

MEETING MINUTES

2015-09-15

Chairman

Supervisor Judy Morris - District 2

Vice Chairman

Supervisor Karl Fisher - District 3

Supervisor Keith Groves - District 1

Supervisor Bill Burton - District 4

Supervisor John Fenley - District 5

Wendy Tyler - County Administrative Officer/Clerk of the Board

Margaret Long - County Counsel

Suzie White - Administrative Coordinator

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

Pledge of Allegiance - Supervisor Morris

Public Comment - Richard Seel and Tom Balenko.

Consent

Auditor/Controller

1.01 Adopted Resolution No. 2015-088 which establishes Trinity County's Appropriation Limit for Fiscal Year 2015/16.

Motion: Groves **Second:** Burton **Vote:** Burton, Groves, Fenley, Fisher and Morris - AYE

Behavioral Health Services

1.02 Appointed Mario Angelone as a Professional Member to the Trinity County Behavioral Health Services Board to serve a 3 year term expiring September 15, 2018.

Motion: Groves **Second:** Burton **Vote:** Burton, Groves, Fenley, Fisher and Morris - AYE

Board of Supervisors

Board of Supervisors

- 1.03** Discussed the adoption of a resolution banning fracking in Trinity County and supporting legislation similar to the 2011 FRAC Act and the 2011 BREATHE Act to repeal the fracking exemption to the Safe Drinking Water Act and require disclosure of chemicals used in fracking.

Received comments from Richard Cole, Bob Van Fleet, Dennis Duncanwood, Unknown SAFE Representative, and Joseph Bower.

Motion by Supervisor Burton to adopt a resolution banning fracking in Trinity County and supporting legislation similar to the 2011 FRAC Act and the 2011 BREATHE Act to repeal the fracking exemption to the Safe Drinking Water Act and require disclosure of chemicals used in fracking died due to the lack of a second.

Tabled to October 20, 2015 consideration of a resolution banning fracking in Trinity County and supporting legislation similar to the 2011 FRAC Act and the 2011 BREATHE Act to repeal the fracking exemption to the Safe Drinking Water Act and require disclosure of chemicals used in fracking.

Motion: Burton **Second:** Fisher **Carried** Vote: 5-0

Clerk of the Board

- 1.04** Approved regular meeting minutes of September 1, 2015, as submitted by the Clerk.

Motion: Groves **Second:** Burton Vote: Burton, Groves, Fenley, Fisher and Morris - AYE

- 1.05** Approved the Board's responses to the following Grand Jury Reports:
FAR 2014-2015-001 Participation Series 2005 Bond Report; and
DER 2014-2015-001 Environmental Impacts Related to Marijuana Grows and Law and Code Enforcement Problems Related to Marijuana Grows.

Motion: Groves **Second:** Burton Vote: Burton, Groves, Fenley, Fisher and Morris - AYE

- 1.06** Adopted Resolution No. 2015-089 confirming the continuance of a Local Emergency due to drought conditions.

Motion: Groves **Second:** Burton Vote: Burton, Groves, Fenley, Fisher and Morris - AYE

- 1.07** Adopted Resolution No. 2015-090 confirming the continuance of a Local Health Emergency due to hazardous unhealthy debris and air quality concerns in Trinity County.

Motion: Groves **Second:** Burton Vote: Burton, Groves, Fenley, Fisher and Morris - AYE

- 1.08** Adopted Resolution No. 2015-091 which supports the Hayfork Elementary School Halloween Parade.

Motion: Groves **Second:** Burton Vote: Burton, Groves, Fenley, Fisher and Morris - AYE

- 1.09** Adopted Resolution No. 2015-092 which supports the Trinity High School Homecoming Parade.

Motion: Groves **Second:** Burton Vote: Burton, Groves, Fenley, Fisher and Morris - AYE

- 1.10** Found no objection to the issuance of a daily alcoholic beverage license to the Friends of Trinity County Resource Conservation District to serve alcoholic beverages at the Trinity County Veterans Hall, in Weaverville, CA during their Mountain Bike Race to be held October 3 and 4, 2015.

Motion: Burton **Second:** Fisher **Carried** Vote: 4-0
Groves - RECUSED

Clerk Recorder Assessor

Clerk Recorder Assessor

- 1.11 Pursuant to Trinity County Code Section 2.60.090 (G) changed the hours of operation for the Clerk/Recorder/Assessor/Elections office to 9:00 am to 1:00 pm and 2:00 pm to 4:00 pm, effective October 1, 2015.

Motion: Groves **Second:** Burton **Vote:** Burton, Groves, Fenley, Fisher and Morris - AYE

Health & Human Services

- 1.12 Approved amendment no. 8 to the agreement with Cal Safety increasing the maximum cost by \$10,000 for alarm and surveillance services and monitoring at Health and Human Services, and authorized the County Administrative Officer to sign.

Motion: Groves **Second:** Burton **Vote:** Burton, Groves, Fenley, Fisher and Morris - AYE

- 1.13 Approved an agreement with Prevent Child Abuse California (PCA CA) for the AmeriCorps program to provide two (2) full time volunteers for a prevention/family intervention program.

Motion: Groves **Second:** Burton **Vote:** Burton, Groves, Fenley, Fisher and Morris - AYE

- 1.14 Approved an agreement with the California Department of Public Health Agreement (15-10126) for Local Agency Support for the California Women, Infants, and Children (WIC) Program.

Motion: Groves **Second:** Burton **Vote:** Burton, Groves, Fenley, Fisher and Morris - AYE

Personnel

- 1.15 Adopted Resolution No. 2015-093 which proclaims the week of October 18, 2015 as "Freedom From Workplace Bullies" week.

Motion: Groves **Second:** Burton **Vote:** Burton, Groves, Fenley, Fisher and Morris - AYE

- 1.16 Adopt an updated Policy Against Workplace Discrimination, Harassment, Bullying & Retaliation (Policy No. 15-04).

Motion: Groves **Second:** Burton **Vote:** Burton, Groves, Fenley, Fisher and Morris - AYE

Solid Waste

- 1.17 Awarded to Stericycle Environmental Solutions Company the contract for the handling, loading, transportation and disposal of hazardous waste collected at temporary collection events throughout Trinity County.

Motion: Groves **Second:** Burton **Vote:** Burton, Groves, Fenley, Fisher and Morris - AYE

Reports/Announcements

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- 2.01 I. Received a report from Director of Transportation Rick Tippet.
a. Received a Code Enforcement Update from Director of Building and Planning Rick Tippet, County Administrative Officer Wendy Tyler and County Counsel Margaret Long.
- II. Received a report from County Administrative Officer Wendy Tyler.
- III. Received reports from Members of the Board of Supervisors.

County Matters

Behavioral Health Services

Behavioral Health Services

- 3.01** Approved the new Behavioral Health Services' Mental Health Services Act (MHSA) Plan for Fiscal Year 2015-16.

Received comments from Director of Behavioral Health Services Noel O'Neill.

Motion: Fenley **Second:** Fisher **Carried** Vote: 5-0

Board of Supervisors

- 3.02** Discussed adopting a declaration pertaining to the State of Jefferson (SOJ) Movement.

Received comments from SOJ Local Representative Richard Seel, SOJ Representative Mark Baird, Keep It California Vice Chairman Kevin Hendrick, Terry Rapoza, George Bates, Joseph Bower, Dennis Duncanwood, Diana Sheen, Steve Sowers, Bill DeWolf, Aaron, Tehama County Resident, and Rob Oakley.

Substitute motion 2 to take no action regarding the State of Jefferson Movement failed due to the lack of a majority.

Motion: Groves **Second:** Fenley **Vote:** 2-3
Fenley, Fisher and Morris - NO

Substitute motion 1 to adopt a declaration supporting the withdrawal from the State of California and formation of the State of Jefferson failed due to the lack of a majority.

Motion: Burton **Second:** Groves **Vote:** Burton and Groves - AYE
Fenley, Fisher and Morris - NO

Adopted a declaration declining to join the State of Jefferson and advocating improved representation of rural California counties.

Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher and Morris - AYE

- 3.03** Continued to October 6, 2015 the discussion with the Planning Director regarding the recommendations presented on August 4, 2015 by the Northwest RC&D Council contained in the "Trinity County Water Resources Planning Proposal to Supplement the North Coast Integrated Regional Water Management Plan".

Motion: Groves **Second:** Burton **Carried** Vote: 5-0

County Administrative Officer

- 3.04** Adopted Resolution No. 2015-094 which adopts a final budget for fiscal year 2015/2016 and corrected the Allocation of Position Listing (Exhibit C) to show the addition of 1 Staff Services Analysts I/II not 1 Staff Services Analysts III in the Health and Human Services Department.

Received comments from County Administrative Officer Wendy Tyler.

Motion: Groves **Second:** Fisher **Vote:** Fisher, Groves, Burton, Fenley and Morris - AYE

Closed Session

County Counsel

- 4.01** Government Code section 54954.5(c) - Conference with Legal Counsel - Initiation of Litigation
No. of Cases: Three

Directions was given to staff.

Addendum

Board of Supervisors

- A** Authorized the Chairman to sign a letter to Governor Brown requesting the veto of AB 57 Telecommunications: wireless telecommunication facilities.

Motion: Fisher **Second:** Groves **Carried** Vote: 5-0

- B** Ratified the Chairman's signature on argument in favor of Measure W, 5% Increase in TOT.

Motion: Burton **Second:** Fisher **Carried** Vote: 5-0

- C** HEARD DURING CLOSED SESSION

Government Code section 54954.5(e) - Public Employee Evaluation: County Administrative Officer

Direction was given to staff.

Cooperative Extension

- D** Adopted Resolution No. 2015-095 proclaiming the week of October 4, 2015 as national 4-H week.

Received comments from Cooperative Extension Director Larry Forero, Shasta/Trinity 4H Community Education Specialist Nate Caeton and Lewiston Grass Valley Creek 4-H Club President Korson Coulter.

Motion: Groves **Second:** Fenley **Vote:** Fenley, Groves, Burton, Fisher and Morris - AYE

Subsequent

Transportation

**DECLARATION OF THE
TRINITY COUNTY BOARD OF SUPERVISORS
DECLINING TO JOIN THE “STATE OF JEFFERSON” AND
ADVOCATING IMPROVED REPRESENTATION OF
RURAL CALIFORNIA COUNTIES**

WHEREAS, on July 7, 2015, the State of Jefferson Declaration Committee made a presentation to the Board of Supervisors requesting adoption of a declaration that Trinity County intends to break away from California to form a new “State of Jefferson”; and

WHEREAS, the Trinity County Board of Supervisors wishes to acknowledge problems with our economy, commerce, education and overall well-being; and

WHEREAS, representation of rural California issues is often unfair and inadequate, resulting in one-size-fits-all decisions and regulations which can cripple our local economy; and

WHEREAS, the State of Jefferson proponents have failed to prove financial viability or that forming a new state will solve the above problems and will likely never be approved by the California Legislature and the United States Congress; and

WHEREAS, it is in the public interest that the Trinity County Board of Supervisors be informed of all the possible financial impacts and practical consequences of separation from California; and

WHEREAS, the State of California has an economic output that surpasses most countries, and jobs funded by the state through our schools, county, parks, police and nonprofit community provide living wage employment which helps support our local economy and Trinity County will lose millions of dollars in funding for roads, education, and social services for youth, families and seniors, if we separate from California.

NOW, THEREFORE, BE IT RESOLVED The Trinity County Board of Supervisors has carefully examined and considered the proposal by the “State of Jefferson” proponents and does not agree that forming a new state will solve the above problems and that the financial risks and uncertainties outweigh the possible benefits of forming a new “State of Jefferson”.

BE IT FURTHER RESOLVED The Trinity County Board of Supervisors will renew efforts to unite our community and to foster collaboration as a proud county of the State of California, to persistently inform our State and Federal representatives of our unique rural issues and to aggressively advocate for viable solutions for our rural counties.

DULY PASSED AND ADOPTED this 15th day of September, 2015 by the Board of Supervisors of the County of Trinity by motion, second (Fisher/Fenley), and the following vote:

AYES: Supervisors Fenley, Fisher and Morris
NOES: Supervisors Groves and Burton
ABSENT: None
ABSTAIN: None
RECUSE: None



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

ATTEST:

WENDY G. TYLER
Clerk of the Board of Supervisors

By: 
Deputy