

TRINITY COUNTY BOARD OF SUPERVISORS

MEETING MINUTES

JANUARY 3, 2006
9:00 AM

JANUARY 4, 2006
1:30 PM

Trinity County Library Meeting Room
Weaverville, CA

HOWARD FREEMAN
CHAIRMAN
District 4

HOWARD FREEMAN
CHAIRMAN
District 4

BILL CHAMBERS
VICE-CHAIRMAN
District 1

JEFF MORRIS
SUPERVISOR
District 2

ROGER JAEGEL
SUPERVISOR
District 3

WENDY REISS
SUPERVISOR
District 5

LARRY LAYTON
COUNTY ADMINISTRATIVE OFFICER

JEANETTE PALLA
COUNTY COUNSEL

KELLY FROST
DEPUTY CLERK OF THE BOARD

Note: Board meetings are televised on cable channel 22 and taped for re-broadcast on cable channel 22. Copies of tapes are available at the Trinity County Library.

JANUARY 3, 2006

9:00 AM

MEETS IN CLOSED SESSION

CS1. Government Code section 54957 - Public Employee Complaints or Charges.

CS2. Government Code Section 54954.9 (b). Anticipated Litigation. Conference with Legal Counsel. No. of cases: One.

- Claim filed by Elroy and Annetta Mankins

10:35 AM

CALLS MEETING TO ORDER IN OPEN SESSION

PLEDGE OF ALLEGIANCE

CHAIRMAN REPORTS ON CLOSED SESSION

CS1. Chairman reports that Closed Session Item No. CS1 is continued to the Wednesday afternoon Closed Session.

CS2. Chairman reports that the Claim filed by Elroy and Annetta Mankins is denied.

PUBLIC COMMENT

BOARD OF SUPERVISORS

SU1. Supervisor Bill Chambers is elected as Chairman for the Year 2006.

SU2. Supervisor Jeff Morris is elected as Vice-Chairman for the Year 2006.

SU3. On motion of Supervisor Reiss, seconded by Supervisor Jaegel, sets the Board of Supervisors meeting times back to day-time meetings starting at 9:00 AM for the year 2006 and direction given to have the County Administrative Officer, Chairman of the Board and Clerk of the Board determine the meeting schedule as appropriate.

SU4. On motion of Supervisor Freeman, seconded by Supervisor Morris, considers keeping the Board of Supervisors meetings schedule on the first and third Tuesday of the Month, regardless of Holiday weeks. Motion fails 3-2. Supervisors Freeman and Chambers – Aye; Supervisors Jaegel, Morris and Reiss – No; and

On motion of Supervisor Reiss, seconded by Supervisor Morris, approves the Board of Supervisors meeting dates as presented, with the meetings that fall on a week with a Monday Holiday to be scheduled for that Wednesday and directs the Clerk to prepare ordinance accordingly. Approves with the following vote polled: Supervisors Morris, Reiss, Jaegel and Chambers – Aye; Supervisor Freeman – No.

SU5. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, appoints Supervisors to represent the Board of Supervisors on various Boards, Commissions, Committees and Task Forces.

SU6. Approves request that Supervisors District 1 and Supervisor District 5 actively recruit for open vacancy in each district on the Trinity County Commission on Aging, due to no response from publication of vacancy.

SU7. Approves request that the Board actively recruit for a Public Member at Large on the Remote Access Network Board, due to no response from publication of vacancy.

SU8. On motion of Supervisor Jaegel, seconded by Supervisor Reiss and carried, sets time-line for Strategic Planning Meetings as the first Wednesday following the first Tuesday meeting of the month (except those Wednesday's that follow a Monday Holiday, in which case it would be Thursday) from 9:00 AM to 12:00 PM and directs the Clerk to prepare ordinance accordingly.

SU9. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, ratifies Proclamation from the Director of Emergency Services proclaiming a Local Emergency; and

Adopts Resolution No. 2006-01, requesting that the Governor of California proclaim a State of Local Emergency in Trinity County. Approves with the following vote polled: Supervisors Reiss, Freeman, Morris, Jaegel and Chambers.

PRESENTATIONS

PR1. Assemblymember Patty Berg Cancels appearance before the Board due to severe weather conditions.

ADJOURN

JANUARY 4, 2006

1:30 PM

CALLS MEETING TO ORDER IN OPEN SESSION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Comments received from Charlie Capelli and Dixie Capelli, Junction City and Jim French, Superintendent of Schools.

CONSENT CALENDAR

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approve the Consent Calendar as presented with the following vote polled: Supervisors Reiss, Freeman, Morris, Jaegel and Chambers – Aye.

CC1. Approves Meeting Minutes of December 20, 2005, as submitted by Clerk.

CC2. Approves Special Meeting Minutes of December 19, 2005.

TITLE III

TT1. Tables the National Forest Counties & Schools Coalition Designation Resolution, determining the Amounts of funding to be assigned to Title II and Title III Projects, to the January 18, 2006 meeting. Comments received from Joseph Bower, RAC and Jim French, RAC.

TT2. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, considers for the 45 day period and direct the Clerk to advertise a proposal from the Trinity County Fire Chief's Association and the Trinity County Sheriff's Department in the amount of \$250,000 for five repeaters situated throughout Trinity County; and further requests that the remaining Title III funds be held in reserve for the remaining elements of this project. Comments received from Roger Chatterton, Fire Chief's Association; Linda Wright, Health and Human Services Director; Lorrac Craig, Sheriff and John Hall, Life Support.

TT3. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, for the 45 day period and directs the Clerk to advertise a proposal from the Watershed Research and Training Center, in the amount of \$25,000 the Indian Valley Conservation Education Center (Indian Valley Summer Camp and the Outdoor Adventure Club). Comments received from Nadia Novak, Watershed Center.

TT4. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, considers for the 45 day period and direct the Clerk to advertise a proposal from the Trinity County Resource Conservation District (TCRCD), in the amount of \$2,750 for the Weaverville Community Forest Stewardship Project. Comments received from Pat Frost, TCRCD.

TT5. On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, for the 45 day period and direct the Clerk to advertise a proposal from the Trinity County Planning Department in the amount of \$30,000 for "planning efforts to reduce or mitigate the impact of development that occurs on nonfederal lands where such development might have an impact on adjacent Federal land and planning in increase

the protection of people and property from wildfires". Comments received from John Jelichich, Planning Director.

REPORTS

- ❖ County Administrative Officer Report.
- ❖ County Counsel Report
- ❖ Department Head Report: Lorrac Craig, Sheriff; Carl Bonomini, Transportation Director; Dero Forslund, County Clerk; Wyatt Paxton, Building and Development Services Director.
- ❖ Board of Supervisor's Reports: Supervisors Jaegel,, Morris and Chambers.

MEETS IN CLOSED SESSION

CS3. Government Code Section 54956.9(b). Anticipated Litigation. Conference with Legal Counsel. No. of cases: One.

5:00 PM RECESSES
6:00 PM RECONVENES

CALL MEETING TO ORDER IN OPEN SESSION

PUBLIC COMMENT

PUBLIC HEARINGS

PH1. **Opens Public Hearing:** To consider a Mitigated Negative Declaration on the General Plan amendment and rezone for Hayfork emergency services/fire hall located on Hyampom Road in Hayfork (APN 14-370-41); a resolution amending the Hayfork Community Plan by changing the General Plan land use designation from Multi Family Residential (MFR) to Public Facilities (PF); and an ordinance amending the Trinity County Zoning Ordinance No. 315, rezoning a portion of APN 14-370-41 from Multiple Family Residential (R-3) to Public Facilities (PF), located on Hyampom Road, Hayfork. (Applicant: Mountain Valley Elder Care on behalf of the Hayfork Fire Department, P-05-62).

Closes Public Hearing

1. On motion of Supervisor Jaegel, seconded by Supervisor Freeman and carried, approves a Mitigated Negative Declaration on the General Plan amendment and rezone for Hayfork emergency services/fire hall located on Hyampom Road in Hayfork (APN 14-370-41); and

2. On motion of Supervisor Jaegel, seconded by Supervisor Reiss, approves Resolution amending the Hayfork Community Plan by changing the General Plan land use designation from Multi Family Residential (MFR) to Public Facilities (PF). Approves with the following vote polled: Supervisors Reiss, Jaegel, Morris, Freeman and Chambers – Aye.

3. On motion of Supervisor Jaegel, seconded by Supervisor Reiss, waives reading and directs the Clerk to let the record show that an ordinance amending the Trinity County Zoning Ordinance No. 315 , rezoning a portion of APN 14-370-41 from Multiple Family Residential (R-3) to Public Facilities (PF), located on Hyampom Road, Hayfork,(Applicant: Mountain Valley Elder Care on behalf of the Hayfork Fire Department, P-05-62), is introduced with the following vote polled: Supervisors Reiss, Jaegel, Morris, Freeman and Chambers.

PH2 . **Tables Public Hearing to the February 7, 2006 Meeting regarding the following:**

1. A Mitigated Negative Declaration on the General Plan Amendment and Rezone for K&D McCoy on a parcel in Burnt Ranch (APN 008-210-02); and
2. A Resolution amending the Land Use Element of the Trinity County General Plan by changing the land use designation from Resource (RE) to Rural Residential (RR); and
3. An Ordinance amending the Trinity County Zoning Ordinance No. 315, rezoning APN 008-210- 02 from Unclassified (Unc) to Rural Residential five-acre minimum (RR-5), located on Underwood Mountain. Road in Burnt Ranch, is introduced. (Applicant: K&D McCoy, P-05-48)

PH3. **Opens Public Hearing:** To consider a Mitigated Negative Declaration on the rezone for Huber on a parcel in Hyampom (APN 011-390-15); and an Ordinance No. 315, amending the Trinity County Zoning Ordinance by rezoning APN 011- 390-15 from Unclassified with no potential for division below five acres (U-B3-5) to Rural Residential five-acre minimum/Flood Hazard and Scenic Conservation Overlay (RR-5/FH(SC)) (Applicant: Huber, P-05-58).

Closes Public Hearing

1. On motion of Supervisor Reiss, Seconded by Supervisor Freeman, approves a Mitigated Negative Declaration on the rezone for Huber on a parcel in Hyampom (APN 011-390-15), Supervisors Jaegel and Morris – No; and
2. On motion of Supervisor Reiss, seconded by Supervisor Freeman, waives reading and direct the Clerk to let the record show that Ordinance No. 315, amending the Trinity County Zoning Ordinance by rezoning APN 011- 390-15 from Unclassified with no potential for division below five acres (U-B3-5) to Rural Residential five-acre minimum/Flood Hazard and Scenic Conservation Overlay (RR-5/FH(SC)), (Applicant: Huber, P-05-58), is introduced with the following vote polled: Supervisors Freeman, Reiss, Morris and Chambers – Aye; Supervisor Jaegel – No.

PH4. **Opens Public Hearing:** To consider a Mitigated Negative Declaration on the rezone for Donna Huebsch and Barbara Bradburn on a parcel in Burnt Ranch (APN 008-380-36); and an Ordinance No. 315, amending the Trinity County Zoning Ordinance by rezoning APN 008-380-15 from Unclassified to Rural Residential with no potential for further division (RR-B3) (Applicant: Huebsch/Bradburn, P-05-55).

Close Public Hearing

1. On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves a Mitigated Negative Declaration on the rezone for Donna Huebsch and Barbara Bradburn on a parcel in Burnt Ranch (APN 008-380-36), Supervisor Morris – No; and
2. On motion of Supervisor Freeman, seconded by Reiss, waives reading and directs the Clerk to let the record show that Ordinance No. 315, amending the Trinity County Zoning Ordinance by rezoning APN 008-380-15 from Unclassified to Rural Residential with no potential for further division (RR-B3) (Applicant: Huebsch/Bradburn, P-05-55), is introduced with the following vote polled: Supervisors Reiss, Freeman and Chambers – Aye; Supervisors Jaegel and Morris – No.

PH5. **Opens Public Hearing:** To consider a Resolution to vacate the County's interest in a 33-foot easement along the east line of Lot 67 in Section 18, T33N, R9W, MDM from the south right-of-way line of Ransom Road #224 to the north right-of-way line of Wilson Road # 242.

Close Public Hearing:

On motion of Supervisor Jaegel, seconded by Supervisor Freeman, approves Resolution No. 2006-03 to vacate the County's interest in a 33-foot easement along the east line of Lot 67 in Section 18, T33N, R9W, MDM from the south right-of-way line of Ransom Road #224 to the north right-of-way line of Wilson Road # 242. Approves with the following vote polled: Supervisors Freeman, Jaegel, Reiss, Morris and Chambers – Aye.

COUNTY MATTERS

All contracts submitted to the board are subject to routing for approval as to form and content. County matters were not necessarily heard in the order listed below.

Auditor/Controller

- AU1. Brian Muir, County Auditor/Controller, appears and discusses the differences between Final Budget Review and the Final Budget for fiscal year 2005/2006.
- AU2. On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, approves one-year maintenance Agreement No. 05-101.1, with Coastal Business Systems to provide maintenance to Konica 7060 Copier in Health and Human Services. Contract allows for 80,000 copies at 1.3 cents a copy and covers all costs except for paper and staples. Total cost of contract is \$1,073.84. Copies above 80,000 would be billed at 1.3 cents each.

Behavioral Health Services

- BH1. Tables Behavioral Health Services contract with State of California for beds at State hospitals serving persons with mental disorders. No fiscal impact.
- BH2. On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, approves Amendment No. 05-405.1, between BHC Sierra Vista Hospital, Inc. and Trinity County Behavioral Health Services to provide psychiatric inpatient hospital services to Medi-Cal beneficiaries of Trinity County in the amount of \$20,000.00. Costs of services for this contract shall be paid for from Medi-Cal and Behavioral Health's allocation of Realignment funds and directs the Clerk to sign a Certified Minute Order prior to the Minutes being approved.

Building and Development Services/Airports

- BD1. Tables accepting the work performed by Hartman Truck Lines of Trinity Center, CA on Contract No. 05-204 for Hayfork Airport Obstruction Removal and authorizing the Director of Airports to sign and record the Notice of Completion on said contract to the January 18, 2006 meeting.

Clerk of the Board

- CB1. On motion of Supervisor Freeman, seconded by Supervisor Reiss, adopts a Resolution No. 2006-002, recognizing the exemplary service of Bill Britton, who is retiring from the California Department of Forestry. Approves with the following vote polled: Supervisors Reiss, Freeman, Morris, Jaegel and Chambers – Aye.

County Administrative Officer

- CA1. On motion of Supervisor Morris, seconded by Supervisor Reiss and carried, approves the destruction of employment applications, rating sheets and selection materials not currently under litigation, grievance or dispute, dated prior to December 31, 2002.

CA2. On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves Amendment No. 05-441.1, to Contract for Sale and Development of Land with Darrell and Marilyn Marlin for purchase of parcel 8 at the Industrial Park.

County Counsel

CO1. Tables Amendment No. 1 to Memorandum of Understanding between the Weaverville/Douglas City Parks and Recreation District, the Lowden Park Aquatic Park Project, and the County, to the January 18, 2007 meeting.

Supervisor Reiss – Absent, due to Conflict of Interest.

CO2. On motion of Supervisor Freeman, seconded by Supervisor Jaegel, approves 5-year Lease No. 05-450, with the Hayfork Community Center for a portion of the property located at 154 Tule Creek Road, Hayfork, California, in the amount of \$778 per month commencing January 1, 2006; increasing to \$1,916.89 per month after completion of construction. Supervisor Morris – No.

Supervisor Reiss – Present.

Sheriff's Office

SO1. Tables ordinance to increase the maximum quantities of dried marijuana, and marijuana plants, that may be possessed by qualified patients and caregivers; and amending Title 8 of the Trinity County Code, and adding Chapter 8.55, allowing possession of up to 12 marijuana plants of any maturity, and up to 16 ounces of dried marijuana bud.

Transportation Department

TR1. On motion of Supervisors Reiss, seconded by Freeman and carried, awards Schedules II of Trinity County Annual Fuel Bid to L & M Renner Petroleum of Eureka, California, in the total amount of \$ 55,745.42 for Schedule II and authorizes the Director of Transportation to sign Agreement No. 06-006.

TR2. On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, awards Schedules I, III and IV of Trinity County Annual Fuel Bid to Cross Petroleum of Weaverville and Redding, California, in the total amount of \$ 524,775.53 for Schedules I, III and IV and authorizes the Director of Transportation to sign the Agreement No. 06-007.

8:45 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

WILLIAM E. CHAMBERS, CHAIRMAN
Board of Supervisors, County of
Trinity, State of California

By: _____
Deputy Clerk