

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

MEETING MINUTES

2012-10-02

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 Chapman

Announcements - None

Presentations AM

Clerk of the Board

1.01 Received a Presley Fund report from Alsah Bundi and adopted a proclamation recognizing October 2012 as Domestic Violence Awareness Month.

Motion: Otto

Second: Chapman

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

Consent

Agriculture/Solid Waste

2.01 Approved an addendum to the maintenance agreement with Peterson Tractor Company to begin October 1, 2012 and expire on September 30, 2015 with a maximum sum not to exceed \$27,600.27 based over a three year period.

Motion: Morris

Second: Chapman

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

District Attorney

District Attorney

- 2.02** Adopted Resolution No. 2012-052 which authorizes the District Attorney to submit an application to receive funding for the Trinity County Drug ADA Task Force Grant in the amount of \$86,622.00 for the period of October 1, 2012 through September 30, 2013 to the Board of State and Community Corrections and authorize the District Attorney to sign the Grant Award Agreement, including any extensions or amendments thereof.

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

Planning/Natural Resources

- 2.03** Tabled to a future date to be determine the adoption of a resolution which authorizes a partial revocation of Environmental Constraints for three parcels in the Lewiston area being transferred to public management by the Bureau of Land Management and finds that the project is categorically exempt from CEQA and is consistent with the General Plan.

Received comments from Director of Transportation Rick Tippett.

Transportation

- 2.04** Approved amendment no. 1 to the agreement with William Rich and Associates to extend on-call cultural resource consulting services in order to complete two ongoing tasks.

Received comments from Director of Transportation Rick Tippett.

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

- 2.05** Ratified County Administrative Officer Wendy Tyler's signature on United States Department of the Interior, Bureau of Reclamation, assistance agreement for Trinity Management Council participation.

Received comments from County Administrative Officer Wendy Tyler.

Motion: Chapman **Second:** Morris **Carried**

- 2.06** Approved a contract of acquisition with Arden K. Stillwell and Alice F. Thomas to obtain a permanent easement and a temporary construction easement for APN 020-190-55; and approved a contract of acquisition with Cheryl K. Stillwell and Alice F. Thomas to obtain a permanent easement and a temporary construction easement for APN 020-190-56, both located at the intersection of Ruth Zenia Road and Zenia Lake Mountain Road.

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

County Matters AM

Board of Supervisors

- 3.01** Discussed the preparation of a resolution of intent to explore the formation of a Community Choices Aggregation (CCA) district and directed staff to return with additional information concerning potential partner agencies, county costs and capacity, and timeline for district formation; with periodic updates from CAO Tyler during department head reports.

Received comments from Trinity PUD General Manager Paul Hauser, Trinity PUD and County Administrative Officer Wendy Tyler.

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

Reports

Reports

Reports

- 4.01** I. Received reports from Department Heads - Director of Behavioral Health Noel O'Neill and Director of Transportation Rick Tippett;
II. Received a report from County Administrative Officer
III. Received reports from Members of the Board of Supervisors

Closed Session

County Administrative Officer

- 5.01** Gov't Code section 94957.6 - Labor Negotiations

County's Designated Representatives: Wendy Tyler and David Prentice
Employee Organizations: Trinity County Skilled Trades, Trinity County Miscellaneous Peace Officers Unit, Trinity County General Unit, Trinity County Management and Confidential Unit, Trinity County Deputy Sheriff's Association, and Trinity County Department Head Association

No reportable action

County Counsel

- 5.02** Gov. Code 54956.9(b)(1). Conference with Legal Counsel. Significant exposure to litigation.
No. of Cases: six

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

Claimant: William Chabino (Trinity County Superior Court Case No. 08-CV-092)
Agency/Person(s) Claimed Against: Trinity County

Claimant: Abigail Storm-Eggink (Trinity County Superior Court Case No.12-CV-082)
Agency/Person(s) Claimed Against: Trinity County

Claimants: James & Norma Gund (Trinity County Superior Court Case No. 11-CV-080)
Agency/Person(s) Claimed Against: Trinity County

Claimant: Patrick O'Dell (Trinity County Claim No. TRN11-009)
Agency/Person(s) Claimed Against: Trinity County

Claimant: Edith Cari (Trinity County Claim No. TRN12-004)
Agency/Person(s) Claimed Against: Trinity County

No reportable action for all six cases.

- 5.03** Government Code section 54956.9(a). Conference with Legal Counsel. Litigation has been formally initiated:

No. of Cases: One

Potts v. Trinity County, et al., US District Court Case No. 2:12-CV-01793-JAM-CMK

No reportable action

Meeting reconvenes at 1:30 PM

PUBLIC COMMENT - Fred May, Diane Richards, Terry Sheen, Jim Stillwell, Kay Graves, Tom Fox, and Jose Acosta

County Matters

Board of Supervisors

- 6.01** Discussed and appointed Supervisor Pflueger as the primary and Supervisor Morris as the alternate representatives to the California State Association of Counties (CSAC) Board of Directors.

Received comments from County Administrative Officer Wendy Tyler.

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

- 6.02** Discussed the proposal to consider further development of collaborative forestry models and appointed Supervisors Jaegel and Morris to the Natural Resources Collaborative Formation Group.

Received comments from Alex Cousins with Trinity County Resource Conservation District, Nick Goulette with the Watershed Research and Training Center, Dianna Sheen, Diane Richards, Terry Sheen, Kay Graves, Mark Lancaster, and Joseph Bower.

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

County Administrative Officer

- 6.03** Adopted Resolution No. 2012-053 which adopts Fiscal Year 2012/2013 Final Budget.

Received comments from County Administrative Officer Wendy Tyler.

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

- 6.04** Authorized the recruitment and hiring of a Juvenile Counselor I or II due to a pending retirement. This position is required to maintain minimum staffing under state and federal guidelines.

Receive comments from County Administrative Officer Wendy Tyler and Deputy Chief Probation Officer Hal Ridlehuber.

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

County Counsel

- 6.05** 1. Received a presentation from County Counsel Derek Cole regarding the process and requirements for Local Initiatives;
and
2. Received a presentation from County Counsel Derek Cole regarding the disqualification of the "Responsible Government Act" Initiative.

Received comments from Clerk/Recorder/Assessor Deanna Bradford, Thomas Fox, Diane Richards, Kay Graves, Mark Feely, and Jose Acosta.

Transportation

- 6.06** Tabled to October 16, 2012 the annual report on the County's Memorandum of Agreement with the Nor-Rel-Muk Nation.

ADJOURN

TRINITY COUNTY BOARD OF SUPERVISORS

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

Attest:

WENDY G. TYLER
Clerk of the Board of Supervisors

By: _____
Deputy