

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

MEETING MINUTES
2009-12-01

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 Freeman
Announcements - None

Consent

Auditor/Controller

1.01 Approves increase in the amount of \$1,000 for the Collections Department Visa/Mastercard checking account at North Valley Bank.

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

Behavioral Health Services

1.02 Approves Amendment No. 1 to contract with Willow Glen Care Center for Board and Care services to residents of Trinity County.

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

Clerk of the Board

1.03 Approves Certification Statement Regarding Composition of Local Child Care and Development Planning Council Membership

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

Clerk Recorder Assessor

Clerk Recorder Assessor

- 1.04** Accepts Canvass of November 3, 2009 Consolidated General Election completed on November 12, 2009 and directs the Clerk to let the record show that the Official Statement of Votes Cast is hereby made a part of the minutes of the Board, and the following candidates are hereby declared appointed and elected to the offices specified:

Trinity Alps Unified School District, Area One - Stephen Hagen
Mountain Valley Joint Unified School District, Area Two - John Rapf
Klamath-Trinity Joint Unified School District, Division One - Mary Ann Fattig

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

County Administrative Officer

- 1.05** Approves action taken by County Administrative Officer to send letter of support to the US Department of the Interior in support of the Geographic Information Center at Chico State University's proposed 30 cm. imagery data project

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

Grants & Housing

- 1.06** Approves and establishes Federal Grants Fund (Fund 186, Dept. 1972) and State Grants Fund, (Fund 187, Dept. 1973) as Special Revenue Funds

Comments received from David Nelson

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

- 1.07** Approves Budget Adjustments to establish budgets for Miscellaneous Grants (Dept 1970), Title III Forest reserve (Dept 8483), and the newly established Federal Grants (Dept 1972) and State Grants (Dept 1973)

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

Health & Human Services

- 1.08** Approves Agreement EPO 09-53 with the California Department of Public Health to continue Public Health Emergency Preparedness (PHEP) and Public Health Emergency Response (PHER) activities.

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

Sheriff

- 1.09** Approves Amendment No. 2 to contract with Stephen E. Forrest, Jr. for Coroner services.

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

Transportation

- 1.10** Approves the Substitution of Trustee and Full Reconveyance of the Trust Deed between the County of Trinity and Zak and Veronica Peltier (Cedar Heights Subdivision) in exchange for an irrevocable letter of credit from American AgCredit, FLCA and authorizes the Chairman to sign said reconveyance.

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

- 1.11** Approves the final map for Steelhead Estates Subdivision near Big Foot Campground in the Junction City area and authorizes the Clerk of the Board to sign and record said map.

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

Presentations AM

Board of Supervisors

2.01 Adopts Resolution in Appreciation to David A. Nelson

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

Human Response Network

2.02 Tricia Aberick of Human Response Network appears and provides the Board with a presentation on youth access to tobacco.

In-Home Supportive Services Public Authority

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

Health & Human Services

3.01 Approves application to the Department of Justice (DOJ) for a Criminal Offender Record Information (CORI) number to comply with the new State Regulations requiring providers in the IHSS program be fingerprinted.

Comments received from Linda Wright

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

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

Reports

Reports

- 4.01**
- I. Report from County Administrative Officer - Dero Forslund
 - II. Report from Department Heads - Linda Wright, Lorrac Craig, Rick Tippett
 - III. Report from members of the Board of Supervisors

Closed Session

County Administrative Officer

5.01 Gov't Code Section 94954.5(e). Public Employee Appointment of Employment
Title: Auditor/Controller

Appoints Marilyn Horn to the position of Auditor/Controller for the remainder of the term vacated by David Nelson

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

5.02 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

5.03 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 County Administrative Officer

Meeting reconvenes at 1:30 PM

Clerk reports on Closed Session

Public Comment - Debbie Lono, Jim Stillwell, JoSan Metz

Public Hearings

Planning/Natural Resources

6.01 Continue the following item to the December 15, 2009 meeting:

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 commission'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)

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

Transportation

6.02 Waives reading and directs the Clerk to let the record show that an Ordinance amending Chapter 2.64.050 pertaining to County Transit Fees is introduced and enacted

Comments received from Richard Tippett, John Jelichich, Polly Chapman

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

County Matters

Agriculture/Solid Waste

7.01 Adopts Resolution re-appointing Mark T. Lockhart, Agricultural Commissioner/Sealer of Weights and Measures, for the County of Trinity to a four (4) year term, effective December 1, 2009 pursuant to California Food and Agriculture Code, Sections 2121, 2122 and California Business and Professions Code, Section 1220.

Comments received from Mark Lockhart

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

7.02 Approves purchase of two (2) Ford Expeditions for the motor pool. The Expeditions would be outfitted by the Sheriff's department as patrol vehicles and permanently assigned to that department; and Approves budget adjustment to transfer \$57,000.00 into the Motor Pool operating budget, leaving a deficit of approximately \$21,000.00 in the Motor Pool cash balance

Comments received from Mark Lockhart, Robi Camacho

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

Board of Supervisors

7.03 Approves transfer from contingency in the amount of \$131 to cover County Match for the PSA2 Area Agency on Aging Federal Nutrition Stimulus Funds

Board of Supervisors

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

County Administrative Officer

7.04 Changes allocation of 1 Public Health Nurse I, II or III to 2 Public Health Nurse's and authorizes the recruitment and hiring of a Public Health Nurse I or II.

Comments received from Linda Wright

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

7.05 Adds allocation of 1 Employment and Training Services Supervisor at Range M208, and 1 Eligibility Supervisor at Range M215 and eliminates the allocation of Supervising Integrated Case Worker in the Department of Health and Human Services and authorizes the recruitment and hiring effective December 1, 2009.

Comments received from Linda Wright

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

7.06 Authorizes the recruitment and hiring of an Account Clerk I in the Health and Human Services (Fiscal Division)

Comments received from Linda Wright

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

7.07 Allocates the position of 1/2 time Welfare Fraud Investigator at Range G191 and authorizes the recruitment and hiring of a Welfare Fraud Investigator.

Comments received from Linda Wright

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

7.08 Adds allocation of 1 Administrative Services Officer at Range N193 in the County Administrative Office and authorize recruitment and hiring

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

7.09 Approves removal of Risk Management division from Auditor/Controller and consolidation with Administration and direct that said change be made to the Salary Schedule and County Position Descriptions, effective December 1, 2009

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

County Administrative Officer

- 7.10** Rescinds closure of the following offices on the dates specified due to termination of the voluntary furloughs:
Administration/Personnel/Board of Supervisors, Auditor/Controller, Agriculture Commissioner/Sealer, Assessor/Elections/County Clerk, Building/Planning, Cooperative Extension (4-H), General Services, Information Technology, Treasurer/Tax Collector, Veteran's Services

December 4, 2009 April 2, 2010
January 8, 2010 May 7, 2010
February 5, 2010 June 4, 2010
March 5, 2010; and

Rescinds closure of the Records office on those dates from 8:00 a.m. to 10:00 a.m. and Noon to 5:00 p.m. due to termination of the voluntary furloughs

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

- 7.11** Discussion regarding FY 2010-2011 budget projections released by the Legislative Analysts Office

County Counsel

- 7.12** Waives reading and directs the Clerk to let the record show that an Ordinance 315- 781 adding Section 41 Pertaining to Interim Prohibition of Establishment or Operation of Marijuana Dispensaries, to Trinity County Zoning Ordinance 315 as amended is introduced and enacted
Motion by supervisor Jaegel, seconded by supervisor Morris and carried, amends section 41 c by deleting Ad Hoc Medicinal Cannabis Committee and inserting in place thereof Planning Commission

Comments received from Debbie Lono, Susan Weiss, Vince Hubbell, Richard Carpentier, Jeff Gritch

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

Grants & Housing

- 7.13** Selects the following proposals for funding pursuant to Title III Secure Rural Schools and Community Self-Determination Act of 2000:
1. Trinity County Fire Chief's Association for federal mandated fire shelters for all county fire/EMS agencies \$49,000.
2. Weaverville Fire District for a Fire Prevention/Fuel Reduction Program \$130,000.
3. Hyampom Community Services District for the development of a Community Wildfire Protection Plan \$8,000.

Comments received from Rachel Allen, Roger Chatterton, Scott Alvord, Pat Frost

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

Sheriff

- 7.14** Adopts Resolution No. 2009-074 designating the Sheriff of Trinity County as the Director of Emergency Services for Trinity County, and the Undersheriff or other designee of the Sheriff, as Assistant Director of Emergency Services

Comments received from Lorrac Craig

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

- 7.15** Adopts Resolution No. 2009-076 authorizing the Chairman of the Board, Sheriff and Undersheriff to execute any actions necessary for the purpose of obtaining Federal financial assistance under P.L. 107-206

Sheriff

Motion: Pflueger **Second:** Morris

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

7.16 Adopts Resolution No. 2009-075 Adopting and Implementing the National Incident Management System and the State Emergency Management System as the emergency response systems in Trinity County

Motion: Pflueger **Second:** Morris

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

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