, and finds no objection to the issuance of an Alcoholic Beverage License to Carini Wine, located at Peanut Mill Camp, Hayfork.

### **AGRICULTURE/WEIGHTS AND MEASURES**

- 1d. Approves and authorizes Chairman to sign the Organic Contract #04-0063 for FY 04/05 (Contract No. 2004175), in the amount of \$700, with the California Department of Agriculture.

### **AUDITOR**

- 1e. Approves and authorizes Chairman to sign Amendment to the Joint Powers Agreement Creating the CSAC Excess Insurance Authority (Contract No. 2004-176). No Fiscal Impact.
- 1g. Approves and authorizes budget increase in the Office of Emergency Services (2260), in the amount of \$4,631.47, as a result of unanticipated grant income from the Citizens Corps/Cert Program.

### **BEHAVIORAL HEALTH SERVICES**

- 1k. Approves and authorizes Director of Behavioral Health to sign Department of Alcohol and Drug Programs, Contract No. COUNTY 53, Amendment No. 1 (03/04) (Contract No. 2004-187), increased revenue in the amount of \$22,938, for the Negotiated Net Amount for Fiscal Year 03/04.

#### **GENERAL SERVICES**

- 1n. Authorizes the General Services Director to sign a standard encroachment permit application from Caltrans for two directional sign for Lowden Park.

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

- 1o. Approves and authorizes Chairman to sign Notice of Award and other contract documents with Ray Swarts Construction of Redding (Contract No. 2004-174), in the amount of \$34,490, for the rehabilitation of the Lewiston Community Center, funds provided by CDBG #03-STBG-1852.

#### **HEALTH AND HUMAN SERVICES**

- 1p. Approves and authorizes Chairman to sign contract with Human Response Network (Contract No. 2004-181), in the maximum amount of \$55,000, to provide in-home family management and other services designed to prevent child abuse.

#### **LIBRARY**

- 1q. Approves Revised Internet and Computer Use Policy for the public.

#### **PROBATION**

- 1t. Approves and authorizes Chairman to sign Resolution No. 2004-028, Authorizing Board of Corrections, Juvenile Justice Crime Prevention Act Program budget in the amount of \$32,500.

#### **SHERIFF**

- 1u. Approves and authorizes Chairman to sign Amendment No. 2 to the Memorandum of Understanding (Contract No. 2004-180), with the Trinity County Deputy Sheriffs' Association. No Fiscal Impact.
- 1v. Approves and authorizes Chairman to sign FY 04/05 Financial and Operating Plan, United States Forest Service, Shasta-Trinity and Six Rivers National Forests, for Cooperative Patrol and Controlled Substance Operations (Contract No. 2004-183). Revenue in the amount of \$41,200.

### **TRANSPORTATION**

- 1w. Approves and authorizes Chairman to sign Amendment No. 1 to the Agreement for Environmental Studies for the construction of the West Connector Roadway in Weaverville, with Omni Means of Roseville, California (Contract No. 2004-185), in the amount of \$62,000 (\$762,000 total contract amount), and authorizes the Director of Transportation to sign Contract Amendment subject to routing and approval as to content and form.
- 1x. Approves and authorizes Chairman to sign Resolution of Notice of Intent No. 2004-029, to change the name of the Spur portion of County Road No. 444, Salyer Loop Road to County Road No. 444A, Salyer Court.
- 1y. Approves and authorizes Chairman to sign Resolution of Notice of Intent No.2004-030, to change the name of County Road No. 163, Lakeview Drive to North Lakeview Drive.
- 1z. Approves and authorizes Chairman to sign Resolution No. 2004-031, Certifying Trinity County's 2004 Maintained Road Mileage, 699.921 miles, approximate revenue from the state \$300,000.

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

#### **BOARD CONSENT MATTERS**

- 1a. On motion of Supervisor Freeman, seconded by Supervisor Chambers, approves minutes from April 20, 2004, as corrected by Clerk.
- 1b. On motion of Supervisor Freeman, seconded by Supervisor Modine, approves and authorizes Chairman to sign revised response to Grand Jury Final Report, Judicial Committee re Citizen Complaint against Robert Reiss, County Supervisor, District 5. Supervisor Chambers – Abstains. Comments received

from Shelley Harlan, Grand Jury Member and Bob Fessler, Grand Jury Member.

### **AUDITOR**

- 1f. On motion of Supervisor Freeman, seconded by Supervisor Miller, approves and authorizes budget increase for the Grand Jury (2050), in the amount of \$7,500, due to anticipated budget overruns in office expense, professional fees and travel. Supervisor Chambers – Abstains.
- 1h. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves and authorizes budget increase for the Public Defender (2170), in the amount of \$24,000, due to complex case (murder trial) and increased use of conflict counsel.
- 1i. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves budget increase of \$16,000 for the General Services budget, due to increased needs for maintenance of structures, from provisions and contingencies.
- 1j. On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, approves budget adjustment for Buildings and Development Services for extra help, fixed assets, and small tools and instruments, in the amount of \$27,110. Comments received from Steve Judson, Building and Development Services Director.

### **BUILDING AND DEVELOPMENT SERVICES**

- 1l. On motion of Supervisor Modine, seconded by Supervisor Freeman, waives reading and directs the Clerk to let the record show that an ordinance amending chapter 15.04 of the Trinity County Code pertaining to the Building Code, creating the Building Department Appeals Board, is introduced with the following vote polled: Supervisors Freeman, Modine, Miller, Chambers and Reiss – Aye.

### **GENERAL SERVICES**

- 1m. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, agrees to reconsider Item No. 1m, which was not originally pulled from the Consent Agenda.

On motion of Supervisor Modine, seconded by Supervisor Freeman and carried, authorizes the General Services Department to purchase a 2004 Ford Ranger, in the motor pool, to be assigned to Building and Development Services, at a maximum cost to County of \$18,366.20. Comments received from Steve Judson, Building and Development Services Director.

## **PLANNING/NATURAL RESOURCES**

- 1r. On motion of Supervisor Miller, seconded by Supervisor Freeman, approves and authorizes Chairman to sign contract to purchase parcel #025-510-17, adjacent to Brown's Mountain Road at the Bucktail Subdivision (Contract No. 2004-173), funding through a Bureau of Reclamation grant; \$3,000 will be contributed by the Transportation Department. Supervisor Chambers – Abstains.
- 1s. On motion of Supervisor Freeman, seconded by Supervisor Miller, approves and authorizes Chairman to sign agreement with the US Bureau of Reclamation, in the amount of \$1,920,043, which is fully reimbursable by Department of Fish and Game grants, for implementation of the Trinity River Bridges Project. Supervisor Chambers – Abstains.

## **BOARD CONSENT MATTERS**

- 1aa. **Tables to May 18, 2004 meeting:**

Approve and authorize Chairman to sign response to Grand Jury Final Report, Health and Human Services Committee Final Report, Review of Trinity Hospital and Health Care System.

## **2. COUNTY MATTERS**

- 2a. Appoints Supervisor Bill Chambers to the following committees:

- Behavioral Health Services Board
- Continuous Quality Improvement Control Committee
- Health Insurance Review Committee
- Local Agency Formation Commission (LAFCo)
- Regional Council of Rural Counties (RCRC)
- Solid Waste Committee

These committees are listed on the Trinity County Board of Supervisors 2004 Committee Appointment Roster.

2b. On motion of Supervisor Miller, seconded by Supervisor Freeman, approves and authorizes Chairman to sign Resolution No. 2004-032, Designating the Week of May 10, 2004, as Wildfire Awareness Week. Approves with the following vote polled: Supervisors Freeman, Miller, Modine, Chambers and Reiss – Aye.

2c. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, reconsiders action of April 6, 2004, denying application for a waiver of County encroachment fee; and

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, denies the application for waiver of County fees, in the amount of \$100, as requested by the Old Lewiston Peddler's Faire.

2d. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves waiver of engineering and building permit fees, in the amount of \$1,300, for the Downriver Volunteer Fire Company, Inc. Water Storage Tank Project.

### **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 Chambers and carried, approves the County funding the Special District portion of the LAFCo budget for FY 04/05, in the amount of \$4,350. Comments received from Bob Winkler, Special District Representative.

3d. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, authorizes the recruitment and hiring of an extra help building inspector I in the Building and Development Department, effective May 1, 2004. Approximate cost in salary for six months is \$17,195. Comments received from Steve Judson, Building and Development Services Director.

3e. On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, approves 5% Out of Class compensation for Kathy Anthonijsz, Juvenile Counselor II, retroactive to March 1, 2004, and waives the 60 day waiting period. Cost for FY 03/04 is \$750. Comments received from Terry Lee, Chief Probation Officer.

- 3f. On motion of Supervisor Freeman, seconded by Supervisor Chambers and carried, authorizes recruitment for a Jail Cook eligibility register and approves hiring of two half-time Jail Cooks for the Sheriff's Department, effective May 1, 2004 to fill vacancy. Cost for FY 03/04 for one half-time position is \$4,096.
- 3g. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, authorizes a promotional recruitment for the position of Road Maintenance Leadworker I or II in the Department of Transportation, effective May 1, 2004. Annual cost for Leadworker I is \$40,413 and for Leadworker II is \$43,969. This cost is already included in the Department of Transportation's 03/04 budget. Comments received from Carl Bonomini, Transportation Director.

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

- 4a. Report from Department Heads: John Whitaker, General Services Director.
- 4b. Report from Members of the Board: Supervisors Modine, Miller, Freeman and Reiss.
- 4c. Report from David Hammer, County Counsel.

**5. PRESENTATION/DISCUSSION**

**5a. Weaverville Cemetery Association**

Judy Carter, WCA, appears and gives presentation of the Annual Board Report regarding the operation and maintenance of the Weaverville Cemetery by the Weaverville Cemetery Association; and

Discussion regarding the acquisition of Masonic Road as a County maintained road and direction to bring back at later date.

**5b. Planning/Natural Resources Division**



Presentation to Trinity County of award for Outstanding Environmental Analysis Document from the Association of Environmental Professionals. Comments received Tom Stokely, Principal Planner and Paul Uncapher, North State Resources.

5c. **Planned Parenthood**

Denise Black, Health Educator, appears and gives a presentation about the current status of Planned Parenthood's new hours and county educational and clinical activities.

**PUBLIC COMMENT**

Comments received from Patricia Gregg.

**10:30 AM**  
**1:15 PM**

**RECESSES**  
**RECONVENES**

5d. **Behavioral Health/Prevention Services**

Scott Morris, Behavioral Health Services Prevention Coordinator, appears and gives presentation to the Board regarding the Friday Night Live program and what it does for Trinity County youth. Comments received from Alvaro Romero, Star Johnson, Rhiannon Spiersch and Jill Tate.

On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, approves and authorizes Chairman to sign Resolution No. 2004-041, Declaring May 2004 as Trinity County Teen Alcohol Access Awareness Month. Approves with the following vote polled: Supervisor Freeman, Miller, Chambers, Modine and Reiss – Aye.

**1:50 PM**

**6. PUBLIC HEARINGS**

6a. **CONTINUATION OF PUBLIC HEARING RE MINING ORDINANCE:**

Continues introduction of Mining Ordinance (pw-02-10) to the June 1, 2004 Board of Supervisors meeting.

6b. **OPENS PUBLIC HEARING:** Considers the Fiscal Year 2004-2005 Community Development Block Grant (CDBG) Program and to receive proposed projects from the Public for the General and Economic Development Planning and Technical Assistance Grants.

- Presentation given by Patricia Mortensen, Grants and Housing Rehabilitation Loan Administration.
- Receive public and written comments.

## **CLOSES PUBLIC HEARING**

No action taken by the Board to select an activity for the General Allocation Planning and Technical Assistance Grant application and for the Economic Development Planning and Technical Assistance Grant application. Each grant would require a county cash match of \$2,450.

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

### **7. HOSPITAL**

- 7a. Administrative Report – Larry McDonough
- A. Update of Status of Critical Care Access Application.
  - B. Staffing Update.
  - C. Billing and Collections Update.
  - D. Budget Progress.
  - E. Medical Staff Update.
  - F. Clinic Update.
  - G. Hospital Facility Update.
- 7b. On motion of Supervisor Miller, seconded by Supervisor Chambers and carried, accepts Finance Committee Report for March 2004 Financial Statements.
- 7c. On motion of Supervisor Freeman, seconded by Supervisor Miller, accepts the Trinity Hospital Economic Impact Study provided by the Center for Economic Development, California State University. Comments received from Carol Fall, Grand Jury Member and Ed Bates, Weaverville. Supervisor Reiss – No.
- 7d. Discussion regarding PERS Employees receiving a discount at the Hospital and Clinic. No action taken by the Board.
- 7e. Discussion regarding the Hospital Governing Board Bylaws, Article II, Section 2., pertaining to the duties of Hospital Governing Board Members. No action taken by the Board. Comments received from Carol Fall, Covington Mills, Ed Bates, Weaverville and Shelley Harlan, Weaverville.

- 7f. On motion of Supervisor Freeman, seconded by Supervisor Modine and carried, approves Hospital Standards - Staffing-Nursing Division.
- 7g. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves Skilled Nursing Facility Forms Manual.
- 7h. Contracts and Agreements:
  - 1. On motion of Supervisor Freeman, seconded by Supervisor Chambers, approves and authorizes Chairman to sign Amendment No. 1 to the contract with Clark, Lowry & Koortbojian, Inc. (Contract No. 2004-177), to increase the maximum cost to County in the amount of \$30,000 for reimbursement consulting services and add monthly financial statement preparation services. Supervisor Reiss – No.
  - 2. On motion of Supervisor Miller, seconded by Supervisor Freeman and carried, approves and authorizes Chairman to sign Amendment No. 2 to the contract with Landauer for Luxel services (Contract No. 2004-178), to extend the termination date, update fee schedule and bring the contract into compliance by adding a Health Insurance Portability and Accountability Act Supplement. No Fiscal Impact.
  - 3. On motion of Supervisor Freeman, seconded by Supervisor Miller and carried, approves and authorize Chairman to sign Amendment No. 6 to the contract with Medical Home Care Professionals, Inc. (Contract No. 2004-179), for temporary staffing assignments, to extend the termination date, update fee schedule and bring the contract into compliance by adding a Health Insurance Portability and Accountability Act Supplement.
  - 4. On motion of Supervisor Freeman, seconded by Supervisor Reiss, denies contract with John Morrison, M.D. (Contract No. 2004-203), to extend the term for one year, increasing the maximum to \$22,000 for state license required medical staff external peer reviews, medical staff professional advice and hospital board education services.
- 7i. No Medical Staff Report received.

**PUBLIC COMMENT**

No comments received.

**MEETS IN CLOSED SESSION:**

- 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.

**ADJOURN CLOSED SESSION; RECONVENE TO OPEN SESSION:**

*Chairman reports on Closed Session:*

- A. *No Staff Privileges.*
- B. *Heard report of Quality Assurance Committee.*

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

**MEETS IN CLOSED SESSION:**

- C. Government Code Section 54954.5. Public Employee Appointment.  

Title: County Counsel
- D. Government Code Section 54954.5. Public Employee Complaints or Charges.

**ADJOURN CLOSED SESSION; RECONVENE TO OPEN SESSION:**

*Chairman reports on Closed Session*

- C. *Authorized offering position of County Counsel to Jeanette Palla.*
- D. *Considered Public Employee Complaint.*

**3:30 PM**

**ADJOURN**

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