



TRINITY COUNTY BOARD OF SUPERVISORS MEETING MINUTES

**JANUARY 2, 2007
9:00 AM**

**Trinity County Library Meeting Room
Weaverville, CA**

9:00 AM

PLEDGE OF ALLEGIANCE

PRESENT

**District 1 Supervisor Judy Pflueger
District 2 Supervisor Jeff Morris
District 3 Supervisor Roger Jaegel
District 4 Supervisor Howard Freeman
District 5 Supervisor Wendy Reiss**

**County Administrative Officer – Larry Layton
County Counsel – Jeanette Palla
Clerk of the Board/Administrative Analyst – Wendy Tyler
Deputy Clerk of the Board – Kelly Frost**

SWEARING-IN CEREMONY

The Honorable James P. Woodward, Presiding Judge of the Superior Court, County of Trinity, appears and performs the swearing-in of the following elected officials:

**Supervisor Pflueger – District 1
Supervisor Freeman – District 4
Supervisor Reiss – District 5
Clerk/Recorder/Assessor – Dero Forslund
District Attorney – Mike Harper
Sheriff – Lorrac Craig
Superintendent of Schools – Jim French
Treasurer/Tax Collector – Lynda Hymas**

CALLS MEETING TO ORDER IN OPEN SESSION ANNOUNCEMENTS

A. VICE-CHAIRMAN MORRIS OPENS NOMINATIONS FOR CHAIRMAN:

Supervisor Freeman nominates Supervisor Jeff Morris as Chairman for 2007.

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, closes nominations for Chairman.

On motion of Supervisor Freeman, seconded by Supervisor Jaegel and carried, elects Supervisor Morris for Chairman for the year 2007.

B. CHAIRMAN MORRIS OPENS NOMINATIONS FOR VICE-CHAIRMAN:

Supervisor Reiss nominates Supervisor Roger Jaegel for Vice-Chairman for 2007.

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, closes nominations for Vice-Chairman.

On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, elects Supervisor Jaegel as Vice-Chairman for the year 2007.

C. REPORTS

- 1. Report from County Administrative Officer – Larry Layton
- 2. Report County Counsel – Jeanette Palla
- 3. Report from Department Heads - None
- 4. Reports from members of the Board of Supervisors – Supervisors Freeman, Jaegel, Pflueger, Reiss and Morris.
- 5. Report on Cell Tower Grant – Sandy Bechtold, Cell Tower Project Specialist.

1. CONSENT AGENDA

All items listed under the Consent Agenda were considered and approved upon motion of Supervisor Reiss, seconded by Supervisor Jaegel, with the exception of 1.02, 1.06 and 1.08, on the following vote polled: Supervisors Jaegel, Reiss, Freeman, Pflueger and Morris.

AUDITOR/CONTROLLER

1.01 Approves budget adjustment from General Fund Contingency and placing in Sheriff's Department Salary and Benefit line items to hire two additional deputies.

Budget Adjustment \$38,000

BUILDING AND DEVELOPMENT SERVICES

1.02 THIS ITEM WAS PULLED FROM CONSENT AND CONSIDERED SEPARATELY.

On motion of Supervisor Reiss, seconded by Supervisor Pflueger, waives reading and directs the Clerk to let the record show that Ordinance No. 1301, pertaining to

the Rules and Regulations in County Cemeteries is enacted with the following vote polled: Supervisors Pflueger, Reiss, Freeman, Jaegel and Morris.

No Fiscal Impact

- 1.03 Approves Amendment No. 05-188.2, with Loralin Ackerman dba Douglas City Garage for as needed towing and dismantling services for the Trinity County Vehicle Abatement program.

Funds in Current Budget: \$6,000

CLERK OF THE BOARD

- 1.04 Approves minutes from December 19, 2006, as submitted by Clerk.

No Fiscal Impact

- 1.05 Approves minutes from November 21, 2006, with corrections.

No Fiscal Impact

- 1.06 **THIS ITEM WAS PULLED FROM CONSENT AND TABLED TO THE JANUARY 16, 2007 MEETING.**

Authorize the Chairman to sign the California State Fair 2007 Counties Exhibits Entry Form.

No Fiscal Impact

COUNTY ADMINISTRATIVE OFFICER

- 1.07 Authorizes changing the step for Sally Mann, Community Mental Health Nurse I from G213B to G213C, effective September 18, 2006.

Funds in Current Budget

HEALTH AND HUMAN SERVICES

- 1.08 **THIS ITEM WAS PULLED FROM CONSENT AND CONSIDERED SEPARATELY**

The Board was briefed on the CalWORKs Plan Addendum (draft) prior to Health and Human Services finalizing and submitting it to the State. Direction given to Linda Wright, Health and Human Services Director, to update the Board under department head report time at the January 16, 2007 meeting.

No Fiscal Impact

2. TRINITY COUNTY BOARD OF SUPERVISORS 2007 COMMITTEE APPOINTMENTS:

Direction given to staff to obtain details regarding by-laws, membership, meeting dates and times, Local, State and Federal requirements of the following Boards, Commissions, Committees and Task Forces and bring back at the January 16, 2007 for consideration and appointments.

AREA 2 DEVELOPMENTAL DISABILITIES BOARD
NORTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIRPORT ADVISORY COMMITTEE
AMERICAN CANCER SOCIETY/RELAY FOR LIFE
BEHAVIORAL HEALTH ADVISORY BOARD
CHILD ABUSE PREVENTION COUNCIL
CHILDREN AND FAMILIES FIRST/PROP10 FIRST FIVE
COLUSA-GLENN-TRINITY COMMUNITY ACTION PARTNERSHIP
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) LOAN COMMITTEE
CSAC
CSAC SUBCOMMITTEES:
ADMINISTRATION & JUSTICE COMMITTEE
AGRICULTURE & NATURAL RESOURCES COMMITTEE
GOVERNMENT FINANCE & OPERATIONS COMMITTEE
HOUSING, LAND USE & TRANSPORTATION COMMITTEE
HEALTH AND HUMAN SERVICES COMMITTEE
EMERGENCY MEDICAL SERVICES COMMITTEE
EMERGENCY SERVICES AD HOC COMMITTEE
ENVIRONMENTAL SERVICE JPA
FAR NORTHERN REGIONAL CENTER/LOCAL COORDINATING COUNCIL
FIVE COUNTIES SALMONID CONSERVATION COUNCIL
FOREST COUNTIES SCHOOLS COALITION
HEALTH CARE TASK FORCE
HIGHWAY 36 COMMITTEE
HIGHWAY 299 COMMITTEE
IN-HOME SUPPORT SERVICES ADVISORY COMMITTEE (IHSS)
KLAMATH RIVER BASIN FISHERIES TASK FORCE
KLAMATH PROVINCIAL ADVISORY COMMITTEE
LOCAL AGENCY FORMATION COMMISSION (LAFCO)
LOCAL COORDINATING COUNCIL LLC (TRINITY COUNTY SUBSTANCE ABUSE PREVENTION COUNCIL)
LOCAL FEMA BOARD
NEIGHBORHOOD WATCH
NOR-REL-MUK TRIBE COMMITTEE
NORTEC
PSA II AREA AGENCY ON AGING EXECUTIVE BOARD
PLANNED PARENTHOOD ADVISORY BOARD
REGIONAL COUNCIL OF RURAL COUNTIES (RCRC)
RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL (RC&D)
SAFETY/RISK MANAGEMENT COMMITTEE
SOLID WASTE LOCAL TASK FORCE
SUPERIOR CALIFORNIA ECONOMIC DEVELOPMENT DISTRICT (SCEDD)
TRINITY COUNTY CHILDCARE AND DEVELOPMENT PLANNING COUNCIL
TRINITY COUNTY COMMISSION ON AGING
TRINITY COUNTY FISH AND GAME COMMISSION
TRINITY EMERGENCY OPERATIONS & COMMUNICATIONS

RECESSES AS THE BOARD OF SUPERVISORS; RECONVENES AS THE CONSOLIDATED TRANSIT SERVICE AGENCY

3. CONSOLIDATED TRANSIT SERVICE AGENCY

On motion of Supervisor Freeman, seconded by Supervisor Jaegel and carried, appoints Supervisor Reiss as the Consolidated Transportation Services Agency (CTSA) member to serve the remaining term on the Social Services Transportation Advisory Council vacated by Ex-Supervisor Bill Chambers.

No Fiscal Impact

RECESSES AS THE CONSOLIDATED TRANSIT SERVICE AGENCY; RECONVENES AS THE TRANSPORTATION COMMISSION

4. THIS ITEM WAS TABLED TO THE FEBRUARY 6, 2007 MEETING.

The Board gave direction to staff to advertise for interested parties to sit on the Social Services Transportation Advisory Council (SSTAC) SSTAC Board for a term of three years beginning January 2, 2007 and requested letters of interest from the incumbents Rose Owens (Social Service Provider for Seniors) and Jerry Cousins (Social Service Provider for those with Limited Means).

No Fiscal Impact

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

5. PROPOSALS FOR TITLE III FUNDS "SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000".

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, with the exception of proposal 5.07, the following Title III proposals were considered by the Board and the Grants Office was directed to advertise pursuant to Title III Secure Rural Schools and Community Self-Determination Act of 2000.

5.01 Coffee Creek Volunteer Fire District for Title III for the purchase of a Class II pumper fire engine.

Title III Funds: \$30,000

5.02 Downriver Volunteer Fire Company for Title III funds for a rescue vehicle.

Title III Funds: Between \$25,000 and \$60,000

5.03 Hawkins Bar Volunteer Fire Department for Title III funds for the purchase of extrications suits, pagers, portable water tank and an automatic external defibrillator.

Title III Funds: \$11,400

5.04 Hyampom Community Services District for Title III funds for the replacement of the transmission in their 2,100 gallon 4 X 4 water truck.

Title III Funds: \$4,125

5.05 Junction City Fire Protection District for Title III funds for the purchase of a water tender.

Title III Funds: \$50,000

5.06 Kettenpom-Zenia Volunteers for Title III funds for the purchase of two 1,500 gallon porta ponds, one 3-inch portable pump, and necessary fittings and hoses.

Title III Funds: \$5,225

5.07 THIS PROPOSAL WAS PULLED FROM THE TITLE III REQUEST LIST, AS IT DID NOT MEET THE TITLE III REQUIREMENTS.

Post Mountain Public Utility District for Title III funds for the purchase of an OSHA required exhaust system for the Fire Hall.

Title III Funds: \$10,804

5.08 Salyer Volunteer Fire Department for Title III funds for the purchase of radios and radio equipment.

Title III Funds: \$10,000

5.09 Southern Trinity Volunteer Fire Department for Title III funds for the purchase of a 1994 International 4,000 gallon water truck, water storage system, water pump, truck tires, fire fighting hand tools and equipment, and personal protective equipment.

Title III Funds: \$90,346

5.10 Trinity County Life Support for Title III funds to provide medical training to Trinity County Fire Departments.

Title III Funds: \$8,000

5.11 Trinity County Resource Conservation District for Title III funds for a Weaverville Community Forest Stewardship Project.

Title III Funds: \$10,000

5.12 Trinity County Resource Conservation District for Title III funds for a Weaverville Summer Conservation Day Camp.

Title III Funds: \$5,000

5.13 Trinity County Volunteer Search and Rescue for Title III funds for training and equipment.

Title III Funds: \$28,300

5.14 The Watershed Research and Training Center for Title III funds for their Indian Valley Summer Camp Program.

Title III Funds: \$15,000

5.15 Weaverville, Lewiston, Douglas City, Junction City and Trinity Center Fire Departments for Title III funds for the purchase of a new 3/4 ton 4X4 pick-up truck that will be used to haul an air supply trailer.

Title III Funds: \$30,000

6. CONVENES IN CLOSED SESSION

12:00 PM RECESSES

1:30 PM RECONVENES

6. REPORT ON CLOSED SESSION

6.01 Gov't Code section 54956.9(b) (1). Significant exposure to litigation.
Conference with legal counsel
No. of Cases: One (IVANS, Inc.)

On motion of Supervisor Freeman, seconded by Supervisor Jaegel and carried, directs County Counsel to proceed with settlement negotiations. Supervisor Reiss – No.

6.02 Gov't Code section 54954.5(b) - Conference with real property negotiator
Property: Trinity County Assessor's Parcel No. 018-540-46
Negotiating Parties: Larry Layton, county negotiator
Under Negotiation: Terms of payment

On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, agrees to offer property for \$145,000, with a minimum of \$10,000 down. Interest rate and duration of promissory note to be proposed by bidder.

PUBLIC COMMENT

7. PUBLIC HEARINGS

7.01 OPENS PUBLIC HEARING: To consider an ordinance amending Trinity County Fees.

No comments were heard.

CLOSES PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Freeman, waives reading and direct the Clerk to let the record show that an ordinance amending Chapter 2.64.050 of the Trinity County Code Amending County Fees is introduced and enacted with the following vote polled: Supervisors Freeman, Reiss, Pflueger and Morris – Aye; Supervisor Jaegel – No.

Revenue: Amount Unknown

7.02 OPENS PUBLIC HEARING: To consider a mitigated Negative Declaration and Resolution on property APN 007-760-16, File P-06-32 (Johnson) located in Trinity Center, just north of Wyntoon Resort.

No comments were heard.

CLOSES PUBLIC HEARING

On motion of Supervisor Pflueger, seconded by Supervisor Freeman, approves 7.02, with the following vote polled: Supervisors Freeman, Pflueger, Jaegel, Reiss and Morris:

1. Adopts a mitigated Negative Declaration, 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 mitigated Negative Declaration reflects the Board's independent judgment and analysis; and
2. Adopts Resolution No.2006-01, adopting findings of fact and approving a tentative map for Johnson (APN 007-760-16, File P-06-32).

No Fiscal Impact

7.03 OPENS PUBLIC HEARING: To consider a mitigated Negative Declaration and Ordinance on property rezoning APN 024-680-34 from Unclassified to

Rural Residential five-acre minimum (RR-5) (Colburn, P-06-56) in Weaverville at the top of Oregon Mountain.

Comments received from Linda Belden-Culbertson and Barney Culbertson.

CLOSES PUBLIC HEARING

On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves 7.03, with modifications as underlined, with the following vote polled: Supervisors Reiss, Freeman, Jaegel, Pflueger and Morris:

1. Adopts the proposed mitigated Negative Declaration, with the inclusion of a 200 ft. set back, on the 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. Waive reading and direct the Clerk to let the record show that Ordinance No. 315-758, amending the Trinity County Zoning Ordinance by rezoning APN 024-680-34 from Unclassified to Rural Residential five-acre minimum (RR-5) is introduced and enacted (Colburn, P-06-56).

No Fiscal Impact

8. COUNTY MATTERS

SUBSEQUENT ITEM

- a) On motion of Supervisor Freeman to hear a subsequent item regarding a Memorandum of Understanding with Mountain Community Medical Services, Trinity County Jail and Trinity County Juvenile Detention Facility.

Motion dies for lack of second.

COUNTY ADMINISTRATIVE OFFICER

- 8.01 On motion of Supervisor Reiss, seconded by Supervisor Freeman, waives reading and directs the Clerk to let the record show that Ordinance No. 1303, amending Chapter 3.08 of the Trinity County Code pertaining to Purchasing is introduced with the following vote polled: Supervisors Reiss, Freeman, Jaegel, Pflueger and Morris – Aye.

No Fiscal Impact

- 8.02 On motion of Supervisor Freeman, seconded by Supervisor Reiss, approves budget adjustment in the amount of \$25,000 from General Fund Contingencies to Hospital General Fund - Professional and Special Services line item; and

Approves Contract No. 07-001, with HFS Consultants, in the amount of \$25,000 for professional services associated with the transfer of Trinity Hospital to Mountain Community Medical Services Healthcare District, with a term to expire no later than June 30, 2007; and

Directs staff to agendize a progress report at each board meeting until the transfer is complete.

Budget Adjustment: \$25,000

- 8.03 On motion of Supervisor Reiss, seconded by Supervisor Pflueger, adopts Resolution No. 2007-05, Intention to Sell Real Property and Improvements, Trinity County Assessor's Parcel No. 018-540-46 (Van Duzen River Road, Mad River, California) Proceeds of sale to return to CDBG Program Income. Approved with the following vote polled: Supervisors Pflueger, Reiss, Jaegel, Freeman and Morris – Aye.

No Fiscal Impact

GRANTS AND HOUSING

- 8.04 On motion of Supervisor Reiss, seconded by Supervisor Jaegel, adopts Resolution No. 2006-02, approving the submittal of a HOME Investment Partnerships Program (HOME) 2006 Over-the-Counter Program activity grant application for an Owner-Occupied Housing Rehabilitation program in the communities throughout the County of Trinity, and authorizes the County Administrative Officer to sign the HOME application, Statement of Assurances and other required forms. Approved with the following vote polled: Supervisors Jaegel, Reiss, Pflueger, Freeman and Morris – Aye.

Grant Funding: \$400,000

- 8.05 On motion of Supervisor Freeman, seconded by Supervisor Jaegel.

MOTION AND SECOND WERE WITHDRAWN AND THIS ITEM WAS TABLED TO THE JANUARY 16, 2007 MEETING.

Adopt Resolution 2006-03, approving the submittal to the Advisory Council on Historic Preservation of a Preserve America Community Designation application for the Community of Weaverville, and authorize the County Administrative Officer to sign the application and other required forms.

No Fiscal Impact

- 8.06 On motion of Supervisor Reiss, seconded by Supervisor Freeman, adopts Resolution No. 2007-04, approving the submittal to the U. S. Department of Agriculture, Rural Development, of a Community Facilities Loan Program application for a grant for the purchase of an ambulance, with a County match of up to \$30,000 from Health Realignment funds; and authorizes the County

Administrative Officer to sign the application and other required forms. Approved with the following vote polled: Supervisors Freeman, Reiss, Jaegel, Pflueger and Morris – Aye. Comments received from Kathy Ratliff, TC Life Support and Carol Fall.

Grant Funding: \$30,000 County Match: \$30,000

8.07 On motion of Supervisor Reiss, seconded by Supervisor Pflueger and carried, approves Agreement No. 07-002, with INDIGO/Hammond & Playle Architects, LLP, Davis, CA in the amount of \$32,050 for the preparation of a Master Plan for Hetten Cove at Ruth Lake funded by Community Development Block Grant (CDBG) #05-PTAA-1471.

Grant Funding: \$30,750 County Match: \$1,300

8.08 On motion of Supervisor Reiss, seconded by Supervisor Jaegel and carried, approves Agreement No. 07-003 with The Watershed Research and Training Center, Hayfork, CA, in the amount of \$32,100 for the preparation of an Affordable Housing New Construction Master Plan, funded by Community Development Block Grant #04-PTAA-0821. Supervisor Freeman – No.

Grant Funding: \$30,450 County Match: \$1,650

PLANNING/NATURAL RESOURCES

8.09 On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, approves Amendment No. 06-278.1 with SHN Consulting Engineers & Geologists, Inc., modifying the scope of work and budget for design and engineering services for the Conner Creek Migration Barrier Removal Project and authorizes the County Administrative Officer to approve all subsequent amendments that do not change the amount of the contract. This Amendment is subject to routing and approval as to form and content.

No Fiscal Impact

ADDENDUM

GRANTS AND HOUSING REHABILITATION

8.10 On motion of Supervisor Freeman, seconded by Supervisor Pflueger and carried, appoints members of the Housing Rehabilitation Loan Committee to sit as the Business Loan Committee until which time the Business Loan Committee positions can be advertised. Supervisor Reiss – No.

4:00 PM ADJOURN

ATTEST:

WENDY G. TYLER

Clerk of the Board of Supervisors
County of Trinity, State of California

JEFFREY W. MORRIS, CHAIRMAN
Board of Supervisors, County of Trinity
State of California

By: _____
Kelly Frost, Deputy Clerk