

MEETING MINUTES

2009-04-07

Chairman

Supervisor Wendy Reiss - District 5

Vice Chairman

Supervisor Judy Pflueger - District 1

Supervisor Judy Morris - District 2

Supervisor Roger Jaegel - District 3

Supervisor Howard Freeman - District 4

Dero Forslund - County Administrative Officer

Derek P. Cole - County Counsel

Wendy Tyler - Clerk of the Board/Administrative Analyst

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

Pledge of Allegiance - Supervisor Morris

Announcements - None

Consent

Agriculture/Solid Waste

- 1.01** Approves Resolution No. 2009- 021 authorizing Mark T. Lockhart, Agricultural Commissioner/Sealer of Weights and Measures to execute, amend, and terminate on behalf of Trinity County the Pesticide Use Reporting agreement.

Comments received from Mark Lockhart

Motion: Pflueger **Second:** Morris **Carried**

Auditor/Controller

- 1.02** Approves budget adjustment for FY 2008-09 in Health Department to increase revenues and expenditures by \$12,916

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

- 1.03** Approves budget adjustment for FY 2008-09 to increase Revenues and Expenditures in the Cannabis Eradication Program by \$216,700

Comments received from Eric Palmer

Auditor/Controller

Motion: Jaegel **Second:** Morris **Carried**

- 1.04** Approves budget adjustment for FY 2008-09 to allow the Treasurer-Tax Collector to increase revenues and expenditures by \$2,490
Motion: Freeman **Second:** Pflueger **Vote:** Pflueger, Freeman, Jaegel, Morris and Reiss - AYE
- 1.05** Approves budget adjustment for FY 2008-09 to allow the Road Fund to increase revenues and expenditures by \$194,089; and
Approves the Proposition 1B Paving Maintenance Projects
Motion: Freeman **Second:** Pflueger **Vote:** Pflueger, Freeman, Jaegel, Morris and Reiss - AYE
- 1.06** Approves budget adjustment for FY 2008-09 for Behavioral Health funds to increase transfer-out from the MHSA Fund, increase transfer-in in the Behavior Health Fund, and to increase expenditures for Fixed Assets by \$50,000
Motion: Freeman **Second:** Pflueger **Vote:** Pflueger, Freeman, Jaegel, Morris and Reiss - AYE

Behavioral Health Services

- 1.07** Approves the Net Negotiated Amount (NNA) Contract Amendment No. 2 for FY 2007-2010 between the CA Department of Alcohol and Drug Programs (ADP) and Trinity County Behavioral Health Services for Alcohol and/or Other Drug Services. Paragraph 3 of contract face sheet is amended to decrease the FY 2008/09 contract amount to \$493,608 and total contract amount not to exceed \$1,492,884. State of CA Agreement Number 07-NNA53 Trinity County Contract Number 07-100.1
Motion: Freeman **Second:** Pflueger **Vote:** Pflueger, Freeman, Jaegel, Morris and Reiss - AYE

Clerk of the Board

- 1.08** Finds no objection to the issuance of a one-day alcoholic beverage license to the Trinitarianus Chapter of E Clampus Vitus for the Rocky Mountain Elk Foundation dinner to be held April 11, 2009 at the Veteran's Memorial Hall in Weaverville.
Motion: Freeman **Second:** Pflueger **Vote:** Pflueger, Freeman, Jaegel, Morris and Reiss - AYE
- 1.09** Approves regular meeting minutes of March 17, 2009, as submitted by Clerk, with correction to item 8.04 JOE REISS should be JOE RIESS
Motion: Freeman **Second:** Morris **Carried**
- 1.10** Acknowledges receipt of Hazardous Waste discharge (diesel fuel due to collision/overturn) located on SR 299 west of mile post marker 43.07 (west of Gilzean Road) in the Junction City area on March 20, 2009
Motion: Freeman **Second:** Pflueger **Vote:** Pflueger, Freeman, Jaegel, Morris and Reiss - AYE

County Administrative Officer

- 1.11** Approves contract with Mike's Heating and Air, Inc. in the amount of \$72,000 for purchase and installation of a new air cooling unit on the roof of the courthouse to provide service to the IT server room.
Motion: Freeman **Second:** Pflueger **Carried**

Transportation

- 1.12** Approves Notice of Completion for Contract No. 07-AIR-03 described as Slurry Seal Airfield Pavements and Rehabilitate Aircraft Parking Apron, with Stimpel-Wiebelhaus Associates, Inc of Redding, California and authorizes the Director of Transportation to sign said Notice.
Motion: Freeman **Second:** Pflueger **Vote:** Pflueger, Freeman, Jaegel, Morris and Reiss - AYE
- 1.13** Adopts Resolution No. 2009-022 certifying Trinity County's 2008 Maintained Road System Mileage

Transportation

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

1.14 Approves Final Map for the Trinity View Subdivision in Lewiston and authorizes the Clerk of the Board to sign and record said map.

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

1.15 Approves the Contract of Acquisition from Ed Brewer for right of way on the East Connector Route in Weaverville

Comments received from Carl Bonomini

Motion: Pflueger **Second:** Jaegel **Carried**

1.16 Approves Contract of Acquisition for right of way from Bruce Monighan along Wildwood Road, Co. Rd. No. 302

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

Reports

Reports

- 2.01** I. Report from County Administrative Officer - Dero Forslund
II. Report from Department Heads - David Nelson
III. Report from members of the Board of Supervisors - No report from Supervisor Freeman

Transportation Commission

RECESS AS THE BOARD OF SUPERVISORS; RECONVENE AS THE TRANSPORTATION COMMISSION

Transportation Commission

3.01 Steve Rogers and Pat Carr appear and update the Board on Regional Improvement Program funded projects on the state highway system in Trinity County, including but not limited to Sand House Passing Lane, Buckhorn Grade Improvement, Hayfork II, and West Weaverville Traffic Calming, and other items of interest to the Board

3.02 Adopts Resolution No 2009-023 amending the 2008 Regional Transportation Improvement Program (RTIP) to reduce funding for construction of Project Number 2140 "Hyampom Road Segment 3 Reconstruction" by \$489,000 and add Project Number 2140B "Rehab and Widen Bridge 5C-067 (Nine-mile bridge) on Hyampom Road", and select it as the preferred Economic Stimulus Project for implementation with the current ARRA road funds.

Comments received from Carl Bonomini

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

3.03 Adopts Resolution No.2009-030 allocating Local Transportation Funds (LTF) in the amount of \$35,000 (\$30,000 to the Commission; \$5,000 to the County).

Comments received from John Jelichich

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

3.04 Adopts Resolution No 2009-020 authorizing Executive Secretary to sign and execute agreements with Caltrans

Comments received from John Jelichich

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

Transportation Commission

- 3.05** Adopts resolution numbers 2009-024 and 2009-025 for two grant applications for California Transit Security Program Proposition 1B-6061-002 eligible funds naming Trinity County, as the operator of Trinity Transit, the eligible recipient of these funds in the amount of \$23,014 for Fiscal Years 2007-2008 and 2008-2009.
Comments received from Polly Chapman

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

- 3.06** Approves Agreement between Trinity County Transportation Commission and FEHR & PEERS to prepare the 2010 Regional Transportation Plan in amount of \$150,000 from Rural Planning Assistance (RPA) funding and related programs.
Comments received from John Jelichich

Motion: Freeman **Second:** Pflueger **Carried**

RECESS AS THE TRANSPORTATION COMMISSION; RECONVENE AS THE BOARD OF SUPERVISORS

Closed Session

County Administrative Officer

- 4.01** Gov't Code section 54954.5(b). Conference with Real Property Negotiator
Property: 156 Van Duzen Rd., Mad River, CA
Negotiating Parties: Julene Frazier and Trinity County
Under Negotiation: Terms of Payment

Direction to negotiators

County Counsel

- 4.02** Gov't Code section 54956.9(a). Conference with Legal Counsel. Existing Litigation
- A. Sceper v. Board of Supervisors of Trinity County, et al., Case No. 09CV008
 - B. Arbitration of employee disciplinary action

Public Hearings

Planning/Natural Resources

5.01 Continues the following item indefinitely:

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. Discuss and/or take action to waive reading and direct the Clerk to let the record show that an ordinance amending Trinity County Zoning Ordinance 315, rezoning APN 010-260-17 from Specific Unit Development (SUD) to Rural Residential (RR); with Parcels A, B, C and D having five-acre minimums (RR-5) and the remainder having 20-acre minimum (RR-20) as shown on Exhibit A, Legal Description, located on Black Bear Road, a Private Road, at the intersection with Weaver Bally Road (USFS 33N38) outside Weaverville, is introduced and enacted (Applicant: Graham, P-06-70).

Transportation Commission

5.02 1) Adopts Resolution No. 2009-026 Adopting Definitions for "Unmet Transit Needs" and "Reasonable to Meet".

2) Conducts hearing regarding potential unmet transit needs and adopts Resolution No. 2009-027 making the finding that there are no "unmet transit needs" that are "reasonable to meet"

Comments received from John Jelichich

Motion: Freeman **Second:** Pflueger

Vote: Pflueger, Freeman, Jaegel, Morris and Reiss - AYE

County Matters

Agriculture/Solid Waste

6.01 Approves contract with Trinity Tire Center, Sole Proprietorship to supply new, recap, repair, foam, mount and/or balance tires as needed and provide emergency road side tire service to begin May 1, 2009 through April 30, 2010.

Comments received from Mark Lockhart

Motion: Freeman **Second:** Pflueger **Carried** **Vote:** Jaegel - NO

Board of Supervisors

6.02 Discuss held re status of the General Plan Update, County staff involvement and future implementation. Direction that Supervisors Reiss and Morris work with CAO to develop options for completion of the General Plan Update.

Comments received from Joan Carr

6.03 Update on Chairman's appointments to the Ad Hoc Medicinal Cannabis Committee
Chair appoints Wendy Reiss, Roger Jaegel, Dero Forslund, Derek Cole, Lorrac Craig, Jim French, Butch Grossman, Vince Hubble, Kurt Conner, Mike Boutin, Becky Stetson, Duane Sceper, Dr. Terrance Malee.

Clerk of the Board

Clerk of the Board

- 6.04** Approves Application for Waiver of Fees submitted by Hawkins Bar Volunteer Fire Department requesting the Dept. of Transportation Encroachment Permit fee by waived for their walk-run fundraiser

Comments received from Asst chief, HBVFD, Carl Bonomini

Further, directs admin staff to come back with a discussion item regarding building money into board's budget to cover costs of waived fees.

Motion: Freeman **Second:** Morris **Carried** Vote: Pflueger - No

County Administrative Officer

- 6.05** Authorizes hiring a Child Support Specialist in the Department of Child Support.

Motion: Pflueger **Second:** Freeman **Carried**

- 6.06** Authorizes the recruitment and hiring of two Correctional Officer/Dispatchers to replace one CO/D that resigned in November 2008 and one that resigned in February 2009.

Comments received from Eric Palmer

Motion: Morris **Second:** Freeman **Carried**

- 6.07** Authorizes hiring Sheriff's Fiscal Officer at Range M193 in the Sheriff's Department.

Comments received from Eric Palmer

Motion: Freeman **Second:** Morris **Carried**

- 6.08** Pursuant to Trinity County Code Section 2.60.410 (2) (Above A Step) authorizes hiring Suzanne Lewis as an Administrative Services Officer for the Health and Human Services Department at Range M193C.

Comments received from Linda Wright

Motion: Morris **Second:** Freeman **Carried**

- 6.09** Pursuant to Trinity County Code Section 2.60.410 (2) (Above A Step) authorizes hiring Tricia Ladd as an Administrative Coordinator II for the Health and Human Services Department at Range G174B.

Comments received from Linda Wright

Motion: Freeman **Second:** Morris **Carried**

- 6.10** Pursuant to Trinity County Code Section 2.60.410 (2) (Above A Step) authorizes hiring Jessica Iford as a Staff Services Analyst I for the Health and Human Services Department at Range G184C

Comments received from Linda Wright

Motion: Morris **Second:** Freeman **Carried**

- 6.11** Authorizes the recruitment and hiring of two Social Worker I or II in the Department of Health and Human Services.

Comments received from Linda Wright

County Administrative Officer

Motion: Freeman **Second:** Jaegel **Carried**

6.12 Authorizes the recruitment and hiring of an Eligibility Worker I or II in the Department of Health and Human Services.

Motion: Freeman **Second:** Jaegel **Carried**

6.13 Authorize the recruitment and hiring of an Eligibility Worker III in the Department of Health and Human Services and approve eliminating the position of Human Services Fraud Investigator I or II.

Comments received from Linda Wright

Motion: Morris **Second:** Freeman **Carried**

6.14 Authorizes the recruitment and hiring of an Administrative Clerk I or II in the Department of Health and Human Services

Motion: Freeman **Second:** Jaegel **Carried**

District Attorney

6.15 Adopts Resolution No. 2009-028 authorizing the District Attorney to submit to the California Emergency Management Agency a proposal for funding for the Violence Against Women Vertical Prosecution Program Grant in the amount of \$120,000 for the period 7/1/09 - 6/30/10; and further authorizing the District Attorney to sign the Grant Award Agreement, including any extensions or amendments thereof.

Comments received from Donna Harrison

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

Grants & Housing

6.16 Adopts Resolution No. 2009-029 approving the amendment of the application and Standard Agreement for the Home Investment Partnerships Program (HOME) agreement #07-HOME-3076 to include a First Time Home Buyers program in addition to the current Owner Occupied Rehabilitation program, and authorizing the County Administrative Officer to sign the amended Standard agreement and other documents necessary for the administration of the program.

Comments received from Rachel Allen

Motion: Freeman **Second:** Morris **Carried** **Vote:** 2,4,1,3,5, - AYE

Addendum

Planning/Natural Resources

A Approves Letter of Agreement and Request for Provisionally Accredited levee (PAL) Designation in order to request additional time (up to two years) to submit all the necessary documentation to FEMA for certification of the East Weaver Creek Levee in the community of Weaverville for flood insurance purposes.

Comments received from Carl Bonomini

Planning/Natural Resources

Motion: Pflueger **Second:** Freeman **Carried**

ADJOURN

TRINITY COUNTY BOARD OF SUPERVISORS

WENDY REISS, CHAIRMAN
Board of Supervisors, County of
Trinity, State of California

Attest:

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