

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

**MEETING MINUTES**  
2008-10-07

**Chairman**  
**Supervisor Roger Jaegel - District 3**

**Vice Chairman**  
**Supervisor Wendy Reiss - District 5**

**Supervisor Judy Pflueger - District 1**  
**Supervisor Jeffrey Morris - District 2**  
**Supervisor Howard Freeman - District 4**

**Dero Forslund - County Administrative Officer**  
**Derek P. Cole - County Counsel**  
**Wendy Tyler - Clerk of the Board/Administrative Analyst**

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**Meeting called to order in open session at 9:00 a.m.**

**Pledge of Allegiance - Pflueger**

**Announcements - Agenda item on Courthouse Security Improvements to be heard today during the afternoon session**

## **Consent**

### **Clerk of the Board**

- 1.01** Adopts Proclamation declaring October 2008 as Breast Cancer Awareness Month, and further proclaiming October 16, 2008 as Think Pink Day in Trinity County.  
**Motion:** Reiss      **Second:** Morris      **Vote:** Morris, Reiss, Pflueger, Freeman and Jaegel - AYE
- 1.02** Appoints Jack Eggleston to the Lewiston Cemetary Commission for a two-year term commencing October 8, 2008  
**Motion:** Reiss      **Second:** Morris      **Vote:** Morris, Reiss, Pflueger, Freeman and Jaegel - AYE
- 1.03** Reappoints Colleen O'Sullivan, Rose Owens and Mike Rourke to the Trinity County Resource Conservation District Board of Directors for four-year terms commencing December 1, 2008, as recommended by the Board of Directors  
**Motion:** Reiss      **Second:** Morris      **Vote:** Morris, Reiss, Pflueger, Freeman and Jaegel - AYE
- 1.04** Acknowledges receipt of notification of a Hazardous Waste discharge (hydraulic fluid spill due to equipment failure) on September 9, 2008, on SR3 at mile post marker 20.2 (Hayfork Mountain); and Acknowledges receipt of notification of a Hazardous Waste discharge (diesel fuel spill due to overturned vehicle) on September 10, 2008, on SR299 at mile post marker 25.77 (near Prairie Creek Rd.)  
**Motion:** Reiss      **Second:** Morris      **Vote:** Morris, Reiss, Pflueger, Freeman and Jaegel - AYE

## **Clerk of the Board**

- 1.05** Approves regular meeting minutes of September 16, 2008 and special meeting minutes of September 19, 2008, as submitted by Clerk  
**Motion:** Reiss      **Second:** Morris      **Vote:** Morris, Reiss, Pflueger, Freeman and Jaegel - AYE

## **County Administrative Officer**

- 1.06** Approves amendment number one to Interim County Counsel Agreement, extending the term to October 31, 2008  
**Motion:** Reiss      **Second:** Morris      **Vote:** Morris, Reiss, Pflueger, Freeman and Jaegel - AYE

## **County Counsel**

- 1.07** Approves amended joint powers agreement with the California Fair Services Authority  
**Motion:** Reiss      **Second:** Morris      **Vote:** Morris, Reiss, Pflueger, Freeman and Jaegel - AYE

## **Reports**

### **Reports**

- 3.01** I. Report from County Administrative Officer - Dero Forslund  
II. Report from Department Heads - David Nelson, Linda Wright, Nancy Antoon, Carl Bonomini  
III. Report on General Plan Update - Susan Price  
IV. Report on Cell Tower Project - Sandy Bechtold  
V. Report from members of the Board of Supervisors

## **Closed Session**

### **County Administrative Officer**

- 4.01** Government Code Section 54954.5 - One Case - Determination of Disability - William Broschat  
Adopts resolution determining Mr. Broschat disabled  
**Motion:** Reiss      **Second:** Freeman      **Vote:** Freeman, Reiss, Morris, Pflueger and Jaegel - AYE

### **County Counsel**

- 4.02** Government Code Section 54659.9(a) - Existing Litigation - Conference with Legal Counsel  
  
Elroy and Annetta Mankins vs. Trinity County  
Superior Court Case No.: 06CV020  
  
Direction to Risk Manager

Meeting reconvenes at 1:30 PM

CAO Forslund - ABSENT

Public Comment - Jim French, Superintendent of Schools; Dennis Fox

## Public Hearings

### Grants & Housing

**5.01** Adopts Resolution approving the funding of a grant from Community Development Block Grant (CDBG) Program Income from the Community Facilities Revolving Loan Account in the amount of \$35,400 for the Ruth Public Safety Facility.

Comments received from Rachel Allen

**Motion:** Morris      **Second:** Reiss      **Vote:** Reiss, Morris, Freeman, Pflueger and Jaegel - AYE

**5.02** Adopts Resolution approving the funding of a grant from Community Development Block Grant (CDBG) Program Income from the Community Facilities Revolving Loan Account in the amount of \$17,700 for the Lowden Aquatic Park Project (LAPP) Bathroom/Shower Facility.

**Motion:** Morris      **Second:** Reiss      **Vote:** Reiss, Morris, Freeman, Pflueger and Jaegel - AYE

**5.03** Adopts Resolution approving the funding of Community Development Block Grant (CDBG) Program Income from the Community Facilities Revolving Loan Account in the amount of \$93,571.64 for the Indian Creek Mobile Home Park water system upgrade.

**Motion:** Morris      **Second:** Reiss      **Vote:** Reiss, Morris, Freeman, Pflueger and Jaegel - AYE

**5.04** Adopts Resolution approving the funding of a grant from Community Development Block Grant (CDBG) Program Income from the Community Facilities Revolving Loan Account in the amount of \$1,416 for Golden Age Center new commercial freezer.

**Motion:** Morris      **Second:** Reiss      **Vote:** Reiss, Morris, Freeman, Pflueger and Jaegel - AYE

**5.05** Adopst Resolution approving the submittal of a Community Development Block Grant (CDBG) 2008-2009 Planning and Technical Assistance Grant application for \$35,000 from the General Allocation for a Preliminary Engineering Feasibility Report for the Salyer Water System Project and authorize the County Administrative Officer to sign the CDBG application, Statement of Assurances and other required forms and a minute order be issued.

Comments received from Rachel Allen and Dennis Fox

**Motion:** Reiss      **Second:** Pflueger      **Vote:** Pflueger, Reiss, Morris, Freeman and Jaegel - AYE

**5.06** Chairman Jaegel recuses, passes gavel to Vice Chair Reiss  
Adopts Resolution approving the submittal of a Community Development Block Grant (CDBG) 2008-2009 Planning and Technical Assistance Grant application for \$35,000 from the Economic Development Allocation for a Small Hardwood Mill and Dry Kiln Feasibility Study, and authorize the County Administrative Officer to sign the CDBG application, Statement of Assurances, other required forms and authorize a minute order be issued.

**Motion:** Morris      **Second:** Freeman      **Vote:** Freeman, Morris, Pflueger and Reiss - AYE

### Planning/Natural Resources

## Planning/Natural Resources

- 5.07** Waives reading and directs the Clerk to let the record show that an ordinance amending Trinity County Zoning Ordinance 315, Section 30.B to allow temporary operation of a portable concrete batch plant and/or rock screening unit in any zone subject to a Planning Director Issued Use Permit is introduced and enacted. (PW 07-10)  
Comments received from Jeanne Bonomini, Carl Bonomini, Jan Smith and Gary Bolton  
**Motion:** Pflueger      **Second:** Reiss      **Vote:** Reiss, Pflueger, Freeman, Morris and Jaegel - AYE

- 5.08** Continues the public hearing on the following items to the November 4, 2008 agenda.
1. Adopt proposed Mitigated Negative Declaration, finding that on the basis of the whole record before the Board, including the Initial Study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment and that a Negative Declaration reflects the Board's independent judgment and analysis; and
  2. Approve and authorize Chairman to sign the Resolution adopting findings of fact and approving a tentative map for Irvin and Edith Smith (APN 012-120-42, File No. P-08-06).

## **County Matters**

### Auditor/Controller

- 6.01** Approves budget adjustment for FY 2008/2009 for Road Department to increase Local Road Maintenance revenue from the State (Account 7056) by \$272,894, and to increase Road Contracts (Account 2319) by \$177,970 and Special Departmental Expense (Account 2700) by \$94,924; and  
Approves the Prop 1B Paving Maintenance Projects  
Comments received from David Nelson and Carl Bonomini  
**Motion:** Reiss      **Second:** Morris      **Carried**

### Board of Supervisors

- 6.02** Acknowledges receipt and appoint the following Supervisors to draft responses to the following Grand Jury Reports:
- A. Judicial Committee Final Report - Trinity County Detention Facility - Supervisor Pflueger
  - B. Judicial Committee Final Report - Trinity River Conservation Camp Facility - Supervisor Pflueger
  - C. Judicial Committee Final Report - Southern Trinity Law Enforcement - Supervisor Reiss
  - D. Judicial Committee Final Report - Trinity County Juvenile Detention Facility - Supervisor Freeman
  - E. Finance and Administration Committee Final Report - Trinity County Purchasing Procedures - Supervisor Morris
  - F. Development and Environmental Committee Final Report - Trinity County Solid Waste - Supervisor Jaegel
  - G. Ad Hoc Final Report - Grand Jury Library and Continuity - Supervisor Morris
  - H. Health and Human Services Committee Final Report - Mountain Community Healthcare District/Trinity Hospital - Supervisor Freeman
  - I. Special District Committee Final Report - Audit Compliance & Investigations - Supervisor Reiss

### County Administrative Officer

- 6.03** Continues to October 8, 2008  
Authorize recruitment and hiring of a Solid Waste Technician III in the department of Solid Waste.
- 6.04** Continues to October 8, 2008  
Authorize recruitment and hiring of a Child Support Director and approve the interim appointment of Robin McStay as Child Support Director effective November 1, 2008. In the event Ms. McStay's interim appointment exceeds 30 days during the recruitment process, authorize waiving the waiting period for out-of-class compensation and provide an additional 5% to Ms. McStay's salary effective December 1, 2008.
- 6.05** Continues to October 8, 2008  
Authorize the recruitment and hiring of a Road Superintendent in the Department of Transportation.

## **County Administrative Officer**

- 6.06** Continues to October 8, 2008  
Authorize the recruitment and hiring of an Assistant Road Maintenance Crew Supervisor I (Ruth/Zenia) in the Department of Transportation.
- 6.07** Continues to October 8, 2008  
Approve Memorandum of Understanding with the Greater Hayfork Park and Recreation District for upkeep and maintenance of the Hayfork Park, with provision for transfer of real property upon successful ballot measure, subject to routing and approval as to form and content
- 6.08** Rejects the protest of All Weather Contractors, finds the bid of Efficient Energy Concepts a responsive bid; Awards the bid to Efficient Energy Concepts and approves Agreement for Security Improvements of the Trinity County Courthouse  
Comments received from Dero Forslund, Nate Lawler - All Weather Contractors, Jeff Tempe - Efficient Energy Concepts, David Griffith - Architect
- Motion:** Freeman   **Second:** Pflueger   **Carried**

## **Grants & Housing**

- 6.09** Continues to October 8, 2008  
Ratify County Administrative Officer's signature of acceptance on quotation from Valmont Structures for lattice cell tower (Pickett Peak) in the amount of \$55,489; and  
Ratify County Administrative Officer's signature of acceptance on quotation from Carmanah Technologies, Inc, for DuraGen Power System (solar-Pickett Peak) in the amount of \$317,531.47; and  
Authorize County Administrative Officer to execute all documents related to construction of the cell towers provided they fall within the estimated budget amounts

## **Planning/Natural Resources**

- 6.10** Continues to October 8, 2008  
Approve Amendment No. 1 to Grant No. 05-114 with the Coastal Conservancy
- 6.11** Continues to October 8, 2008  
Approve revised timeline for General Plan Advisory Committee work as recommended by the GPAC and Planning Commission.

## **3:00 Presentations PM**

### **Board of Supervisors**

- 7.01** Monitoring report on medicinal cannabis and discussion regarding proposed policy changes  
Comments received from Jim French, Eric Palmer, Omar Brown, Scott Morris, Tom Antoon, Vince Hubbell, BE Smith, Tom Balanco, Peter Hedtke, Josh Geller, Jeanne Bonomini, Becky Stetson, Marvin Stewart, Wendy Aremack, James Matthias, Shirley Dillon, Claudette Bushman, Mike Cloud, David Nelson, Peggy Cannaley, Tom Barnett, Dee Sanders, Nick Goulette, Shirley Aarmsted, Tracy Allen, Lauren Andre, Denise Squires, Judy Morris, Carl Bonomini, Gail Burke, David Hammer, Jerry Hauke, Homer Yates, Judy Stewart, Dave Wellock, John Hall, Mark Lockhart, LaJean Yates, Leroy Warshawer  
Chairman calls a special meeting for October 28, 2008 at 1:00 p.m. for the purpose of further discussion and action on the Medicinal Cannabis Policy

## **ADJOURN**

## **TRINITY COUNTY BOARD OF SUPERVISORS**

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ANTON R. JAEGEL, CHAIRMAN  
Board of Supervisors, County of  
Trinity, State of California

Attest:

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WENDY G. TYLER, Clerk of the Board  
County of Trinity, State of California

