

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

MEETING MINUTES

2012-08-07

Chairman

Supervisor Roger Jaegel - District 3

Vice Chairman

Supervisor Debra Chapman - District 4

Supervisor Judy Pflueger - District 1

Supervisor Judy Morris - District 2

Supervisor Wendy Otto - District 5

Wendy Tyler - County Administrative Officer/Clerk of the Board

Derek Cole - County Counsel

Suzie White - Administrative Coordinator

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

Pledge of Allegiance - Supervisor Pflueger

Announcements - By motion made, seconded (Otto/Pflueger), the Board moved to discuss and/or take action on a letter of support for a grant application by the Hayfork Rotary Club on behalf of the Trinity County Amateur Radio Club for replacement of radio repeater equipment, and found that the need to take immediate action came to the attention of the Board subsequent to the agenda being posted. Grounds for urgency is that the Board will not meet again in advance of the grant application deadline. Item to be heard following remainder of agenda; CAO Wendy Tyler announced new staff member.

Presentations AM

Board of Supervisors

- 1.01** Paul Hauser of Trinity Public Utilities District appeared and updated the Board on the Lewiston Hydroelectric Project and other matters of interest.

Consent

Agriculture/Solid Waste

- 2.01** Approved an agreement with 21st Century Environmental, of California, LP, a PSC, LLC Company to provide handling, loading, transportation and disposal of hazardous waste collected at temporary collection events throughout Trinity County.

Motion: Otto **Second:** Chapman

Vote: Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE

Auditor/Controller

Auditor/Controller

- 2.02** Approved the following expenditures from the Emergency Medical Services Discretionary Fund (8591) based on the EMS Committee's unanimous recommendation: reimburse the Trinity County Transportation Department for propane expenses incurred for the repeaters that serve First Responders in the amount of \$904.96.

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

Behavioral Health Services

- 2.03** Approved a budget adjustment in the Mental Health Realignment Department (Dept. 9494) increasing transfers out by \$4,892; further approved a budget adjustment in the Mental Health Department (Dept. 4200) increasing transfers in by \$4,892.

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

- 2.04** Approved a budget adjustment in the BHS Realignment 2011 Department (Dept. 8504) decreasing revenues and transfers out by \$18,948; further approved a budget adjustment in the Alcohol and Other Drug Department (Dept. 4230) decreasing transfers in and support & care by \$18,948.

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

Board of Supervisors

- 2.05** Adopted Resolution No. 2012-040 pertaining to parking on a portion of State Route 299, Weaverville for the Quilt Show on October 6, 2012.

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

Clerk of the Board

- 2.06** Approved regular meeting minutes of July 17, 2012, as submitted by Clerk.

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

Clerk Recorder Assessor

- 2.07** Approved a budget adjustment in the Assessor's Department (Dept. 1400) increasing revenues by \$2,502 and increasing expenditures by \$11,531; further approved a budget adjustment in the Clerk/Recorder's Department (Dept. 2500) decreasing revenues by \$6,228 and decreasing salaries & benefits by \$700 and increasing services & supplies by \$700; further approved a budget adjustment in the Elections Department (Dept. 1650) increasing revenues by \$15,257.

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

County Administrative Officer

- 2.08** Approved amendment no. 2 to the agreement with NorCal EMS designating them as our local EMS agency.

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

- 2.09** Approved a budget adjustment in the Title III Department (Dept. 8483) decreasing revenues by \$31,140 and increasing contributions to other agencies by \$82,500.

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

- 2.10** Approved a budget adjustment in the Risk Management Department (Dept. 1890) increasing both revenues and expenditures by \$1,699.

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

County Administrative Officer

- 2.11** Approved a budget adjustment in the Information Technology Department (Dept. 1940) increasing both revenues and expenditures by \$47,169.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.12** Approved a budget adjustment in the Administration & Personnel Department (Dept. 1200) increasing both revenues and expenditures by \$35,211.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE

District Attorney

- 2.13** Approved a budget adjustment in the District Attorney's Department (Dept. 2100) increasing both revenues and expenditures by \$5,500.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE

Health & Human Services

- 2.14** Approved a budget adjustment in the Welfare Department (Dept. 5000) decreasing both revenues and expenditures by \$399,651.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.15** Approved a budget adjustment in the Realignment Social Services Department (Dept. 8492) increasing revenues by \$67,258 and decreasing transfers out by \$194,491.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.16** Approved a budget adjustment in the Indigent Care Department (Dept. 5080) decreasing both revenues and expenditures by \$1,763.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.17** Approved a budget adjustment in the HHS Realignment 2011 Department (Dept. 8503) increasing both revenues and expenditures by \$28,663.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.18** Approved a budget adjustment in the County Children's Department (Dept. 8511) increasing revenues by \$319 and decreasing expenditures by \$3,098.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.19** Approved a budget adjustment in the Categorical Aids Department (Dept. 5050) increasing both revenues and expenditures by \$89,797.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE

Sheriff

- 2.20** Approved an agreement with Donald Krouse, M.D. to continue to provide supervision of the medical professionals providing jail health services at the Trinity County Jail and Trinity County Juvenile Detention Facility.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.21** Approved a Letter of Understanding for the Assembly and Maintenance of Shasta Cascade Regional Hazardous Materials Team A Multi-Agency Hazardous Materials Response Team within the Operational Jurisdictions of Lassen, Modoc, Shasta, Siskiyou, Tehama and Trinity Counties to continue to provide technical services at the scene of a hazardous materials incident.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE

Sheriff

- 2.22** Approved a budget adjustment in the Sheriff's Department (Dept. 2200) decreasing both revenues and expenditures by \$9,500.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.23** Approved a budget adjustment in the Lake Patrol Department (Dept. 2210) decreasing salaries & benefits by \$4,000 and increasing services & supplies by \$4,000.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.24** Approved a budget adjustment in the Jail (Dept. 2300) increasing both revenues and expenditures by \$10,750.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.25** Approved a budget adjustment in the Animal Control Department (Dept. 2350) increasing both revenues and expenditures by \$3,000.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE

Transportation

- 2.26** Approved amendment no. 1 to the agreement with Omni-Means, LTD for on-call construction inspection services in the amount of \$30,000.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.27** Approved an agreement with Drake Haglan & Associates of Rancho Cordova for replacement versus rehabilitation feasibility study of Corral Bottom Road Bridge over the Trinity River.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.28** Approved a budget adjustment in the Transit Department (Dept. 3360) increasing transfers out by \$95,000; further approved a budget adjustment in the Non-Transit Department (Dept. 3361) increasing transfers out by \$250; further approved a budget adjustment in the Transportation Commission (Dept. 8237) increasing transfers out by \$16,000; further approved a budget adjustment in the Local Transportation Fund (Dept. 8461) increasing transfers in by \$110,250; further approved a budget adjustment in the State Transit Assistance Fund (Dept. 8462) increasing transfers in by \$1,000.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.29** Approved a budget adjustment in the Road Department (Dept. 3000) decreasing services & supplies by \$2,458,520 and increasing capital outlay by \$2,458,520.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.30** Approved a budget adjustment in the Local Transportation Fund (Dept. 8461) increasing transfers out by \$297; further approved a budget adjustment in the Public Transit Article 8 Department (Dept. 3362) increasing transfers in by \$297 and services & supplies by \$297.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.31** Approved a budget adjustment in the Local Transportation Fund (Dept. 8461) increasing transfers out by \$5,000; further approved a budget adjustment in the Transportation Commission (Dept. 8237) increasing transfers in by \$5,000 and inter-fund expenses by \$5,000.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE
- 2.32** Approved a budget adjustment in the Building & Development Department (Dept. 2480) decreasing salaries & benefits by \$8,778, decreasing services & supplies by \$2,850 and increasing inter-fund expenses by \$11,628.
Motion: Otto **Second:** Chapman **Vote:** Supervisors Chapman, Otto, Pflueger, Morris, and Jaegel - AYE

Transportation

- 2.33** Approved a budget adjustment in the Airports Department (Dept. 1853) decreasing services & supplies by \$156,153 and increasing capital outlay by \$156,153.
Received comments from the Director of Transportation Richard Tippett and Auditor/Controller Marilyn Horn.
Motion: Otto **Second:** Pflueger **Carried**

County Matters AM

Auditor/Controller

- 3.01** Marilyn Jones of The Epler Company presented the Actuarial Valuation Retiree Health Program as of July 1, 2011.
Received comments from Marilyn Horn, Auditor/Controller

Transportation Commission

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

Transportation

- 4.01** Approved a Memorandum of Understanding with Caltrans for Comprehensive Transportation Planning and authorized the Executive Secretary to sign.
Received comments from the Executive Secretary of the Transportation Commission Richard Tippett.
Motion: Morris **Second:** Chapman **Carried**

Transportation Commission

- 4.02** Adopted Resolution No. 2012-041 allocating Local Transportation Funds in the amount of \$297.31 to the County and authorized the Executive Secretary to transmit Allocation Instructions to the County Auditor.
Received comments from the Executive Secretary of the Transportation Commission Richard Tippett.
Motion: Pflueger **Second:** Morris **Vote:** Supervisors Morris, Pflueger, Otto, Chapman, and Jaegel - AYE

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

Reports

Reports

- 5.01** I. Received reports from the following Department Heads: Noel O'Neill, Director of Behavioral Health; Richard Tippett, Director of Transportation; Bruce Haney, Sheriff; Robin McStay, Director of Child Support; and Marilyn Horn, Auditor/Controller.
II. Received a report from County Administrative Officer.
III. Received reports from Members of the Board of Supervisors.

Closed Session

Board of Supervisors

- 6.01** Government Code section 54954.5(e). Public Employee Evaluation: County Administrative Officer
No reportable action was taken.

County Counsel

County Counsel

- 6.02** Government Code section 54956.9(a). Conference with Legal Counsel. Litigation has been formally initiated:
- a. Keener v. County of Trinity (Trinity County Superior Court Case No. 12CV036) - Direction was given to counsel.
 - B. Sceper v. Board of Supervisors of Trinity County, et al., Case No. 09CV008 - Direction was given to counsel.
 - C. Potts v. Trinity County, et al. (US District Court Case No. 2:12-CV-01793-JAM-CMK) - No reportable action was taken.
- 6.03** Government Code section 54956.9(c). Deciding to initiate litigation.
Number of cases: One
- Direction was given to counsel.

Meeting reconvenes at 1:30 PM

PUBLIC COMMENT - Terry Nagle

Public Hearings

Agriculture/Solid Waste

7.01 Heard cases from Eligio Vella, Terry Martin for Jerrold Martin, Richard Coffron, Elizabeth Wine for Eskaton Hayfork Mannon, and Anelia Decker and waived the late fee payment for Mr. Vella, Mr. Martin, Mr. Coffron, and Ms. Decker; and adopted Resolution No. 2012-042 adopting the delinquent list for the solid waste parcel fee as amended to include the Delinquent Parcel Fee list as Revised on August 6, 2012 and handed out at today's meeting; and approved the deposit of fees collected from July 26, 2012 to August 8, 2012. Received comments from Director of Solid Waste Mark Lockhart and Solid Waste Technician Cathie Rash.

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

County Matters

Auditor/Controller

8.01 Approved a motion to reconsider a budget adjustment for Public Defender denied on July 17, 2012.
Motion: Chapman **Second:** Pflueger

Approved a budget adjustment in the Public Defender Department (Dept. 2170) increasing revenues by \$11,333 and increasing expenditures by \$36,333; further approved a budget adjustment reducing contingency-general funds appropriation by 25,000.

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

Board of Supervisors

8.02 Adopted Resolution No. 2012-043 for Federal Fiscal Year 2012 Elections for National Forest Related Safety Net Payments.

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

County Administrative Officer

8.03 Authorized the recruitment and hiring of two (2) Road Maintenance Worker's I or II in the Department of Transportation.

Received comments from Director of Transportation Richard Tippett.

Motion: Pflueger **Second:** Chapman **Carried** **Vote:** Supervisor Otto - NO

8.04 Pursuant to Trinity County Code Section 2.60.410 authorized hiring Hal Ridlehuber as Assistant Chief Probation Officer at Range O248 Step C effective July 1, 2012.

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

County Counsel

8.05 Waived reading and directed the Clerk to let the record show that Ordinance No. 1325 repealing Chapter 8.55 of the Trinity County Code pertaining to medical marijuana is enacted.

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

8.06 Waive reading and direct the Clerk to let the record show that an ordinance, option 2, amending section 34 of the Trinity County Zoning Code pertaining to Refund of Appeal Fees is introduced -Motion by Supervisor Morris failed due to the lack of a second.

Waive reading and direct the Clerk to let the record show that an ordinance, option 1, amending section 34 of the Trinity County Zoning Code pertaining to Refund of Appeal Fees is introduced. - Motion Failed.

Received comments from Planning Director Richard Tippett and Member of the Public Duane Herford.

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

Transportation

8.07 Awarded the Ruth Zenia Road Guardrail construction contract to Robert J. Frank Construction. Received comments from Director of Transportation Richard Tippett.

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

8.08 Authorized the Director of Transportation to purchase a Grader from PAPE Machinery, Inc., in the amount of \$285,606.80.

Received comments from Director of Transportation Richard Tippett.

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

8.09 Awarded bid for Asphalt Concrete & Premix Schedule I to Eagle Rock, Inc. in the amount of \$91,721.25 and awarded bid for Asphalt Concrete & Premix Schedule II to Thomas R. Bess Inc. in the amount of \$158,797.50.

Received comments from Director of Transportation Richard Tippett.

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

Addendum

County Counsel

A Government Code 54956.9(b)(1). Conference with Legal Counsel. Significant exposure to litigation. Number of Cases: One

Claimant: Abigail Storm-Eggink (Claim No. TRN 12-003 / 2-35000-42)

Agency Claimed Against: Trinity County

Rejected Claim.

Motion: Otto **Second:** Pflueger Vote: Supervisors Pflueger, Otto, Chapman, Morris, and
Jaegel - NO

Treasurer/Tax Collector

B Approved a budget adjustment in the Treasurer-Tax Collector (Dept. 1350) salaries by \$5,443; further approved a budget adjustment in Contingency-General Fund (Dept. 9901) increasing expenditures by \$5,443.

Received comments from Treasurer/Tax Collector Terri McBrayer.

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

Subsequent

Board of Supervisors

C Approved a letter of support for a grant application by the Hayfork Rotary Club on behalf of the Trinity County Amateur Radio Club for replacement of radio repeater equipment on Hayfork Bally and Bully Choop.

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

ADJOURN

TRINITY COUNTY BOARD OF SUPERVISORS

ANTON R. JAEGEL, CHAIRMAN
Board of Supervisors, County of
Trinity, State of California

Attest:

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

Deputy