

**TRINITY COUNTY  
BOARD OF SUPERVISORS**  
Trinity County Library  
Conference Room  
351 Main Street  
Weaverville, CA

**SPECIAL MEETING AGENDA**

**August 12, 2021**

**Chairman**

**Supervisor Jeremy Brown - District 4**

**Vice-Chairman**

**Supervisor Dan Frasier - District 5**

**Supervisor Keith Groves - District 1**

**Supervisor Jill Cox - District 2**

**Supervisor Liam Gogan - District 3**

**Richard Kuhns, Psy.D - County Administrative Officer / Clerk of the Board**

**Margaret E. Long - County Counsel**

**Emma Purvis - Deputy Clerk of the Board**

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The Trinity County Board of Supervisors welcomes you to its meetings which are regularly scheduled for the first and third Tuesday of each month, unless altered to accommodate a holiday, starting at 9:00 a.m. at 351 Main Street, Weaverville, California.

This Board Agenda contains a brief, general description of each item to be considered. Supporting documentation is available online at [www.trinitycounty.org](http://www.trinitycounty.org), at the County Administrative Office located at 11 Court Street, Room 230, Weaverville, CA, during normal business hours, and in the Public Packet at the rear of the Board Chambers during the meeting.

If you would like to receive notification via email that the agenda has been posted, please send your request to [clerkoftheboard@trinitycounty.org](mailto:clerkoftheboard@trinitycounty.org).

Members of the public wishing to present documents to the Board of Supervisors during the meeting must submit ten (10) copies to the Deputy Clerk of the Board.

During the meeting the Trinity County Board of Supervisors may take action sitting as the Board of Supervisors and as the governing body of: The Trinity County Transportation Commission, the In-Home Supportive Services Authority, the Consolidated Transit Services Agency, the Trinity County Board of Equalization, the Trinity County Housing Authority and the Solid Waste Local Task Force.

In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify Emma Purvis at the County Administrative Office three (3) full business days prior to the meeting at (530) 623-1382 or [clerkoftheboard@trinitycounty.org](mailto:clerkoftheboard@trinitycounty.org).

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## **ZOOM INFORMATION**

Join Zoom Meeting

<https://zoom.us/j/5950072851?pwd=RHp6TDhNajNJMVJHZFJIRmhacmJjUT09>

Meeting ID: 595 007 2851

Passcode: 267684

Dial In:

1 (669) 900-6833

If you need assistance with Zoom please go to this website:

<https://support.zoom.us/hc/en-us/articles/201362283-Testing-computer-or-device-audio>

Just a reminder that the chat feature is not the appropriate forum to ask questions or provide comments. This chat should only be used to notify us of technical issues. No response will be given in acknowledgement or otherwise via the Zoom chat.

Public Comment given via Zoom can only be done audibly (not via chat), and you must either "Raise Your Hand" or use the chat to request your turn.

## **CALL MEETING TO ORDER IN OPEN SESSION**

**2:00 PM**

### **PLEDGE OF ALLEGIANCE**

### **Presentations**

#### **Clerk of the Board**

- 1.1** Receive an update from US Forest Service Terra Jones regarding the fires burning in Trinity County.

**No fiscal impact.**

### **County Matters**

*These items include non-routine, or controversial matters and are listed alphabetically by department. A member of the Board or Staff may request that an item be heard out of order.*

#### **Clerk of the Board**

- 2.1** Ratify the County Health Officer's proclamation and confirm the existence of a local health emergency in Trinity County pertaining to unhealthy air quality due to the 2021 fires.

**No fiscal impact.**

- 2.2** Ratify the County Health Officer's proclamation and confirm the existence of a local health emergency in Trinity County pertaining to hazardous waste resulting from the 2021 fires.

No fiscal impact.

**Adjourn**

## TRINITY COUNTY

### Item Report

Meeting Date: 8/12/2021

Department:  
Clerk of the Board

Contact:

Phone:

Zoom Information

#### **Requested Action:**

Join Zoom Meeting

<https://zoom.us/j/5950072851?pwd=RHp6TDhNajNJMVJHZFJIRmhacmJjUT09>

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**TRINITY COUNTY**  
Item Report 1.1

Meeting Date: 8/12/2021

Department:  
Clerk of the Board

Contact:

Phone:

Presentation: US Forest Service

**Requested Action:**

Receive an update from US Forest Service Terra Jones regarding the fires burning in Trinity County.

**Fiscal Impact:**

No fiscal impact.

**TRINITY COUNTY**  
Item Report 2.1

Meeting Date: 8/12/2021

Department:  
Clerk of the Board

Contact:  
Richard Kuhns

Phone:  
530 623 1382

Proclamation: Local Health Emergency - Unhealthy Air Quality

**Requested Action:**

Ratify the County Health Officer's proclamation and confirm the existence of a local health emergency in Trinity County pertaining to unhealthy air quality due to the 2021 fires.

**Fiscal Impact:**

No fiscal impact.

**Summary:**

On August 8, 2021, the Local Health Officer declared a local health emergency due to the unhealthy air quality in Trinity County from wildfires.

Section 101080, Health and Safety Code of the State of California empowers a local health official to proclaim the existence or threatened existence of a local health emergency when this county or any area thereof is affected or likely to be affected by an imminent and proximate threat of the introduction of a contagious, infectious, or communicable disease, chemical agent, non-communicable biologic agent, toxin, or radioactive agent, and the Board of Supervisors is not in session, subject to ratification by the Board of Supervisors within seven days and reaffirmation every 30 days thereafter until such local emergency is terminated.

**ATTACHMENTS:**

Description

Trinity County Code Section 2.40.070

Emergency Operations Plan: Local Emergency Declaration Process

Proclamation

## 2.40.070 - Director of emergency services-Powers and duties.

## A. The director of emergency services is empowered to:

1. Request the board of supervisors to proclaim the existence of a local emergency if the board is in session, or to issue such proclamation if the board is not in session. Whenever a local emergency is proclaimed by the director, the board of supervisors shall take action to ratify the proclamation within seven days thereafter, or the proclamation shall have no further force or effect;
2. Request the Governor of the state to proclaim a state of emergency when, in the opinion of the director, the locally available resources are inadequate to cope with the emergency;
3. Control and direct the effort of the emergency organization of the county for the accomplishment of the purposes of this chapter;
4. Direct cooperation between and coordination of services and staff of the emergency organization of the county; and resolve questions of authority and responsibility that may arise between them;
5. Represent the county in all dealings with public or private agencies on matters pertaining to emergencies;
6. In the event of the proclamation of a local emergency as provided in this section, the proclamation of a state of emergency by the Governor of the state, or by the Director of the California Office of Emergency Services, or the existence of a state of war emergency, the director of emergency services of the county is empowered:
  - a. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, that such rules and regulations must be confirmed at the earliest practicable time by the board of supervisors,
  - b. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of life and property and to bind the county for the fair value thereof, and, if required immediately, to commandeer the same for public use,
  - c. To require emergency services of any county officer or employee, and, in the event of the proclamation of a state of emergency or the existence of a state of war emergency, to command the aid of as many citizens as he deems necessary in the execution of his duties. Such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered disaster service workers,

- d. To requisition necessary personnel or material of any department or agency of the county, and
  - e. To execute all of the special powers conferred upon him by this chapter or by resolution or emergency plan pursuant hereto or pursuant to predecessor ordinances theretofore adopted by the board of supervisors, all powers conferred upon him by any statute, by any agreement approved by the board of supervisors, and by any other lawful authority.
- B. The director of emergency services shall designate the order of succession to that office, to take effect in the event the director is unavailable to perform his duties during an emergency. Such order of succession shall be approved by the board of supervisors.
- C. The assistant director of emergency services shall have such powers and duties consistent with the purpose of this chapter as shall be assigned by the director.

(Ord. 295-1 §7, 1972)



### 1.7.1 Trinity County Emergency Declaration Process

Declarations of a local emergency are normally made when there is an actual incident or threat of disaster or extreme peril to the safety of persons and property within the County, caused by natural, technological or human caused situations. The County may declare an emergency for any of several reasons, such as authorizing additional budget authority, implementing emergency measures, or accessing State, or federal disaster assistance. To proclaim a state of emergency, the Director of Emergency Services will either call a regular or special meeting of the Board of Supervisors to request a declaration of emergency or immediately declare an emergency in writing. For "an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, non-communicable biologic agent, toxin, or radioactive agent," the Trinity County Health Officer may declare a local health emergency in the jurisdiction or any area thereof affected by the threat to the public health. A Local Emergency proclaimed by the Director of Emergency Services must be ratified by the Board of Supervisors within seven days, or it will expire.

The Board of Supervisors must review the need to continue the declaration at least every 60 days until the local emergency is terminated. The Local Emergency must be terminated by resolution as soon as conditions warrant. Declaration of a Local Health Emergency should be continued at least every 30 days.

**DECLARATION OF A LOCAL HEALTH EMERGENCY  
BY COUNTY HEALTH OFFICER**

Out of an abundance of caution and to protect the public health of all Trinity County residents, especially the vulnerable and those individuals who are at higher risk of illness, the Trinity County Public Health Officer hereby issues the following local emergency public health proclamation:

WHEREAS, Section 101080, Health and Safety Code of the State of California empowers a local health official to proclaim the existence or threatened existence of a local health emergency when this county or any area thereof is affected or likely to be affected by an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, non-communicable biologic agent, toxin, or radioactive agent, and the Board of Supervisors is not in session, subject to ratification by the Board of Supervisors within seven days and reaffirmed every 30 days until such local emergency is terminated; and

WHEREAS, the Health Officer of the County of Trinity does hereby find:

1. The July 2021 Lightning fires, which began on July 29, 2021, have resulted in widespread unhealthy air quality in Trinity County; and
2. That the threat to public health creates the immediate need to facilitate assistance and undertake preventative measures to protect the health of the people and the environment and to inform the affected public of any potential health issues associated with the air quality created by the multiple fires, thereby necessitating the proclamation of the existence of a local health emergency; and
3. That assistance to residents, special districts and the County is needed for timely implementation of necessary preventative measures to protect public health and the environment; and

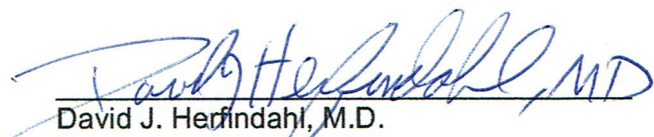
WHEREAS, the Board of Supervisors of the County of Trinity is not in session (and cannot immediately be called into session); and

WHEREAS, the Trinity County Health Officer does hereby find there is an imminent and proximate threat to public health from the unhealthy air quality produced by the July 2021 Lightning fires in Trinity County; and

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local health emergency now exists or is now threatened to exist throughout this county; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local health emergency the powers, functions, and duties of the Director of Emergency Services and the emergency organization of the county shall be those prescribed by state law, and by ordinance and resolutions of this county approved by the Board of Supervisors, and by the Trinity Operational Area Emergency Operations Plan, as approved by the Board of Supervisors.

IT IS FURTHER ORDERED that a copy of this declaration be forwarded to the Director of the Governor's Office of Emergency Services.

  
David J. Herfindahl, M.D.  
Trinity County Health Officer  
August 8, 2021

**TRINITY COUNTY**  
Item Report 2.2

Meeting Date: 8/12/2021

Department:  
Clerk of the Board

Contact:  
Ed Prestley

Phone:  
530-623-1116

Proclamation: Local Health Emergency - Hazardous Waste

**Requested Action:**

Ratify the County Health Officer's proclamation and confirm the existence of a local health emergency in Trinity County pertaining to hazardous waste resulting from the 2021 fires.

**Fiscal Impact:**

No fiscal impact.

**Summary:**

On August 8, 2021, the Local Health Officer declared a local health emergency due to the hazardous waste materials resulting from fires burning in Trinity County.

Section 101080, Health and Safety Code of the State of California empowers a local health official to proclaim the existence or threatened existence of a local health emergency when this county or any area thereof is affected or likely to be affected by an imminent and proximate threat of the introduction of a contagious, infectious, or communicable disease, chemical agent, non-communicable biologic agent, toxin, or radioactive agent, and the Board of Supervisors is not in session, subject to ratification by the Board of Supervisors within seven days and reaffirmation every 30 days thereafter until such local emergency is terminated.

**Discussion:**

**ATTACHMENTS:**

Description

Trinity County Code Section 2.40.070

Emergency Operations Plan: Local Emergency Declaration Process

Proclamation

## 2.40.070 - Director of emergency services-Powers and duties.

## A. The director of emergency services is empowered to:

1. Request the board of supervisors to proclaim the existence of a local emergency if the board is in session, or to issue such proclamation if the board is not in session. Whenever a local emergency is proclaimed by the director, the board of supervisors shall take action to ratify the proclamation within seven days thereafter, or the proclamation shall have no further force or effect;
2. Request the Governor of the state to proclaim a state of emergency when, in the opinion of the director, the locally available resources are inadequate to cope with the emergency;
3. Control and direct the effort of the emergency organization of the county for the accomplishment of the purposes of this chapter;
4. Direct cooperation between and coordination of services and staff of the emergency organization of the county; and resolve questions of authority and responsibility that may arise between them;
5. Represent the county in all dealings with public or private agencies on matters pertaining to emergencies;
6. In the event of the proclamation of a local emergency as provided in this section, the proclamation of a state of emergency by the Governor of the state, or by the Director of the California Office of Emergency Services, or the existence of a state of war emergency, the director of emergency services of the county is empowered:
  - a. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, that such rules and regulations must be confirmed at the earliest practicable time by the board of supervisors,
  - b. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of life and property and to bind the county for the fair value thereof, and, if required immediately, to commandeer the same for public use,
  - c. To require emergency services of any county officer or employee, and, in the event of the proclamation of a state of emergency or the existence of a state of war emergency, to command the aid of as many citizens as he deems necessary in the execution of his duties. Such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered disaster service workers,

- d. To requisition necessary personnel or material of any department or agency of the county, and
  - e. To execute all of the special powers conferred upon him by this chapter or by resolution or emergency plan pursuant hereto or pursuant to predecessor ordinances theretofore adopted by the board of supervisors, all powers conferred upon him by any statute, by any agreement approved by the board of supervisors, and by any other lawful authority.
- B. The director of emergency services shall designate the order of succession to that office, to take effect in the event the director is unavailable to perform his duties during an emergency. Such order of succession shall be approved by the board of supervisors.
- C. The assistant director of emergency services shall have such powers and duties consistent with the purpose of this chapter as shall be assigned by the director.

(Ord. 295-1 §7, 1972)

### 1.7.1 Trinity County Emergency Declaration Process

Declarations of a local emergency are normally made when there is an actual incident or threat of disaster or extreme peril to the safety of persons and property within the County, caused by natural, technological or human caused situations. The County may declare an emergency for any of several reasons, such as authorizing additional budget authority, implementing emergency measures, or accessing State, or federal disaster assistance. To proclaim a state of emergency, the Director of Emergency Services will either call a regular or special meeting of the Board of Supervisors to request a declaration of emergency or immediately declare an emergency in writing. For "an imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, non-communicable biologic agent, toxin, or radioactive agent," the Trinity County Health Officer may declare a local health emergency in the jurisdiction or any area thereof affected by the threat to the public health. A Local Emergency proclaimed by the Director of Emergency Services must be ratified by the Board of Supervisors within seven days, or it will expire.

The Board of Supervisors must review the need to continue the declaration at least every 60 days until the local emergency is terminated. The Local Emergency must be terminated by resolution as soon as conditions warrant. Declaration of a Local Health Emergency should be continued at least every 30 days.



**PROCLAMATION OF A LOCAL HEALTH EMERGENCY  
BY THE TRINITY COUNTY HEALTH OFFICER**

WHEREAS, the California Health and Safety Code, Division 101, Part 3, Chapter 2, commencing with § 101080 confers upon the Local Health Officer of the political subdivisions of this state emergency powers necessary to protect public health and safety; and

WHEREAS, § 101080 of the California Health and Safety Code, states that "the local Health Officer may declare a local health emergency in the jurisdiction or any area thereof" affected by hazardous waste which is an imminent threat to the public health; necessary to protect public health and safety; and

WHEREAS, Health and Safety Code Section § 101080 empowers the local Health Officer to proclaim the existence of a local health emergency when this county or any area of the county is affected or likely to be affected by such a public health threat while the Board of Supervisors is not in session, which shall expire if not ratified by the Board of Supervisors within seven days and is subject to reaffirmation every 30 days thereafter until such local health emergency is terminated; and

WHEREAS, the July 2021 Lightning fires, including the Monument Fire, McFarland Fire, and other fires in Trinity County, which began on July 29, 2021, produced hazardous conditions including unhealthy air quality, hazardous products of combustion, water quality and threats to the health and safety of the residents of Trinity County; and

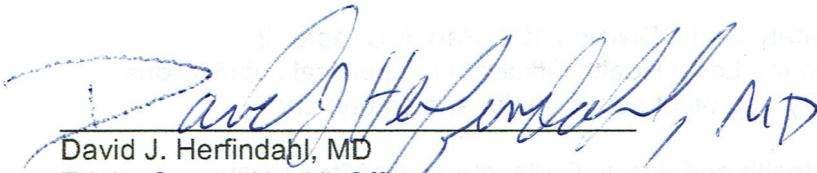
WHEREAS, the local Health Officer of the County of Trinity do hereby find:

1. That conditions of certain hazardous waste in Trinity County in the form of contaminated debris from household hazardous waste/materials and structural debris due to the destruction of a number of structures, poses a substantial present or potential hazard to human health and the environment unless immediately addressed and managed; and
2. That there is an imminent threat to water sheds and domestic water supply as a result of hazardous debris.
3. That there is an imminent and proximate threat of infectious or communicable disease and/or non-communicable biologic agent due to accumulations of perishable foods and other organic materials that normally require refrigeration but have been left to spoil due to lack of electricity, and also due to potential contamination of destruction of residential and commercial water supply in the burned areas.
4. That the Board of Supervisors of the County of Trinity is not in session and cannot immediately be called into session.
5. That the aforesaid threat to public health necessitates the proclamation of the existence of a local health emergency.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local health emergency is now threatened to exist in the burned area in this County due to hazardous waste in the form of contaminated debris from hazardous waste/materials and structural debris from a recent fire and due to contamination of residential food and water supply.

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions and duties of the Health Officer shall be those prescribed by state law, including the provisions of Sections §101040 and §101085 of the Health and Safety Code, and by ordinances and resolutions of this county approved by the Board of Supervisors. This order may be signed in counterparts.

IT IS FURTHER ORDERED that a copy of this declaration be forwarded to the Director of the Governor's Office of Emergency Services.



David J. Herfindahl, MD  
Trinity County Health Officer  
August 8, 2021