

**MEETING MINUTES**  
2009-10-20

**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**

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**Meeting called to order in open session at 9:00 a.m.**  
**Pledge of Allegiance - Supervisor Freeman**  
**Announcements - None**

**Consent**

**Auditor/Controller**

**1.01** Acknowledges Receipt of Claim Report: January 1, 2009 - August 31, 2009

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

**Clerk of the Board**

**1.02** Approves regular meeting minutes of September 15, 2009, October 6 and 7, 2009, and special meeting minutes of September 29, 2009, as submitted by Clerk

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

**County Administrative Officer**

**1.03** Ratifies County Administrative Officer's signature on Letter of Intent to participate in the North Coast Integrated Regional Water Management Plan Energy Independence Program

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

**District Attorney**

## **District Attorney**

- 1.04** Adopt Resolution No. 2009- authorizing the District Attorney to submit to the California Emergency Management Agency an application to receive funding for the Trinity County Drug ADA Task Force Grant in the amount of \$151,854 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.

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

## **Grants & Housing**

- 1.05** Approves Subrecipient Agreement with Superior California Economic Development to perform the Microenterprise activity of the CDBG grant agreement #08-EDEF-5789 for the 2008-2009 California Community Economic Enterprise Fund of the State of Community Development Block Grant (CDBG) Program, not to exceed \$100,000.

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

## **Probation/Collections**

- 1.06** Approves Amendment #5 to the contract with Behavioral Interventions for electronic monitoring equipment and services for the Probation Departments Electronic Monitoring/Home Detention Program.

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

## **Transportation**

- 1.07** Approves Agreement with Wallace Environmental Consulting, Inc. of Walnut Grove for Environmental Services to analyze an extended box culvert in Kingsbury Gulch to allow for widening of the runway safety area and extension of the taxiway at Hayfork Airport

Comments received from Richard Tippett

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

## **Transportation Commission**

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

### **Transportation Commission**

- 2.01** Steve Rogers, Caltrans project manager, appears and updates the Board regarding the following Regional Improvement Program (RIP) funded projects on the State highway system in Trinity County: Sand House Passing Lane, Buckhorn Grade Improvement Project, Hayfork II, and West Weaverville Traffic Calming.

- 2.02** Executive Secretary reports on the status of a 5311F American Recovery Reinvestment Act (ARRA) application submitted by the Transportation Commission to acquire two new buses for the County of Trinity

Comments received from Richard Tippett and Polly Chapman

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

## **Reports**

### **Reports**

- 3.01** I. Report from County Administrative Officer - Dero Forslund  
II. Report from Department Heads - Linda Wright, Eric Palmer, Richard Tippett  
III. Report from members of the Board of Supervisors

## Presentations AM

### Board of Supervisors

- 4.01** Alsah Bundi of Human Response Network appears and gives annual report on domestic violence to the Board
- 4.02** Assemblyman Wes Chesbro appears and updates the Board on matters of interest

## Closed Session

### Auditor/Controller

- 5.01** Gov. Code 54956.9(b)(1). Conference with Legal Counsel. Significant exposure to litigation.  
No. of Cases: One  
Claimant: Jim Stillwell (Claim No. TRN 09-005)  
Agency Claimed Against: Trinity County
- Denies Claim
- Motion:** Freeman      **Second:** Pflueger      **Vote:** Pflueger, Freeman, Morris, Jaegel and Reiss - AYE
- 5.02** Gov. Code 54956.9(a). Conference with Legal Counsel.  
No. of Cases: Six
- Plaintiff: AMCO Insurance Co. (Case No. 08CL035)  
Plaintiff: Eric Heryford (Case No. 09CV010)  
Plaintiff: Georgette Hedrick (Fed. Case No. 2:09:CV-01797-GEB-CMK )  
Plaintiff: Georgette Hedrick & Jason Auten (Case No. 09CV034)  
Plaintiff: William Chabino (Case No. 08CV092 )  
Plaintiff: Aurora Ramirez et. al. (Case No. 09CV002 )

### County Administrative Officer

- 5.03** Gov't Code section 54954.5(d). Public Employee Appointment  
Title: Treasurer/Tax Collector
- Appoints Terri McBrayer as Treasurer/Tax Collector for the remainder of the term ending December 31, 2009
- Motion:** Freeman      **Second:** Morris      **Vote:** Morris, Freeman, Pflueger, Jaegel and Reiss - AYE

### County Counsel

- 5.04** Gov't Code section 54956.9(b)(1). Conference with Legal Counsel. Significant exposure to litigation

Meeting reconvenes at 1:30 PM

Clerk reports on Closed Session

Public Comment - Susan Weiss, Dennis Fox, Josanne Metz, Jim Stillwell

## Public Hearings

### Grants & Housing

- 6.01** Adopts Resolution No. 2009-067 approving the submittal of a Community Development Block Grant (CDBG) 2009-2010 Planning and Technical Assistance Grant application in the amount of \$35,000 from the General Allocation to obtain a Community Based Needs Assessment on property in Hayfork owned by Eskaton and authorize the County Administrative Officer to sign the CDBG application, Statement of Assurances, any other required forms and a minute order be issued.

Comments received from Rachel Allen

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

- 6.02** Approve the Guidelines for Micro Enterprise Financial Assistance Program for the Community Development Block Grant (CDBG) Economic Development Program

Comments received from Rachel Allen

Motion fails

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

### Planning/Natural Resources

- 6.03** A. Adopts a 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

B. Waives reading and direct the Clerk to let the record show that an Ordinance amending Trinity County Zoning Ordinance No. 315, Section 29.4 (Flood Hazard and Flood Hazard Overlay Zoning Districts) is introduced and enacted (PW-08-04).

Comments received from Richard Tippet and Jeanne Bonomini

**Motion:** Pflueger    **Second:** Freeman    **Vote:** Freeman, Pflueger, Morris, Reiss - AYE  
Jaegel - NO

## County Matters

### Auditor/Controller

- 7.01** Adopts Resolution No. 2009-065 approving participation in the Proposition 1A Receivable Financing Program and approves Purchase and Sale Agreement with the California Statewide Communities Development Authority

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

### Clerk of the Board

- 7.02** Appoints Supervisor Pflueger as primary and Supervisor Morris as alternate representatives to the California State Association of Counties (CSAC) Board of Directors

**Clerk of the Board**

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

**County Counsel**

**7.03** Tables to November 30, 2009 at 7:00 p.m.

Waive reading and direct the Clerk to let the record show that an Ordinance adding Chapter 8.90 to the Trinity County Code pertaining to civil nuisance remedies is introduced

Comments received from Derek Cole, Debbie Lono, Vince Hubbell, Tom Simpson, Jeanne Bonomini, Susan Weiss, Duane Sceper

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

**7.04** Tables to January 4, 2010 6:00 pm

Waive reading and direct the Clerk to let the record show that an Ordinance amending Title 8 of the Trinity County Code pertaining to medical cannabis is introduced

Comments received from Judy Stewart, Vince Hubbell, Debbie Lono, Eric Palmer, Duane Sceper, Tom Barnett, Jim French, Robert Jackson, Jim French reads letter from Denise Squires into the record

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

**Transportation**

**7.05** Awards contract 09-GUARDRAIL-1 to Stewart Engineering, Inc. of Redding, CA in the amount of \$189,275.00, to construct new guardrail at six locations, one spot on Canyon Creek Road and five spots along Wildwood Road, and authorizes the Chairman to sign the state standard form contract documents upon execution and submittal by the contractor

Comments received from Richard Tippet

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

**ADJOURN**

**TRINITY COUNTY BOARD OF SUPERVISORS**

\_\_\_\_\_  
WENDY REISS, 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