

**MEETING MINUTES**

2009-11-03

**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 Pflueger  
Announcements - No Board meeting November 17, 2009

**Consent**

**Auditor/Controller**

**1.01** Approve and establish a new Agency Fund.

Fund# 676 - Dept# 0676- Supplemental Revenue Augmentation Fund (SRAF)

Comments received from David Nelson

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

**Clerk of the Board**

**1.02** Appoints Paul Adams to the the Far Northern Coordinating Council Board of Directors for an additional three-year term commencing November 14, 2009

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

**1.03** Approves regular meeting minutes of October 20, 2009 as submitted by Clerk

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

## **Health & Human Services**

- 1.04** Approves Certification Statements for FY 2009-10 Children's Medical Services Plan and Fiscal Budgets of the Child Health and Disability Prevention Program (CHDP) and the California Children's Services Program (CCS)  
**Motion:** Freeman **Second:** Morris **Vote:** Morris, Freeman, Pflueger, Jaegel and Reiss - AYE
- 1.05** Approves budget adjustment to increase budget for FY 2009-10 for Pandemic Department by increasing revenue and expenditures by \$12,268  
**Motion:** Freeman **Second:** Morris **Vote:** Morris, Freeman, Pflueger, Jaegel and Reiss - AYE
- 1.06** Approves Amendment No. 2 to contract with California Safety Company to add an additional camera to the alarm system  
**Motion:** Pflueger **Second:** Morris **Carried**

## **Sheriff**

- 1.07** Approve Amendment No. 2 to contract with Brim Aviation increasing the contract amount to a maximum of \$100,000.00 per fiscal year for marijuana eradication assistance  
  
Comments received from Eric Palmer  
**Motion:** Pflueger **Second:** Morris **Carried**

## **Reports**

### **Reports**

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

## **County Matters AM**

### **Clerk of the Board**

- 2.01** Discussion regarding County flag  
  
Comments received from Jeanne Simmons  
  
Direction to CAO to meet with Chair and Vice-Chair and Ms. Simmons to discuss continuing future of county flag
- 2.02** Discussion regarding Application for Waiver of County Fees submitted by Trinity County Gem and Mineral, for use of Lowden Park over Memorial Day Weekend 2010 was held. Chair tables to December 15, 2009  
CAO to meet with General Services Department and Gem and Mineral Society to come up with in-kind services in exchange for waiver of fees.  
  
Comments received from James Robertson, Treasurer Trinity Gem and Mineral Society

### **County Administrative Officer**

- 2.03** Reclassifies the position of Health Education Specialist (G184) to WIC Program Coordinator (G196) effective October 1, 2009.  
**Motion:** Freeman **Second:** Morris **Carried**
- 2.04** Reclassifies the position of Administrative Clerk II (G147) to WIC Nutrition Assistant I (G154) effective October 1, 2009 and; adds a WIC Nutrition Assistant II at Range G164.

## County Administrative Officer

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

## County Counsel

**2.05** Discussion regarding moratorium on cannabis collectives/co-ops

Chair directs Planning Commission to take a look at storefronts as they pertain to medicinal cannabis within community boundaries, and bring back options to the BOS in January

Chair directs County Counsel to bring back moratorium at noticed hearing for December 1, 2009

Comments received from Lorrac Craig, Vince Hubbell, Debbie Lono, Brandon Scalzow, Josann Metz, Rick Tippet

## Grants & Housing

**2.06** Approves Change Order #9 to the Manuel Bros., Inc. construction contract for the Pickett Peak Cell Tower site in the amount of \$88,650.00 to be funded by the California Public Utilities Commission Rural Telecommunications Infrastructure Grant 04PS5451; and Approves Amendment No. 2 to agreement with Manuel Bros., Inc.

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

## In Home Supportive Services Commission

**2.07** Pulled from agenda:  
Approve participation in the Enhanced Anti-Fraud program related to the In-Home Supportive Services (IHSS) Program RECESS AS BOARD OF SUPERVISORS; RECONVENE AS IN-HOME SUPPORTIVE

## In Home Supportive Services Public Authority

**Subse** On Motion of Supervisor Pflueger, seconded by Supervisor Morris and carries, agrees to hear subsequent item on the finding that the need to take action on the item came to the attention of the Board subsequent to the posting of the agenda, and that the urgency is that the approval is past due to the State.

Approves participation in the Enhanced Anti-Fraud program related to the In-Home Supportive Services (IHSS) Program

Comments received from Linda Wright

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

RECESS AS IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY; RECONVENE AS BOARD OF SUPERVISORS

## **Closed Session**

## County Administrative Officer

**4.01** Gov't Code 54956.9(a). Existing Litigation - Conference with Legal Counsel

Barbara Webb v. Trinity County Health and Human Services  
State Personnel Board Case Nos. 07-1524 and 07-2009

Meeting reconvenes at 1:30 PM

Clerk reports on Closed Session

Public Comment - Elizabeth Dippery, Gary Carpenter and Jim Stillwell

## Public Hearings

### Grants & Housing

- 5.01** Approves the Guidelines for Micro Enterprise Financial Assistance Program for the Community Development Block Grant (CDBG) Economic Development Program.

Comments received from Rachel Allen

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

### Planning/Natural Resources

- 5.02** 1. Adopts a 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. Approves resolution no.2009-068 amending the Land Use Element of the Trinity County General Plan by changing the General Plan designation on that portion of APN 025-190-12 north of state highway 299 from Resource to Rural Residential; and

3. Waives reading and directs the Clerk to let the record show that an ordinance no. 315-776 amending Ordinance 315 by rezoning that portion of APN 025-190-12 north of Highway 299 from Unclassified to Rural Residential ten-acre minimum (RR-10), located at 180 Fawn Lodge Road, Lewiston area, is introduced and enacted. (Lay, P-09-24)

Supervisors Pflueger and Jaegel discloses conversation with agent and trip to property

Comments received from Jeanne Bonomini, Joan Carr, Rick Tippet

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

- 5.03** 1. Adopts a 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. Waives reading and directs the Clerk to let the record show that an ordinance no. 315-777 amending Ordinance 315 by rezoning Parcel 1 of APN 020-150-50 from Unclassified to Rural Residential five-acre minimum (RR-5), located approximately 1/2 mile south of the Ruth Store on Mad River Road, is introduced and enacted. (Kastan, P-08-42)

Comments received from Jeanne Bonomini

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

## Planning/Natural Resources

- 5.04** 1. Adopts a 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. Waives reading and directs the Clerk to let the record show that an ordinance no. 315-778 amending Ordinance 315 by rezoning APN 007-740-40 from Unclassified to Rural Residential two and half-acre minimum (RR-2.5), located at 1281 Carrville Loop Road, Coffee Creek, is introduced and enacted. (Hollister, P-09-26)

Comments received from Jeanne Bonomini

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

### **5.05** Tables to December 1, 2009:

1. Adopt a 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. Waive reading and direct the Clerk to let the record show that an ordinance amending Ordinance 315 by rezoning APN 019-200-41 from Unclassified to Agriculture twenty-acre minimum (A-20), located approximately 1.5 miles west of the Wildwood Store on Wildwood Road, is introduced and enacted. (Giacinto, P-09-25)

Comments received from Jeanne Bonomini, Rick Tippett

- 5.06** 1. Adopts 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. Waives reading and directs the Clerk to let the record show that an ordinance no. 315-779 amending Trinity County Zoning Ordinance 315, rezoning APN 007-440-42 from Unclassified (U) and Retail Commercial (C-1) to Public Facilities (PF), located at the northeast corner of the intersection of Trinity Vista Street and Mary Avenue, Trinity Center, is introduced and enacted (Applicant: Trinity Center CSD, P-09-18).

Comments received from Jeanne Bonomini, Mike McHugh

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

- 5.07** 1. Adopts a 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. Waives reading and directs the Clerk to let the record show that an ordinance no. 315-780 amending Ordinance 315 by rezoning Parcel 1 of APN 018-540-45 from Highway Commercial to Rural Residential two and half-acre minimum, the applicant is required to provide evidence to the env health dept that adequate water is provided to the parcels for their intended use prior to obtaining any building permits, located at 150 Van Duzen Road, Mad River area, is introduced and enacted. (Crlenjak, P-09-27)

Comments received from Jeanne Bonomini, Rick Tippett, Ron Walashek and Jack Crlenjak

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

## Planning/Natural Resources

- 5.08** Presentation by Tangella Corporation regarding Airport Influence Areas; Authorize Chair to sign Resolution No. 2009-069 adopting the Airport Influence Areas recommended by the Airport Land Use Commission for the County's five public airports.

Comments received from Rick Tippett, Kelly Gant, Mike McHugh

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

## Addendum

### Board of Supervisors

- A** Approves Resolution No. 2009-070 in Support of Bureau of Land Management acquisition and management of the Helena Townsite

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

### Grants and Housing

- C** Approve and establish a new special revenue fund  
Fund # 185 - Dept. # 1971 - HOME Grant; and approve budget adjustment for Dept 1971

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

### Probation/Collections

- B** Approves release of additional funds in the amount of \$2,692.84 from the Fingerprint Identification Fund to allow Probation Department to purchase a new fingerprint/palm print machine

Comments received from Terry Lee

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

## ADJOURN

## TRINITY COUNTY BOARD OF SUPERVISORS

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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