

TRINITY COUNTY
BOARD OF SUPERVISORS
MEETING MINUTES

APRIL 19, 2005

8:30 AM

Trinity County Library Meeting Room
Weaverville, CA

The Board of Supervisors, in and for the County of Trinity, State of California, meets in Regular Session at 8:30 am and there are:

PRESENT SUPERVISORS:

Supervisor, District 5 - Vacant

Supervisor Howard Freeman – District 4, Chairman

Supervisor Roger Jaegel – District 3

Supervisor Jeff Morris – District 2

Supervisor William Chambers - District 1

ABSENT SUPERVISORS: None

County Counsel, Jeanette Palla – Present

County Clerk, Dero Forslund – Present

Deputy Clerk of the Board, Kelly Frost – Present

Chairman Freeman - Presiding

TIME

8:30 AM

ITEM NO.

CALL MEETING TO ORDER IN OPEN SESSION

ALL CONTRACTS SUBMITTED TO THE BOARD ARE SUBJECT TO ROUTING FOR APPROVAL AS TO FORM AND CONTENT.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

No comments received.

I. BUDGET WORKSHOP

BUDGET PROCESS SUMMARY

Brian Muir, Auditor/Controller

DISCUSSION OF BUDGETS AND REVENUE STREAMS

Dero B. Forslund, County Clerk/Recorder/Assessor

Jethro Salva, Deputy Director General Services, Solid Waste

Lynn McConnachie, Director, Child Support Services

Terry Lee, Chief Probation Officer

Lorrac Craig, Sheriff

David Cross, District Attorney

John Jelich, Planning Director

Wyatt Paxton, Director of Building and Development Services

Carl Bonomini, Director of Transportation

Brian Muir, Director, Behavioral Health Services

Linda Wright, Director of Health and Human Services

Oresta Esquibel, Librarian

Mark Lockhart, Agricultural Commissioner/Sealer

Lynda Hymas, Treasurer/Tax Collector

Monica Stygar, Personnel

Pat Mortensen, Grants

George Reynolds, Information Technology

Jeanette Palla, County Counsel

Brian Muir, Auditor/Controller

1:30 PM RECONVENE

1. CONSENT AGENDA

The Board examines the Consent Agenda Items presented for consideration and on motion of Supervisor Chambers, seconded by Supervisor Jaegel and carried, approves Consent Agenda as presented, with the following vote polled: Supervisors Jaegel, Chambers, Morris and Freeman – Aye.

- 1a. Approves meeting minutes of April 5, 2005, as submitted by Clerk.
- 1b. Appoints the following individuals to the Trinity County Behavioral Health Services Board for a three year term:
 - Juliette M. Jaynes
 - Glen A. Klock
- 1c. Waives reading and directs the Clerk to let the record show that Ordinance No. 1287, amending Chapter 6.04 of the Trinity County Code (Animal Control), correcting clerical errors in the Ordinance, is enacted.
- 1d. Appoints Billie Miller, representing District 2, to the Trinity County Fair Association Board of Directors for a term which coincides with the District 2 Supervisor's term.
- 1e. Approves and authorizes Chairman to sign Resolution of Notice of Intent No. 2005-023, to name the stub portion of road at the north end of County Road No. 247, Placer Street, to County Road No. 227, North Placer Street.

(Due to a date error on the original Resolution, this is being brought back from the April 5, 2005 meeting for reconsideration.)

- 1f. Authorizes Chairman to sign "Certificate of Local Approval" on behalf of Human Response Network's Grant application for funding to provide Transitional Housing, Emergency Housing, 1st Month's Rent and Eviction Prevention Services. Grantor is the "Federal Emergency Shelter Grant".

2. REPORTS

- 2a. Agenda Meeting Report.
- 2b. County Counsel Report.
- 2c. Department Head Report.
 - Dero Forslund, County Clerk/Recorder/Assessor/Ex-Officio Clerk of the Board.
- 2d. Board of Supervisor's Reports: Supervisors Morris, Chambers, Jaegel and Freeman – Aye.

3. PRESENTATION ITEMS

- 3a. Presentation to Don Coffin in his retirement and many years of service to the youth of Trinity County and 4-H. Comments received from Larry Forero, UC Davis Cooperative Extension and Don Coffin, 4-H Club.

On motion of Supervisor Chambers, seconded by Supervisor Morris, approves and authorizes Chairman to sign Resolution No. 2005-019, Honoring Don Coffin in his retirement. Approves with the following vote polled: Supervisors Morris, Chambers, Jaegel and Freeman – Aye.

- 3b. Mary Retterer, the President of Shasta College appears and gives construction status report on the Weaverville Project.
- 3c. On motion of Supervisor Chambers, seconded by Supervisor Morris, approves and authorizes Chairman to sign Resolution No. 2005-030, Recognizing the Seventieth (70) Anniversary of the founding of the US Department of Agriculture Natural Resources Conservation District, as requested by the Trinity County Resource Conservation District. Approves with the following vote polled: Supervisors Morris, Chambers, Jaegel and Freeman – Aye.

PUBLIC COMMENT

No comments received.

MEET IN CLOSED SESSION

- A.** Government Code Section 54957.6. Labor Negotiations:

County Designated Representatives: Jeanette Palla, County Counsel; Wyatt Paxton, Building and Development Services Director and Mark Lockhart, Agricultural Commissioner.
- B.** Government Code Section 54954.5. Public Employee Performance Evaluation – Director of Transportation.
- C.** Government Code Section 54954.5. Public Employee Performance Evaluation – Director of Health and Human Services.
- D.** Government Code Section 54954.5. Public Employee Performance Evaluation – Director of Child Support Services.

RECONVENES IN OPEN SESSION

2:20 PM
6:00 PM

RECESSES
RECONVENES

CHAIRMAN REPORTS ON CLOSED SESSION

- A.** *Continues Closed Session regarding labor negotiations to 8:00 am on April 20, 2005.*
- B.** *Public Employee Performance Evaluation was given – Director of Transportation.*
- C.** *Public Employee Performance Evaluation was given – Director of Health and Human Services.*
- D.** Public Employee Performance Evaluation was given – Director of Child Support Services.

4. PUBLIC HEARINGS

Supervisor Morris recuses himself due to Conflict of Interest.

4a. PLANNING COMMISSION APPEAL - TRINITY PLAYERS.

- 4a.1 Receives update on review of appeal process by Jeanette Palla, County Counsel.
- 4a.2 Board Member disclosures.
- 4a.3 Provides to the Public written comments received by the Board of Supervisors and the Board Clerk from the public prior and subsequent to the posting of the agenda.
- 4a.4 OPENS PUBLIC HEARING: On appeal of Planning Commission decision to deny: 1) Negative Declaration; 2) Amendment of Trinity Alps Business Park Specific Unit Development Guidelines to allow "Performing Arts Theater" as an allowable use in the Upper Bench area of Trinity Alps Business Park, Weaverville.

Comments received from:

Kathy Weil, Ed Bates, Mike Cloud, Barbara Edwards, Jeff Henry, Pat Treadwell.

CLOSES PUBLIC HEARING.

On motion of Supervisor Jaegel, seconded by Supervisor Chambers,

1) Adopts the Negative Declaration on a finding that 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 will have a significant effect on the environment and that a negative declaration reflects the Board's independent judgment and analysis; and

2) Approves Amendment of Trinity Alps Business Park Specific Unit Development Guidelines to allow "Performing Arts Theater" as an allowable use in the Upper Bench area of Trinity Alps Business Park,

Weaverville. (Applicant: Trinity County Planning Department; Appellant: Trinity Players, Inc.); and

On motion of Supervisor Jaegel, seconded by Supervisor Chamber, approves and authorizes Chairman to sign Resolution No. 2005-025, to amend specific unit development guidelines for Trinity Alps Business Park. Approves with the following vote polled: Supervisors Chambers, Jaegel and Freeman – Aye.

- 4a.5 OPENS PUBLIC HEARING: On appeal of Planning Commission decision to deny use permit to allow remodel of an existing 15,000 sq ft building to develop a performing arts theater for seating of up to 250 people on the Upper Bench of Trinity Alps Business Park, Weaverville.

CLOSES PUBLIC HEARING.

On motion of Supervisor Jaegel, seconded by Supervisor Chambers and carried, approves use permit, subject to conditions and based upon findings as stated in the staff report, to allow remodel of an existing 15,000 sq ft building to develop a performing arts theater for seating of up to 250 people on the Upper Bench of Trinity Alps Business Park, Weaverville. (Applicant: Trinity Players, Inc.; Appellant: Trinity Players, Inc.).

Supervisor Morris – Present.

**RECESSES AS THE BOARD OF SUPERVISORS;
RECONVENES AS THE TRANSPORTATION COMMISSION**

- 4b. TRANSPORTATION COMMISSION ITEMS

Staff report given by John Jelichich, Secretary, on the following items:

- 4b.1 On motion of Commissioner Jaegel, seconded by Commissioner Chambers, approves and authorizes Chairman to sign Resolution No. 2005-026, Adopting Definitions for “Unmet Transit Needs” and “Reasonable to Meet”. Approves with the following vote polled: Supervisors Chambers, Jaegel, Morris and Freeman -

Aye. Comments received from John Jelichich, Planning Director and Francine Mazo, Junction City.

- 4b.2 OPEN PUBLIC HEARING: to consider potential unmet transit needs.

Comments received from Ed Bates, Weaverville.

CLOSE PUBLIC HEARING

On motion of Commissioner Chambers, seconded by Commissioner Jaegel, approves and authorizes Chairman to sign Resolution No. 2005-027, Finding that there are no Unmet Transit Needs in Trinity County that are Reasonable to Meet. Approves with the following vote polled: Supervisors Jaegel, Chambers, Morris and Freeman – Aye.

- 4b.3 On motion of Commissioner Jaegel, seconded by Commissioner Chambers, approves and authorizes Chairman to sign Resolution No. 2005-028, Authorizing the Executive Secretary to execute Standard Agreements pertaining to the Federal Transit Administration Section 5311 with Caltrans. Approves with the following vote polled: Supervisors Chambers, Jaegel, Morris and Freeman – Aye.

RECESSES AS THE TRANSPORTATION COMMISSION; RECONVENES AS THE BOARD OF SUPERVISORS

5. MISCELLANEOUS MATTERS

MISCELLANEOUS MATTERS ITEMS SHOWN HERE ARE IN THE ORDER OF THE AGENDA AND NOT NECESSARILY IN THE IN THE ORDER THEY WERE HEARD.

AGRICULTURE/WEIGHTS AND MEASURES

Comments received from Mark Lockhart, Commissioner.

- 5a. On motion of Supervisor Morris, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign the Weighmaster Contract #05-0077 for fiscal year 2005-2006 with the Department of Food and Agriculture (Contract No. 05-201), in the amount of \$750, to perform weighmaster inspections.

- 5b. On motion of Supervisor Morris, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign the Petroleum Contract #05-0132, in the revenue amount not to exceed \$900 for fiscal year 2005-2006 with the California Department of Food and Agriculture (Contract No. 05-200).

COUNTY COUNSEL

- 5c. Report received by Jeanette Palla, County Counsel, on settlement of lawsuit following prior closed session pursuant to Government Code Sections 54957, 54954.5.

Claimant Daniel Harwood, M.D. agency claim against Trinity County.

GENERAL SERVICES

- 5d. On motion of Supervisor Morris, seconded by Supervisor Freeman, approves and authorizes Chairman to sign the Memorandum of Understanding between the Weaverville/Douglas City Parks and Recreation District, The Lowden Aquatic Pool Project, and the County of Trinity for funding, operations, and maintenance of the Lowden Park Pool Facility (Contract No. 05-208). Comments received from Brandt Gudermuth, LAPP.

HEALTH AND HUMAN SERVICES

Comments received from Linda Wright, Director:

- 5e. On motion of Supervisor Morris, seconded by Supervisor Chambers, to deny the purchase of a 2005 Subaru Outback Impreza and Three 2005 Subaru Foresters for a total of \$83,301, funding from the Child Welfare Services allocation received by Health and Human Services. Supervisors Chambers and Freeman – No. Motion fails: 2-2

PERSONNEL

- 5f. On motion of Supervisor Morris, seconded by Supervisor Chambers, approves and authorizes Chairman to sign Resolution No. 2005-029, to Grant Another Designated Period of Two Years Additional Service Credit (Golden Handshake) for the position of Deputy Clerk/Recorder I, II, and III, for an

estimated cost savings to General Fund of \$14,000 for FY 2005/2006 and \$28,000 for FY 2006/2007; and

Approves and authorizes Chairman to sign Certification of Compliance with Government Code Section 20903. Approves with the following vote polled: Supervisors Jaegel, Morris, Chambers and Freeman – Aye. Comments received from Richard Bryan, Trinity Tribune and Dero Forslund, County Clerk/Recorder.

- 5g. On motion of Supervisor Morris, seconded by Supervisor Jaegel and carried, authorizes hiring an Accounting Technician I or II in the Health Department, due to an employee's resignation, effective May 1, 2005. Approximate cost in salary and benefits for this fiscal year is \$7,437 for Acct Tech I and \$7,992 for Acct Tech II. Comments received from Linda Wright, Health and Human Services Director.
- 5h. On motion of Supervisor Morris, seconded by Supervisor Chambers and carried, authorizes hiring an Administrative Clerk I or II in the Health and Human Services Department, due to an employees resignation, effective May 1, 2005. Approximate cost in salary and benefits for this fiscal year is \$6,502 for an Admin Clerk I and \$6,914 for an Admin Clerk II. Comments received from Linda Wright, Health and Human Services Director.
- 5i. On motion of Supervisor Morris, seconded by Supervisor Chambers and carried, authorizes waiving the recruitment process for the position of Sheriff's Records Technician II and authorize hiring Chris Constantino at Range G172A, effective April 20, 2005. Approximate cost in salary and benefits for this FY is \$8,143. Comments received from Lorrac Craig, Sheriff.

PLANNING/NATURAL RESOURCES

Comments received from Sandra Perez, Planning Department/Natural Resources.

- 5j. On motion of Supervisor Jaegel, seconded by Supervisor Morris and carried, approves and authorizes Chairman to sign contract with Trinity Alps Resort (Contract No. 05-207), to provide facilities (meeting and lodging) for a maximum amount of \$18,000 from the existing grant contract with the California Department of Fish and Game, for this year's Five Counties Program's "Salmon, Water Quality, and Roads Workshop"

from May 16, 2005 to May 20, 2005. Supervisor Chambers – Abstains.

TRANSPORTATION

Comments received from Bill Taggart, Deputy Director.

- 5k. On motion of Supervisor Jaegel, seconded by Supervisor Chambers and carried, approves and authorizes Chairman to sign Amendment No. 2 to the contract with Blackburn Consulting, Inc. (Contract No. 04-333.2) for consultation services to review design work and perform testing and inspecting services during design and construction of the storm damage site on lower South Fork Road, C.R. #311, in an amount not to exceed \$15,400, from 15% Road Funds, 85% reimbursed from State Office of Emergency Services.

PUBLIC COMMENT

No comments received.

8:35 PM ADJOURN

All Ordinances introduced or enacted have been published or posted as provided in Government Code Section 25124.

TRINITY COUNTY BOARD OF SUPERVISORS

Attest:

DERO B. FORSLUND
County Clerk/Recorder/Assessor,
Ex-Officio Clerk of the Board,
County of Trinity, State of California

HOWARD R. FREEMAN, CHAIRMAN
Board of Supervisors, County of
Trinity, State of California

By: _____
Deputy Clerk