

MEETING MINUTES

2010-09-07

Chairman

Supervisor Judy Pflueger - District 1

Vice Chairman

Supervisor Judy Morris - District 2

Supervisor Roger Jaegel - District 3

Supervisor Howard Freeman - District 4

Supervisor Wendy Otto - District 5

Dero Forslund - County Administrative Officer

Derek P. Cole - County Counsel

Wendy Tyler - Clerk of the Board/Deputy County Administrative Officer

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

Pledge of Allegiance - Supervisor Otto

Announcements -

On motion of Supervisor Jaegel, seconded by Supervisor Otto, with unanimous vote, agrees to hear subsequent item regarding Trinity County Comments on the National Wildfire Management Report to Congress and Cohesive Strategy, on the finding that the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda and that the comments are due by September 10, 2010. Item to be heard following Addendum

Consent

Auditor/Controller

1.01 Approves Amendment #3 to agreement with Gregor Professional Corporation amending the Scope of Services by deleting the requirement to provide a separate report for the Treasury Oversight Committee and in place thereof adding the requirement to prepare the Annual Financial Audit of the Transit Fund for Fiscal Year 2009-10.

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

1.02 Approves Amendment #1 with Rodney Craig Goodman, Jr. to increase the Maximum Cost to County from \$25,000 to \$49,000 for Fiscal Year 2010-11.

Comments received from Marilyn Horn

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

1.03 Establishes a Special Revenue Fund - Fund 188 - OPEB Revocable Trust (Dept. 6300)

Comments received from Marilyn Horn

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

Clerk of the Board

- 1.04** Appoints Greg Lowden and Patrick Truman to four-year terms on the Trinity County Resource Conservation District Board of Directors effective December 1, 2010, as recommended by the District
Motion: Morris **Second:** Freeman **Vote:** Freeman, Morris, Otto, Jaegel and Pflueger - AYE
- 1.05** Appoints Jennifer Faler as an Alternate Member representing Restoration to the Trinity County Fish and Game Advisory Commission, as recommended by the Commission
Motion: Jaegel **Second:** Morris **Carried**

County Administrative Officer

- 1.06** Approves Memorandum of Understanding with the Northwest California Resource Conservation and Development Council for development and use of the Veteran's Memorial Hall kitchen for a certified kitchen
Motion: Otto **Second:** Freeman **Carried**

Health & Human Services

- 1.07** Approves contract with Regents of University of California to provide 8 units of training for Eligibility staff; and further approves contract with Regents of University of California to provide 6 units of general training that will include Civil Rights Training mandated by the State
Motion: Morris **Second:** Freeman **Vote:** Freeman, Morris, Otto, Jaegel and Pflueger - AYE

Transportation

- 1.08** Approves a 2 year contract in the amount of \$65,000 with Trinity County Resource Conservation District to support the Department of Transportation, Planning and Building Department and County Administrative Office with various technical GIS tasks
Motion: Morris **Second:** Freeman **Vote:** Freeman, Morris, Otto, Jaegel and Pflueger - AYE

Reports

Reports

- 2.01** I. Report from County Administrative Officer - Dero Forslund
II. Report from Department Heads - Richard Tippet
III. Report from members of the Board of Supervisors

Closed Session

Board of Supervisors

- 3.01** Gov't Code section 54954.5(e)
Public Employee Evaluation: Director of Transportation
- 3.02** Gov't Code section 54954.5(e)
Public Employee Evaluation: County Administrative Officer
- Evaluation was held

County Administrative Officer

3.03 Gov. Code 54956.9(b)(1). Conference with Legal Counsel. Significant exposure to litigation.

No. of Cases: Two

A. Claimant: Alan Morsette (Claim No. TRN 09-007 / 2-29042-42)

Agency Claimed Against: Trinity County

Upon motion of Supervisor Jaegel, seconded by Supervisor Freeman and unanimous vote, denies the claim of Mr. Morsette by operation of law

B. Claimant: Raymond Harris (Claim No. 2-29328-42)

Agency Claimed Against: Trinity County

Upon motion of Supervisor Otto, seconded by Supervisor Morris and unanimous vote, claim of Mr. Harris to be returned without action

County Counsel

3.04 Gov. Code 549569©. Conference with Legal Counsel. Deciding to initiate litigation.

No. of Cases: Two

A. Appeal of the Decision Memorandum for the Jones this Project on the Shasta-Trinity National Forest

Upon motion of Supervisor Freeman, seconded by Supervisor Otto and unanimous vote, approves Petition for Intervenor Status

B. Approval of Shasta-Trinity Travel Management Plan by United States Forest Service

No reportable action taken

Meeting reconvenes at 1:30 PM

Public Comment - Zoe Chambers

Public Hearings

Planning/Natural Resources

- 4.01** Takes the following actions concerning Ordinance 315, Section 13 pertaining to Agriculture Zoning District:
 - A. Adopts a Negative Declaration based on the findings that: (A) on the basis of the whole record before the Board, including the Initial Study and the comments received, that there are no substantial evidence that the project as defined in Item B below, will have a significant effect on the environment; and (B) that a negative declaration reflects the Board’s independent judgment and analysis;
 - B. Adopts Ordinance 315-785 amending Ordinance 315, Section 13 (Agriculture Zoning District) to allow nurseries, garden centers, with associated retail sale subject to obtaining a Planning Commission Use Permit.

Comments received from Scott Rubright, Mike Boutin, Mary Beth Sanchez, Marlene Elliott, Zack Scott, Trinity Kirk, Edward Taylor, Michelle (owner of nursery), Gary Carpenter, Richard Tippett, Frank Lynch

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

- 4.02** Takes the following actions concerning Planning File P-09-30 (Etter), regarding APN 018-220-05, located on Van Duzen Road near the community of Mad River:
 - A. Adopts a mitigated Negative Declaration based on the findings that: (A) 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, as defined in Items (B) and (C) below, will have a significant effect on the environment; and (B) that a negative declaration reflects the Board's independent judgment and analysis;
 - B. Adopts Ordinance 315-786 amending Ordinance 315 by rezoning APN 018-220-05 from Unclassified (U) to Agriculture Forest with no potential for further division (AF-B3); and
 - C. Adopts a Resolution adopting Findings of Fact and Approving Phase 2 and 3 of the Lost Bridge Tentative Subdivision Map to subdivide APN 018-220-05 into 9 parcels

Planning Commission recommendation: Approve

Comments received from Frank Lynch

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

Planning/Natural Resources

4.03 Takes the following actions concerning planning file P-09-25 (Giacinto), regarding APN 019-200-41, located approximately 1.5 miles west of the Wildwood Store on Wildwood Road:

- A. Adopts a Mitigated Negative Declaration, based on the findings that: (A) 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, as defined in Item (B) below, will have a significant effect on the environment; and (B) that a negative declaration reflects the Board's independent judgment and analysis; and
- B. Adopts Ordinance 315-787 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

Planning Commission recommendation: Approve

Comments received from Richard Tippett,

Motion: Jaegel

Second: Morris

Vote: Morris, Jaegel, Otto, Freeman, Pflueger - AYE

County Matters

Board of Supervisors

5.01 Approves the Board's responses to the following 2009-10 Grand Jury Final Reports:

Judicial Committee - Juvenile Detention Facility

Judicial Committee - Detention Facility

Development and Environment committee - Building Department Review

Finance and Administration Committee - Out-of-County Travel Policy and Implementation

Finance and Administration Committee - Practice and Procedures for CalPers

Health and Human Services Committee - Mountain Communities Healthcare District Hospital Investigation

Special Districts Committee - Special Districts Review

Development and Environment Committee - Marijuana Industry Community Impact Assessment

Motion: Freeman

Second: Morris

Carried

Board of Supervisors

5.02 Ratifies Chairman's signature on letter to Steve Tharratt, M.D., Director Emergency Medical Services Authority, in opposition to regionalization of Local Emergency Medical Services Authorities throughout the state

Motion: Freeman

Second: Otto

Carried

Clerk of the Board

5.03 Approves application for Waiver of County Fees in the amount of \$219 as requested by the North Fork Grange for improvements to the Junction City Park

Motion: Freeman

Second: Jaegel

Vote: Jaegel, Freeman, Morris, Otto, Pflueger - AYE

County Administrative Officer

5.04 Approves the job specification of Sheriff Records Technician III at Range G182 and direct that said change be made to the Sheriff's Department allocation listing

Motion: Otto

Second: Freeman

Carried

Grants & Housing

- 5.05** Selects the following proposals for advertising pursuant to Title III Secure Rural Schools and Community Self-Determination Act of 2000:
1. Trinity County Resource Conservation District for a Fire Safe Council Implementation and Community Outreach Project - \$120,000
 2. Weaverville Fire District to continue their Fire Prevention/Fuel Reduction Program - \$234,987
 3. Hyampom Community Services District; Reimbursement for emergency services including search and rescue on federal lands - \$ 6,118.41

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

Sheriff

- 5.06** Establishes a Special Revenue Fund - Fund 150 - ADA Recovery Act Program - Sheriff (Dept. 2245); further establishes a budget in the FY 10/11 Preliminary Budget for Sheriff (Dept. 2245) as follows: Revenues \$87,404; Services & Supplies \$5,076; and Fixed Assets \$82,328

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

- 5.07** Approves Budget Adjustment to the Preliminary Budget for Fiscal Year 2010-11 in the Treasury Asset Seizure Department (Dept. 8592) increasing Fixed Assets by \$17,000

Motion: Otto **Second:** Morris **Carried**

Transportation

- 5.08** Awards Schedule I of the Annual Bid for Asphalt Concrete & Premix to Eagle Rock, Inc. of Weaverville, CA in the amount not to exceed \$215,000; and further Awards Schedule II of the Annual Bid for Asphalt Concrete & Premix to Thomas R. Bess Inc. of Carlotta, CA in the amount not to exceed \$90,000 for a total of \$305,000

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

Addendum

Board of Supervisors

- A** Approves letter to Governor Schwarzenegger urging veto of AB602 pertaining to legal challenges to Housing Elements

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

- B** Approves letter to Governor Schwarzenegger urging veto of AB2456 pertaining to Local Emergency Medical Services Authorities

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

County Administrative Officer

- C** Approves letter to the Shasta Trinity National Forest on the Wallow/Westside Projects

Motion: Jaegel **Second:** Otto **Carried**

Health and Human Services

E Approves participation in the Enhanced Anti-Fraud program related to the In-Home Supportive Services (IHSS) Program for fiscal year 2010-11

Comments received from Linda Wright

Motion: Freeman **Second:** Otto **Carried**

Transportation

D Approves Contract No. 10-PAVE-01 with TULLIS INC of Redding, CA in the amount of \$142,300.00, for asphalt concrete repairs at various locations on Hyampom Road No. 301

Comments received from Richard Tippett

Motion: Otto **Second:** Jaegel **Carried**

Subsequent

County Administrative Officer

Subs Approves Trinity County Comments on the National Wildfire Management Report to Congress and Cohesive Strategy

Motion: Freeman **Second:** Otto **Carried**

ADJOURN

TRINITY COUNTY BOARD OF SUPERVISORS

JUDITH N. PFLUEGER, CHAIRMAN
Board of Supervisors, County of
Trinity, State of California

Attest:

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