

FILED

JUN 9 - 2004

SUPERIOR COURT OF CALIFORNIA
COUNTY OF TRINITY
BY: DONNA REGNANI, DEPUTY CLERK *DR*

**TRINITY COUNTY GRAND JURY
2003-2004**

**DEVELOPMENT AND ENVIRONMENTAL COMMITTEE
FINAL REPORT**

DEPARTMENT OF TRANSPORTATION

**This report was approved
on May 10, 2004**

**2003-2004 TRINITY COUNTY GRAND JURY
DEVELOPMENT AND ENVIRONMENTAL COMMITTEE
FINAL REPORT**

DEPARTMENT OF TRANSPORTATION

INTRODUCTION:

The Trinity County Department of Transportation (DOT) has responsibility for construction, maintenance and operation of county roads, bridges, levees, and the design, construction and supervision of projects performed by or for the county. The DOT maintains approximately 700 miles of county roads.

PURPOSE:

The Grand Jury is required to periodically review functions of county departments as deemed necessary.

BACKGROUND:

Funding for the DOT is derived from gas taxes, vehicle license fees and project grants.

This year the State suspended all Proposition 42 payments (sales tax revenues on gasoline) causing a loss of \$325,000 for the DOT for maintenance. As a result the chip seal program was reduced 30% for the current year, fixed asset budget was reduced by \$200,000, and material purchases were reduced.

The heavy snowstorms in late December and into January added additional costs of \$200,000 for snow removal and resulted in approximately \$900,000 in infrastructure damage.

The DOT is in the second phase of down sizing with a target of reducing an additional four positions. A previous down sizing by seven and one half positions has been completed. The Director of the DOT has informally received notices of four possible retirements this year.

The County has nine maintenance yards under the supervision of five consolidated road crews: Trinity Center, Hawkins Bar, Lewiston/Weaverville/Junction City, Ruth/Zenia, and Hayfork/Hyampom.

The Grand Jury received two Citizen's Complaints that were assigned to this committee and will be part of this report. Citizen Complaint 2003-2004 #13 alleged misuse of Government funds by the DOT in paying for a newspaper advertisement. Citizen Complaint 2003-2004 #24 alleged improper striping on some County roads.

METHOD OF INVESTIGATION:

The Committee requested and received from the Director of the DOT budget packages for the current and prior fiscal years, organizational charts for the DOT, annual goals, objectives and accomplishments together with midyear reports given to the Board of Supervisors (BOS) for the current and past five years.

Teams of two members each, of the Grand Jury Committee, were assigned to inspect each of the County's nine maintenance yards and meet with the supervisor of each road crew. Five members of the Committee interviewed the Director of the DOT to gather further information.

Applicable case law was reviewed to determine the legalities involved regarding the newspaper advertisement (Citizen Complaint 2003-2004 #13).

CALTRANS District officers were visited in Redding regarding the striping issue (Citizen Complaint 2003-2004 #24).

The Committee reviewed past Grand Jury reports on the DOT.

FINDING #1:

The Committee found personnel well trained, competent and sober, performing excellent work in the field with limited financial resources.

RECOMMENDATION #1:

The Grand Jury commends the DOT and its employees for a fine job most notably in the removal of the snow during the severe storms in late December and January. In addition special recognition and commendations go to the mechanics that maintain the equipment.

FINDING #2:

The newspaper advertisement, paid for by the DOT, in the February 26, 2003 issue of the "Trinity Journal" was the subject of Citizen Complaint #13. The advertisement informed the public of details concerning the proposed East Connector Road in Weaverville and urged attendance at a public meeting of the BOS in which a decision was to be made.

NOTE: No formal recommendation is made based on pending litigation.

All Trinity County Department Heads are advised that "in light of the considerable authority enjoyed by officials who control public funds, and the important public interest in protecting such moneys from improper use, such officials may be held to a higher standard than simply the avoidance of "fraud, corruption or actual malice" in their handling of public funds. Such public officials must use "due care" (i.e. reasonable diligence) in authorizing the expenditure of public funds, and may be subject to personal liability for improper expenditures

made in the absence of such due care" (Sup.,130 Cal.Rptr.697,711,1227). All need be cautious that any issue addressed in the advertisement media using government funds be presented such that no bias is communicated. Misuse may result in personal liability to the authorizing party.

FINDING #3:

Investigation of Citizen Complaint 2003-2004 #24, concerning the use of a single divider stripe on portions of some county roads concluded that in and of itself is not illegal. Information from the CALTRANS District Officers in Redding indicate the County is not required to follow any established traffic control markings, regardless of funding source, unless it chooses to do so. However, the CALTRANS Local Assistance Officer and their Striping Expert highly recommend that, for liability and risk purposes, whenever not following an adopted striping specification, a risk assessment should be made. The CALTRANS officials also noted that for designs stamped by a professional engineer, that engineer is potentially personally liable should a lawsuit be brought.

RECOMMENDATION #3:

The DOT should establish a written policy or specification on striping along with a risk assessment whenever an adopted specification is not used.

FINDING #4:

There is a concern for the planned reduction of positions on the road crews through retirement or attrition. Long term employees bring a higher level of experience needed for multifaceted duties required for smaller road crews.

RECOMMENDATION #4:

The DOT should plan and fund for proper disposition of trained and skilled employees among the various road crews as this second phase of reducing positions is implemented.

FINDING #5:

All the county road yards appeared to have sufficient equipment and good rolling stock that were well maintained. Maintenance records were adequate and up to date.

The Ruth and Zenia yards are well secured. The buildings are in good conditions, no deficiencies were observed.

The Hayfork and Hyampom yards are well secured. The Buildings are in adequate condition. The oil tank for the heater in the quansit shop in Hayfork is not adequately blocked. A small amount of fuel spillage is noted around the tank. During the winter months, in order to maintain heat, the roof turbines on the quansit are covered. When the turbines are covered,

inadequate ventilation exists creating a carbon monoxide hazard potential. There is insufficient electrical power available on one side of the Hayfork quansit.

The Hawkins Bar yard is well secured. The building is very old but usable.

The Weaverville yard is well secured. The buildings are rundown and in need of repair or replacement. Debris is evident throughout the yard and highly visible from Highway 3.

The Lewiston yard is unsecured. The wood portion of the building is in fair condition and the metal portion is in need of repair or replacement.

The Junction City yard has no perimeter fence and stored timbers present a potential hazard to children who frequent the yard. The buildings, while old, are adequate for present staffing levels.

The Trinity Center yard is poorly located. Being positioned immediately adjacent to Swift Creek introduces the potential for storm water discharge directly from the yard into the creek. Within the yard the fuel storage tanks discharge lines are inadequately braced, vulnerable to failure and thus vulnerable to uncontrolled discharge. A large fir tree is leaning significantly and is in contact with the east discharge lines. The buildings are old but adequate except for the office space which has a failed roof. Significant quantities of asphalt grindings are stored (piled) within the yard. Perimeter fencing is good and an on-site resident ensures security.

RECOMMENDATION #5:

Hayfork - Remove the small area (quantity) of contaminated soil around the oil tank and install a proper stand. Install an exhaust fan in the quansit for proper winter ventilation.

Weaverville - A general cleanup and disposal of unneeded equipment and supplies is in order. Buildings need repair and/or replacement.

Lewiston - Finish the fence. Repair the buildings, with specific attention to the metal portion of the building.

Junction City - Remove the debris stored in the yard. Fence the yard where and if needed.

Trinity Center - If possible, and in accordance with earlier plans, move yard from edge of Swift Creek to Highway 3, across from CALTRANS yard. If not moved: Install storm water drainage control including oil/water separation. Install spill prevention valves on fuel tanks to prevent the potential for significant uncontrolled spills and remove the fir tree that threatens the discharge piping.

FINDING #6:

The deteriorating condition of the county roads in the Ruth-Zenia area was the subject of a Grand Jury Report in 1992-1993. An assessment of the condition of some of these roads was conducted last fall during yard inspections. Results show significant overall improvement since the 1992-1993 Report. Recent travels reveal that our heavy winter weather has caused new damage in some areas and demonstrates the need for continuing maintenance.

RECOMMENDATION #6:

The DOT is commended for the long range planning and added attention in upgrading and maintaining these roads.

FINDING #7:

The County Auditor is recommending deleting all funding for Miscellaneous Public Works. This covers work on levees, cattle guards, footbridges and miscellaneous public signs and non-road tasks assigned by the BOS. The County has agreements with the Corps of Engineers to provide maintenance on several (but not all) levees that provide flood protection. In the event of storm damage, repairs to these levees may be precluded from FEMA grants if maintenance has been suspended by the County.

RECOMMENDATION #7:

The BOS should not implement the Auditors recommendation to delete funding for Miscellaneous Public Works.

CONCLUSION:

The DOT has done a very fine job during a period of severe fiscal limitation. Future success is hinged on an ability to continue to meet need in spite of financial constraints. Example, the late December through early January storms resulted in \$200,000 in unprogrammed snow removal expense plus inflicted \$900,000 in infrastructure damage not yet programmed for repair.

RESPONSES REQUIRED:

<u>ENTITY</u>	<u>FINDING</u>	<u>RECOMMENDATION</u>	<u>RESPOND IN</u>
DIR. TRINITY COUNTY DOT	1, 2, 3, 4, 5, 6, 7	1, 3, 4, 5, 6, 7	60 Days
TRINITY COUNTY BOARD OF SUPERVISORS	1, 2, 3, 4, 5, 6, 7	1, 3, 4, 5, 6, 7	90 Days

TRINITY COUNTY 7 7 60 Days
AUDITOR

TRINITY COUNTY (Implementation of all recommendations) 60 Day
CAO

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AUG - 3 2004

TRINITY COUNTY
SUPERIOR COURT



TRINITY COUNTY

DEPARTMENT OF TRANSPORTATION


P.O. BOX 2490, WEAVERVILLE, CALIFORNIA 96093

PHONE (530) 623-1365

FAX (530) 623-5312

E-Mail: tcdot@trinitycounty.org

TO: The Honorable Anthony C. Edwards,
Presiding Judge of the Superior Court

FROM: Carl A. Bonomini, Director of Transportation 

SUBJECT: Response to Recommendations of 2003-2004 Grand Jury
Development and Environmental Committee Final Report

DATE: July 29, 2004

The Grand Jury Development and Environmental Committee has requested a written response to their final report on the Department of Transportation. In my capacity as Director of Transportation, my response is as follows:

Finding #1: *The Committee found personnel well trained, competent and sober, performing excellent work in the field with limited financial resources.*

Response: I agree with the committee's finding and recommendation. I appreciate the Committee's comments recognizing the Department of Transportation's employees for their dedicated service to the County.

Finding #2: *The newspaper advertisement, paid for by the DOT, in the February 26, 2003 issue of the "Trinity Journal" was the subject of Citizen Complaint #13. The advertisement informed the public of details concerning the proposed East Connector Road in Weaverville and urged attendance at a public meeting of the BOS in which a decision was to be made.*

NOTE: *No formal recommendation is made based on pending litigation.*

All Trinity County Department Heads are advised that "in light of the considerable authority enjoyed by officials who control public funds, and the important public interest in protecting such moneys from improper use, such officials may be held to a higher standard than simply the avoidance of 'fraud, corruption or actual malice' in their handling of public funds. Such public officials must use 'due care' (i.e. reasonable diligence) in authorizing the expenditure of public funds, and may be subject to personal liability for improper expenditures made in the absence of such due care." (Sup., 130 Cal.Rptr. 697, 711, 1227). All need be cautious that any issue addressed in the

advertisement media using government funds be presented such that no bias is communicated. Misuse may result in personal liability to the authorizing party.

Response: Agree that all public officials must use “due care” in authorizing the expenditure of public funds.

Finding #2 of the Grand Jury Report makes reference to a newspaper advertisement, paid for with public funds, in the February 26, 2003 issue of the *Trinity Journal*, which informed the public of details concerning the proposed East Connector Road project and urged attendance at a public meeting of the Board of Supervisors. Although the Grand Jury made no formal recommendation, the Grand Jury’s finding admonished all Trinity County Department Heads that they need to be cautious in publishing advertisements to ensure that no bias is communicated and that misuse of public funds may result in personal liability. Although the Grand Jury Report does not specifically accuse me or any other public official of misuse of public funds, an inference may be drawn from the Report that the Grand Jury believes that I may have misused public funds in placing the advertisement. Any such allegation by the Grand Jury would be false, and therefore libelous.

The Grand Jury’s statement that advertisements by the County cannot promote a project is a misstatement of the law. Use of public funds to promote or advertise matters not related to campaigns or elections is permissible. The California Supreme Court has held that local county government may expend public funds for the purpose of advertising its enterprises, its adaptability for industrial sites, and *other purposes*. Sacramento Chamber of Commerce v. Stephens (1931) 212 Cal. 607, 612. There is also statutory authority for the County to publish advertisements and expend public funds to promote County programs deemed by the Board of Supervisors to be necessary to meet the social needs of the population of the County. The expenditure of County funds is permitted for any “public purpose.” The determination of what constitutes a “public purpose” is primarily a matter for the Board of Supervisors to decide. Of course, the County may not expend public funds to promote a partisan position in an election; however, the advertisement referred to in the Grand Jury Report is not in reference to any election or partisan issue.

As stated in the Grand Jury’s Report, the subject of the Grand Jury’s Finding #2 is now in litigation in Trinity County Superior Court. The Grand Jury should be admonished for making a finding that is subject to pending litigation. The Grand Jury should also be admonished for implying that I may have misused public funds, when there is no legal or factual basis. While it is certainly true that I need to be cautious in protecting public money from improper use, it is also true that the Grand Jury needs to be cautious in making reports, which include false innuendos.

Finding #3: *Investigation of Citizen Complaint 2003-2004 #24, concerning the use of a single divider stripe on portions of some county roads concluded that in and of itself is not illegal. Information from the CALTRANS District Officers in Redding indicate the County is not required to follow any established traffic control markings, regardless of the funding source, unless it chooses to do so. However, the CALTRANS Local Assistance Officer and their Striping Expert highly recommend that, for liability and risk purposes, whenever not following an adopted striping specification, a risk assessment should be*

made. The CALTRANS officials also noted that for designs stamped by a professional engineer, that engineer is potentially personally liable should a lawsuit be brought.

Response: I agree the County is not required to follow any established traffic control markings for projects undertaken with County funds. However, whenever the County receives a Federal or State grant for a road reconstruction or construction project, there is an agreement entered into specifying that the project will comply with requirements of the Federal or State agency. Both the State and Federal agencies have requirements on traffic control striping and markings and we comply with their requirements.

Recommendation #1: The Department of Transportation has implemented the Grand Jury's recommendation of establishing a written policy and a risk assessment for installing a single solid centerline stripe.

Finding #4: *There is a concern for the planned reduction of positions on the road crews through retirement or attrition. Long term employees bring a higher level of experience needed for multifaceted duties required for smaller road crews.*

Response: I agree with the Grand Jury finding.

Recommendation #4: The Grand Jury's recommendation that DOT should fund for the proper disposition of trained and skilled employees among the various road crews as this second phase of reducing positions is implemented has been implemented. DOT initiated a training program in 1994 along with appointing a Safety and Training Officer who works with the crew supervisors to identify the employee training needs and then coordinates the training. This program has been and continues to be very effective in meeting the Department's needs for providing well-trained employees.

Finding #5: *All the county yards appeared to have sufficient equipment and good rolling stock that were well maintained. Maintenance records were adequate and up to date.*

The Ruth and Zenia yards are well secured. The buildings are in good conditions, no deficiencies were observed.

The Hayfork and Hyampom yards are well secured. The buildings are in adequate condition. The oil tank for the heater in the quansit shop in Hayfork is not adequately blocked. A small amount of fuel spillage is noted around the tank. During the winter months, in order to maintain heat, the roof turbines on the quansit are covered. When the turbines are covered, inadequate ventilation exists creating a carbon monoxide hazard potential. There is insufficient electrical power on one side of the Hayfork quansit.

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The Lewiston Yard is unsecured. The wood portion of the building is in fair condition and the metal portion is in need of repair or replacement.

The Junction City yard has no perimeter fence and stored timbers present a potential hazard to children who frequent the yard. The buildings, while old are adequate for the present staffing levels.

The Trinity Center yard is poorly located. Being positioned immediately adjacent to Swift Creek introduces the potential for storm water discharge directly from the yard into the creek. Within the yard, the fuel storage tanks discharge lines are inadequately braced, vulnerable to failure and thus vulnerable to uncontrolled discharge. A large fir tree is leaning significantly and is in contact with the east discharge lines. The buildings are old but adequate except for the office space which has a failed roof. Significant quantities of asphalt grindings are stored (piled) within the yard. Perimeter fencing is good and an on-site resident ensures security.

Response: I agree with the Grand Jury findings of our maintenance facilities with the exception of the finding on the Lewiston maintenance yard. It is obvious to me that the Grand Jury inspected our older semi-abandoned yard on Rush Creek road that is only used for material and on rare occasions we park equipment overnight or for very short periods. Our active maintenance yard is on Henrietta Road in Lewiston.

Recommendation #5:

Hayfork Yard – We have already removed the contaminated soil and installed a concrete tank stand. We have also purchased an exhaust fan that will be installed in the end of the Quonset building by the end of September.

Weaverville Yard – We have already completed a general cleanup and disposed of unneeded equipment and supplies by a sealed bid auction held in June. DOT agrees that the mechanics repair building needs major repairs or replacement. However, we do not have funding in place to undertake the work. DOT continually researches grant funding looking for financial assistance to replace this facility. In the meantime we will maintain it for safety considerations.

Lewiston Yard – As I noted above, it is obvious that the Grand Jury reviewed the old facility. We only use the old building for rarely used material storage, however, we will refasten the metal portions of the building before this winter. The occupied facility on Henrietta is only fenced on three sides and we plan to complete the fencing with our own crew in the Spring of 2005.

Junction City – The stored timbers and miscellaneous pieces of used metal culvert will be removed after this summers maintenance projects and prior to winter. DOT does not plan to fence any portion of the Junction City yard at this time. The yard is relatively small and fencing it would substantially alter our ability to utilize the available space as well as affect the School bus stop and parking for meetings at the Fire Hall. This facility is only used on a regular basis during winter months with minimal equipment. During the rest of the year it is used occasionally as a staging facility for summer work in the area. Equipment is only seen here when work is being performed in the area. The High School has historically used the area in front of the Junction City yard for a bus stop and turn around. The parents also use the road side of the yard to park and wait for the bus.

In addition, the open area of the yard is used for parking during the community meetings that are held at the Fire Hall. We make a concerted effort to keep this yard free of clutter thereby minimizing our liability of not having a fenced yard while facilitating our ability to maximize our usable space together with providing community and School use.

Trinity Center – It is DOT’s intention to implement the Grand Jury recommendation of relocating the Trinity Center facility. However, we need to perform some additional analysis of the potential site. If the analysis is favorable, then it will take some time to negotiate details of the purchase or lease with the landowner. Presently we do not have the finances to purchase and develop the facilities all at once. It will have to be budgeted together with all of the Department’s other budgetary responsibilities. I anticipate completing the relocation in three phases. Phase 1 is to negotiate and purchase/lease the site. Phase 2 is preparing the site for development by constructing access, fencing, clearing and grading. Phase 3 would be constructing the shop facility and transferring operations. The financing for each phase will have to be evaluated during the annual budget development. Therefore, the Trinity Center facility must be occupied for at least another three years.

Realizing the Trinity Center facility will continue to be used for several years, DOT will implement the other Grand Jury recommendations. Specifically, we will remove the fir tree and install spill prevention valves over the next three months. Engineering needs to evaluate and design the storm water drainage for the site and maintenance will install it. With the present work load of both departments, I would expect the installation to occur during the 2005 construction season.

Finding #6: *The deteriorating condition of the county roads in the Ruth-Zenia area was the subject of a Grand Jury Report in 1992-1993. An assessment of the condition of some of these roads was conducted last fall during yard inspections. Results show significant overall improvement since the 1992-1993 Report. Recent travels reveal that our heavy winter weather has caused new damage in some areas and demonstrates the need for continuing maintenance.*

Response: I agree with the Grand Jury findings and recommendation. DOT will continue with long range planning for improvement projects along with maintaining, improving and upgrading when and where needed within our budgetary constraints.

Finding #7: *The County Auditor is recommending deleting all funding for Miscellaneous Public Works. This covers work on levees, cattle guards, footbridges and miscellaneous public signs and non-road tasks assigned by the BOS. The County has agreements with the Corps of Engineers to provide maintenance on several (but not all) levees that provide flood protection. In the event of storm damage, repairs to these levees may be precluded from FEMA grants if maintenance has been suspended by the County.*

Response: I agree with the Grand Jury findings and recommendation.

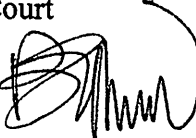


TRINITY COUNTY

BRIAN E. MUIR, COUNTY AUDITOR-CONTROLLER
DAVID NELSON, CHIEF DEPUTY AUDITOR-CONTROLLER
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TRINITY COUNTY
SUPERIOR COURT

TO: The Honorable Anthony Edwards,
Presiding Judge of the Superior Court

FROM: Brian Muir, Auditor – Controller 

CC: Kelly Frost, Deputy Clerk to the Board of Supervisors

SUBJECT: Response to Recommendations of 2003-04 Grand Jury Development and
Environment Committee Report re: Department of Transportation

DATE: August 2, 2004

The Grand Jury Development and Environment Committee has requested a written response to Item 7 as well as the implementation of all recommendations in their final report on the Department of Transportation. In my capacity as Auditor – Controller performing the duties of County Administrative Officer my response is as follows:

Recommendation #1: The recommendation has been implemented.

Recommendation #3: The recommendation has been implemented.

Recommendation #4: The recommendation has been implemented

Recommendation #5:

Hayfork – The recommendation will be implemented within 90 days.

Weaverville – The recommendation will be partially implemented. A general cleanup has been completed and unneeded equipment and supplies have been removed. Major repair or replacement of buildings will not be completed due to lack of funding.

Lewiston - The recommendation will be implemented in the spring of 2005.

Junction City - The recommendation will be implemented within 90 days.

Trinity Center – The recommendation will be partially implemented. The facility will not be moved for at least three years, although the Department of Transportation does intend to move the site at some time in the future. The balance of the recommendations will be implemented by the end of 2005.

Recommendation #6: The recommendation has been implemented.

Finding #7: The County Auditor is recommending deleting all funding for Miscellaneous Public Works. This covers work on levees, cattle guards, footbridges and miscellaneous public signs and non-road tasks assigned by the BOS. The County has agreements with the Corps of Engineers to provide maintenance on several (but not all) levees that provide flood protection. In the event of storm damage, repairs to these levees may be precluded from FEMA grants if maintenance has been suspended by the county.

Response: I disagree. Unfortunately, the Grand Jury did not meet with me to discuss my recommendation. Long before the final report was issued I met with the Director of Transportation and decided to recommend partial funding of the proposed Miscellaneous Public Works budget with \$10,000 from the General Fund. The amount will be sufficient for minimal levee maintenance.

Recommendation #7: Implementation of this recommendation is up to the Board of Supervisors. However, given the County's budget problems, I recommend the Board approve the partial funding that is currently proposed.

BM:wt



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Board of Supervisors

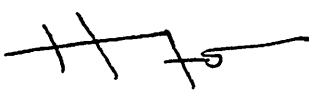
P.O. BOX 1613, WEAVERVILLE, CALIFORNIA 96093
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TO: The Honorable Anthony Edwards
Presiding Judge of the Superior Court

FROM: Trinity County Board of Supervisors

SUBJECT: Response to 2003-2004 Grand Jury Development and Environmental
Committee Final Report on the Department of Transportation

DATE: August 31, 2004



The Board of Supervisors submits these responses to the 2004 Grand Jury final report on the Trinity County Department of Transportation by the Development and Environmental Committee.

FINDING #1: The Board of Supervisors agrees with this finding.

RECOMMENDATION #1: The Board supports this recommendation and appreciates the recognition given our Road Department for their good works and good employees.

FINDING #2: The Board agrees that county departments must do responsible non-biased advertising. After the Grand Jury report was filed, the court in this particular case found no impropriety on the part of the Transportation Department and is waiting to see if that decision is appealed.

FINDING #3: The Board agrees with this finding. The Department of Transportation, when using Federal or State project funds, complies with the appropriate standards for striping. The Department has also established a written policy and a risk assessment for installing a single solid centerline stripe.

RECOMMENDATION #3: This recommendation has been implemented.

FINDING #4: The Board agrees with this Grand Jury finding.

2.

RECOMMENDATION #4: This recommendation has been implemented.

FINDING #5: The Board, for the most part, agrees with the findings from inspections of the County road yards.

RECOMMENDATION #5: Hayfork yard: Complete implementation of this recommendation by the end of September, 2004.

Weaverville yard: General cleanup and removal of excess equipment have occurred. Buildings will be maintained for safety until funding becomes available for major repairs or replacement.

Lewiston yard: This recommendation will be completed by the spring of 2005.

Junction City yard: The recommendation will be completed within 90 days.

Trinity Center yard: This recommendation will be partially implemented. This yard is planned to be relocated in a three phases. Final relocation will hopefully be completed by 2005, budget allowing.

FINDING #6: The Board of Supervisors agrees with this finding.

RECOMMENDATION #6: The Board supports this recommendation.

FINDING #7: The Board disagrees with this finding. The final budget for this fiscal year will include monies that will keep us in good stead with the Army Corps of Engineers and FEMA.

RECOMMENDATION #7: General fund budget constraints require that a reduced sum of monies for Miscellaneous Public Works be included in this year's final county budget. If emergencies arise, the Board will have to use monies from our provisions for contingencies.

RM: