

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

MEETING MINUTES

2011-04-05

Chairman

Supervisor Judy Morris - District 2

Vice Chairman

Supervisor Roger Jaegel- District 3

Supervisor Judy Pflueger - District 1

Supervisor Debra Chapman - District 4

Supervisor Wendy Otto - District 5

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 Jaegel

Announcements - None

Consent

Auditor/Controller

1.01 Approves establishing a new Agency Fund - Fund# 613 - Lien Releases.

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

Board of Supervisors

1.02 Adopts Resolution 2011-019 of Appreciation Recognizing the Retirement of Department of Transportation Combined Road Crew Supervisor Tim Robinson

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

1.03 Approves letter of support for AB 37 (Huffman) which provide PG&E customers an opt-out alternative to wireless Smart meters and requires disclosures regarding the technology and performance of wireless meters, deleting the reference to PG&E in the 2nd paragraph, 2nd sentence

Motion: Chapman **Second:** Otto **Carried**

Child Support Services

1.04 Approves Budget Adjustment for Fiscal Year 2010-11 in the Child Support Department (Dept. 2130) decreasing Salaries & Benefits by \$7,364 and increasing Interfund Expense by \$7,364

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

Clerk of the Board

- 1.05** Approves regular meeting minutes of March 15, 2011, and special meeting minutes of March 17, 21 and 30, 2011, as submitted by Clerk
Motion: Pflueger **Second:** Jaegel **Vote:** Jaegel, Pflueger, Otto, Chapman and Morris - AYE

County Administrative Officer

- 1.06** Adopts Resolution No. 2011-020 designating authorized signature(s) for EECBG projects.
Motion: Pflueger **Second:** Jaegel **Vote:** Jaegel, Pflueger, Otto, Chapman and Morris - AYE
- 1.07** Approves amendment 2 to the lease agreement with Weaverville Parent Nursery School.
Motion: Pflueger **Second:** Jaegel **Vote:** Jaegel, Pflueger, Otto, Chapman and Morris - AYE

Health & Human Services

- 1.08** Approves contract with the Floor Store for installation of carpet and 4" base in both buildings at Health and Human Services
Motion: Pflueger **Second:** Jaegel **Vote:** Jaegel, Pflueger, Otto, Chapman and Morris - AYE
- 1.09** Approves Amendment No. 1 to contract with Butte County Health and Human Services for the PSSF Meth Grant Program

Comments received from Linda Wright
Motion: Jaegel **Second:** Otto **Carried**

Sheriff

- 1.10** Approves Budget Adjustment for fiscal Year 2010-11 in the Lake Patrol Department (Dept. 2210) decreasing Salaries & Benefits by \$2,323 and increasing Interfund expenses by \$2,323
Motion: Pflueger **Second:** Jaegel **Vote:** Jaegel, Pflueger, Otto, Chapman and Morris - AYE
- 1.11** Approves Budget Adjustment for Fiscal Year 2010-11 in the Cannabis Eradication Program (Dept. 2280) decreasing Salaries & Benefits by \$13,172 and increasing Services & Supplies by \$13,172

Comments received from Bruce Haney and Mary Treece
Motion: Otto **Second:** Chapman **Carried**
- 1.12** Approves Budget Adjustment for fiscal Year 2010-00 in the Sheriff-Anti Drug Abuse Department (Dept. 2240) decreasing Salaries & Benefits by \$814 and increasing Indirect Costs by \$814
Motion: Pflueger **Second:** Jaegel **Vote:** Jaegel, Pflueger, Otto, Chapman and Morris - AYE

Transportation

- 1.13** Approves the Lease agreement with Terry Hawkins for a 1 year term for Hangar Unit 1 located at Weaverville Airport.
Motion: Pflueger **Second:** Jaegel **Vote:** Jaegel, Pflueger, Otto, Chapman and Morris - AYE

Reports

Reports

- 2.01** I. Report from Deputy County Administrative Officer -
II. Report from Department Heads - Linda Wright, Richard Tippett and Bruce Haney
III. Report from members of the Board of Supervisors

Closed Session

Board of Supervisors

3.01 Gov't Code Section 94954.5(e). Public Employee Appointment or Employment
Title: County Administrative Officer

No reportable action

County Administrative Officer

3.02 Gov. Code 54956.9(b)(1). Conference with Legal Counsel. Significant exposure to litigation.
No. of Cases: Eight

Claimant: Deborah Bodge (U.S. District Court, Eastern District Case No. 2:10-cv-01319-MCE-CMK)
Agency Claimed Against: Royce Grossman

Claimant: Scott Dale Brunisma (Claim No.: New Claim - not yet assigned)
Agency Claimed Against: Trinity County

Claimant: William Chabino (Trinity County Superior Court Case No. 08CV092)
Agency Claimed Against: Trinity County

Claimant: Georgette Hedrick & Jason Auten (Trinity County Superior Case No. 09CV034 & USDA EDCA
Case No. 2:09-CV-01797-GEB-CMK)
Agency Claimed Against: Trinity County

Claimant: Justin Wesley Summerfield & James Edward Summerfield (U.S. District Court, Eastern District
Case No. 2:10-cv-02884-WBS-EFB)
Agency Claimed Against: Trinity County

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

Webb v. County of Trinity, et al
Trinity County Superior Court Case No. 07CV090

No reportable action

Meeting reconvenes at 1:30 PM

PUBLIC COMMENT - None

Public Hearings

Planning/Natural Resources

4.01 Takes the following actions concerning planning file P-10-17 (Solid Rock Foundation Ministries), regarding APN: 018-580-23, located in Mad River:

A. Adopts a negative declaration, based on the finding that (1) 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 (2) that a negative declaration reflects the Board's independent judgment and analysis; and

B. Waives reading and directs the Clerk to let the record show that Ordinance No. 315-793 amending Ordinance 315 by rezoning APN 018-580-23 from Rural Residential to Public Facilities, is introduced and enacted.

Comments received from Richard Tippett, Doug Todd
Supervisor Otto discloses conversations with constituents regarding this item

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

4.02 Takes the following actions concerning planning file P-09-10-26 (Cozart), regarding APN: 007-650-24, located in Coffee Creek (Site of the former Forest Café):

A. Adopts a negative declaration, based on the finding that (1) 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 (2) that a negative declaration reflects the Board's independent judgment and analysis; and

B. Waives reading and directs the Clerk to let the record show that Ordinance No. 315-794 amending Ordinance 315 by rezoning APN 007-650-24 from Unclassified to Retail Commercial (C-1) is introduced and enacted.

Comments received from Richard Tippett, Gary Cozart

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

Transportation Commission

4.03 A) Adopts Resolution No. 2011-021 Adopting Definitions for "Unmet Transit Needs" and "Reasonable to Meet"
B) Conducts hearing regarding potential unmet transit needs. Commission determines that there are no "unmet transit needs" that are "reasonable to meet", and adopts Resolution No. 2011-022 making that finding.

Comments received from Richard Tippett

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

County Matters

Auditor/Controller

- 5.01** A) Approves Budget Adjustment in the Vertical Prosecution Recovery Act Department (Dept. 2146) increasing Transfers Out by \$30,000; further approves Budget Adjustment in the Contributions to Other funds (Dept. 1990) increasing Transfers In by \$30,000;
- B) Approves Budget Adjustment in the Contingency Department (Dept. 9901) increasing the Contingency appropriation by \$30,000 (from \$133,367 to \$163,367);
- C) Approves Budget Adjustment in the Contingency Department (Dept. 9901) decreasing the Contingency appropriation by \$30,000; further approves Budget Adjustment in the Contributions to Other funds (Dept. 1990) increasing Transfer Out by \$30,000; Further approves Budget Adjustment in the ADARAP Department (Dept. 2157) increasing Transfers In by \$23,000; Further approves Budget Adjustment in the MSP Grant (Dept. 2160) increasing Transfers in by \$7,000

Comments received from Marilyn Horn, Donna Harrison

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

Board of Supervisors

- 5.02** Directs County Counsel to draft Ordinance to include Douglas City Community Services District in County Leash Law, bring back to the Board 1st meeting in May.
- 5.03** Discussion regarding holding Board of Supervisors meetings in other areas of the County as well as "field trips" throughout areas of the County.

Comments received from Richard Tippett

Clerk of the Board

- 5.04** Appoints the following persons to the Weaverville Architectural Review Committee in the following capacities:

Representing Architect or Builder or Contractor - Bob Morris
Representing the Artistic Community - Dorris Hein

Comments received from Bob Morris

Motion: Otto **Second:** Chapman **Carried**

- 5.05** Tables to April 19, 2011

Discuss and/or take action to appoint a Member at Large to the Trinity County Commission on Aging

- 5.06** Appoints Edward Coyle as a public member to the Superior California Economic Development District Board

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

- 5.07** Tables to April 19, 2010

Find that the proposed license will meet the public convenience and necessity, and find no objection to the issuance of an On-Sale Beer and Wine Alcoholic Beverage License to Pristine Industries, LLC for The Red Bud, located at 6861 State Highway 3, Hayfork, CA

- 5.08** Tables to April 19, 2011:

Find that the proposed license will meet the public convenience and necessity, and find no objection to the issuance of an On-Sale Beer and Wine Alcoholic Beverage License to Jason Kane Trine for Mad River Bar, located at 2515 State Highway 36, Mad River, CA

County Administrative Officer

- 5.09** Authorizes Chairman to sign Amendment #3 to the 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 \$188,000.

Comments received from Bob Nash and Kim Stratton

Motion: Otto **Second:** Pflueger **Carried**

- 5.10** Authorizes the in County recruitment and hiring of a Probation Assistant effective April 1, 2011.

Comments received from Terry Lee

Motion: Pflueger **Second:** Otto **Carried**

- 5.11** Authorize the in county recruitment and hiring of an Administrative Services Office in the Solid Waste Department effective April 1, 2011.

Comments received from Mark Lockhart

Motion: Otto **Second:** Pflueger **Carried**

- 5.12** Waives the recruitment process and authorizes hiring Rebecca Barber as an Administrative Clerk I at Range G137A, in the Solid Waste Department, effective April 1, 2011.

Comments received from Mark Lockhart

Motion: Otto **Second:** Chapman **Carried**

Sheriff

- 5.13** Approves Resolution No. 2011-023 Declaring a Local Emergency Related to the 2011 Winter Storms Event (Countywide)

Comments received from Eric Palmer, Richard Tippet, and Kelly Ambrose

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

Addendum

Building

- A** Authorizes the reduction of counter hours from Monday thru Friday to Monday thru Thursday, 8:00 to noon for the Building and Planning Departments

Comments received from Richard Tippet

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

ADJOURN

TRINITY COUNTY BOARD OF SUPERVISORS

JUDY MORRIS, CHAIRMAN
Board of Supervisors, County of
Trinity, State of California

Attest:

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