



TRINITY COUNTY BOARD OF SUPERVISORS

Trinity County Library
Conference Room
Weaverville, CA

MEETING MINUTES FEBRUARY 6, 2007

Chairman

Supervisor Jeff Morris - District 2

Vice-Chairman

Supervisor Roger Jaegel - District 3

Supervisor Judy Pflueger - District 1
Supervisor Howard Freeman - District 4
Supervisor Wendy Reiss - District 5

Larry Layton - County Administrative Officer

Jeanette Palla - County Counsel

Wendy Tyler – Clerk of the Board/Administrative Analyst

Kelly Frost - Deputy Clerk of the Board - Absent

Note: Board meetings are televised on cable channel 22 and taped for re-broadcast on cable channel 22. Copies of DVD's are available at the Trinity County Library

9:00 AM CALLS MEETING TO ORDER IN OPEN SESSION

PLEDGE OF ALLEGIANCE ANNOUNCEMENTS

PRESENTATIONS AM

- A. Employee of the Year – Presented to Shelly Pourian, Loss Prevention Specialist - Safety/Risk Management Division.
- B. Trinity County RAC – Implementation of Successful Resource Stewardship. Presentation by Jim French, RAC Chairman and Pat Frost, Resource Conservation & Development District.
- C. **THIS ITEM IS RE-SCHEDULED FOR THE MARCH 6, 2007 MEETING**

Diana Burke of the Trinity Business Incubator to appear and present the Trinity Solid Waste Ad-Hoc Poster Contest winners with certificates and prizes.

- D. Trinity County Chamber of Commerce representatives, Jeannie Andriessen and Pat Zugg appear and make their quarterly report to the Board and request the Board authorize the Chairman to sign the California State Fair 2007 Counties Exhibits Entry Form.

On motion of Supervisor Reiss, seconded by Supervisor Pflueger and carried, authorizes the Chairman to sign the California State Fair 2007 Counties Exhibits Entry Form.

REPORTS

1. Report from County Administrative Officer – Larry Layton
2. Report on Hospital Transfer – Larry Layton
3. Report from County Counsel – Jeanette Palla
4. Report from Department Heads – No reports received.
5. Reports from members of the Board of Supervisors – Supervisors Reiss, Pflueger, Jaegel, Freeman and Morris.
6. 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 Jaegel, seconded by Supervisor Reiss, with the exception of 1.13, on the following vote polled: Supervisors Reiss, Jaegel, Freeman, Pflueger and Morris.

AUDITOR/CONTROLLER

- 1.01 Approves budget adjustments for Clerk-Recorder/Elections as follows:

Transfer out from Automated Records Retrieval fund \$20,000

Transfer in to Clerk-Recorder \$6,500
Increase Office Expense by \$6,500

Transfer in to Elections \$13,500
Decrease Professional and Specialized Services by \$20,000
Increase Office Expense by \$2,000
Increase Special Dept. Expense by \$31,500

- 1.02 Approves budget adjustment for the Juvenile Detention Facility due to unanticipated revenue as follows:

Increase revenue – Charges for Current Services-Bed Rents by \$35,000

Increase expenditure – Extra Help by \$20,000
Increase expenditure – Office Supplies by \$5,000
Increase expenditure – Professional Services by \$10,000

BUILDING AND DEVELOPMENT SERVICES/ENVIRONMENTAL HEALTH DIVISION

1.03 Appoints Dan Westermeyer as a solid waste expert and Sandy Bechtold as a public at large member on the Solid Waste Hearing Panel.

CLERK OF THE BOARD

1.04 Finds that the proposed license will meet public convenience and necessity, and finds no objection to the issuance of an on-sale beer and wine Alcoholic Beverage License to Butter Creek Ranch located at 211 Sydney Lane in Hyampom.

1.05 Approves minutes of January 16, 2007, as submitted by Clerk.

1.06 Acknowledges and authorizes the Chairman to sign the Trinity County Fair Operating Budget for 2007.

CLERK/RECORDER

1.07 Accepts the amendments of the following Conflict of Interest Codes pursuant to the 2006 Local Agency Biennial Notice requested by:

Weaverville/Douglas City Parks & Recreation District
Lewiston Community Service District
Douglas City Community Service District
Junction City Fire Protection District
Health and Human Services Department
Trinity County Behavioral Health Services
Trinity County Administration Department

COUNTY ADMINISTRATIVE OFFICER

1.08 Adopts Resolution No. 2007-12, Authorizing Change of Ownership of Licenses for Operation of Trinity Hospital to Mountain Community Medical Services District.

1.09 Authorizes Chairman to sign letter to Mountain Community Medical Services District verifying County's intent to provide self-insured retention coverage until 7/1/07.

1.10 Approves Amendment No. 04-166.1, to Primary Workers' Compensation Program MOU with CSAC Excess Insurance Authority.

No Fiscal Impact

1.11 Approves the California Department of Veterans Affairs Medi-Cal and Subvention Certificates of Compliance for fiscal year 2006/07.

Funds in Current Budget: \$15,000

1.12 Approves destruction of employment applications, rating sheets and selection materials not currently under litigation, grievance or dispute, dated prior to December 31, 2003.

SHERIFF

1.14 Approves Contract No. 07-018, with Stephen E. Forrest, Jr. for deputy coroner services.

Funds in Current Budget: \$9,600

TRANSPORTATION

1.15 Approves the Liability Agreement No. 07-029, for Materials Storage with Humboldt Bay Municipal Water District and authorize the County Administrative Officer to sign.

No Fiscal Impact

1.16 Accepts the work performed by Roger Brown of Willow Creek, CA on Contract No. 06-454-1, and authorizes the Director of Transportation to sign and directs the Clerk to record the Notice of Completion on said contract.

Funds in Current Budget: \$79,353

THE FOLLOWING ITEM WAS PULLED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY

COUNTY ADMINISTRATIVE OFFICER

1.13 On motion of Supervisor Jaegel, seconded by Supervisor Reiss and carried, pursuant to Trinity County Code Section 2.60.410, authorizes hiring Susan Price as General Plan Project Director, Range D922 Step C effective March 6, 2007.

Funds in Current Budget: \$12,497

2. APPOINTMENT OF BOARD MEMBERS TO REPRESENT THE COUNTY ON THE FOLLOWING BOARD, COMMISSION AND/OR COMMITTEE

2.01 MOUNTAIN COMMUNITY MEDICAL SERVICES JOINT POWERS AUTHORITY (MCMS/JPA)

On motion of Supervisor Reiss, seconded by Supervisor Pflueger, appoints Supervisor Freeman (Voting Member) and Supervisor Morris (Non-Voting Member) to the Mountain Community Medical Services Joint Powers Authority (MCMS/JPA).

2.02 **SOLID WASTE HEARING PANEL**

On motion of Supervisor Reiss, seconded by Supervisor Pflueger, appoints Supervisor Jaegel to the Solid Waste Hearing Panel.

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

3. TRANSPORTATION COMMISSION

Presentation given by Clint Burkenpas, Caltrans Project Manager, regarding the status of the Regional Improvement Program (RIP) funded projects on the State highway system in Trinity County and gives an update on the following projects that are scheduled for construction this summer:

Steel Bridge Road
Rocky Point

Buckhorn Grade
Sand House Passing Lane

11:00 AM County Counsel – Absent

11:10 AM County Counsel - Present

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

4. MEETS IN CLOSED SESSION

12:30 PM RECESSES

1:35 PM RECONVENES

REPORT ON CLOSED SESSION

4.04 Gov't Code section 54956.9(b)(1). Significant exposure to litigation. Conference with legal counsel

Direction given to County Administrative Officer and Carl Bonomini, Transportation Director.

4.01 Gov't Code section 54954.5(b) - Conference with real property negotiator Property: Trinity County Assessor's Parcel No. 024-010-38 – Sky Ranch Road, Junction City
Negotiating Parties: Larry Layton, county negotiator

Under Negotiation: Price and Terms of payment

On motion of Supervisor Reiss, seconded by Supervisor Pflueger and carried, offers Easterly portion for \$2000, 000, offers Westerly portion for \$125,000; and directs County Administrative Officer to proceed to advertise and obtain bids with proceeds towards Trinity Public Utilities District debt.

- 4.02 Gov't Code section 54954.5(b) - Conference with real property negotiator Property: Trinity County Assessor's Parcel No. 018-540-46 – Van Duzen Road, Mad River
Negotiating Parties: Larry Layton, county negotiator

Under Negotiation: Price and Terms of payment

On motion of Supervisor Pflueger, seconded by Supervisor Jaegel and carried, directs County Administrative Officer to proceed with sale to Frazier for \$155,500 at 5% for 1 year.

- 4.03 Gov't Code section 54954.5(b) - Conference with real property negotiator Property: Trinity County Assessor's Parcel Nos. 24-220-51, 52 and 53 – Industrial Park, Weaverville
Negotiating Parties: Larry Layton, county negotiator

Under Negotiation: Terms

On motion of Supervisor Reiss, seconded by Supervisor Pflueger and carried, directs County Administrative Officer to contact the landowner and demand payment on promissory note.

- 4.05 Gov't Code section 54956.9(c) - Conference with legal counsel. Deciding to initiate litigation for Lewiston Cemetery Damage.
Number of Cases: One

Direction given to County Counsel to initiate litigation for Lewiston Cemetery Damage against Williams.

4.06 THIS ITEM WAS PULLED

Gov't Code section 54954.5(e). Public Employee Appointment or Employment
Title: General Plan Project Director

PUBLIC COMMENT

Comments received from Charlie and Dixie Capelli, Junction City.

5. PUBLIC HEARINGS

- 5.01 **OPENS PUBLIC HEARING:** To consider a mitigated Negative Declaration for the Van Voltenburg rezone (P-06-62) and Ordinance No. 315-759, amending the zoning on APN 020-100-04 from Unclassified to Agriculture ten-acre minimum (A-10) (Van Voltenburg, 241 Ruth-Zenia Rd., Ruth. P-06-62)

Staff Report by John Jelichich, Planning Director.

CLOSES PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Jaegel and on the following vote polled:

Supervisors Jaegel, Reiss, Freeman, Pflueger and Morris – Aye.

1. Adopts a mitigated Negative Declaration for the Van Voltenburg rezone (P-06-62), 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 Negative Declaration reflects the Board's independent judgment and analysis; and
2. Waives reading and directs the Clerk to let the record show that Ordinance No. 315-759, amending the zoning on APN 020-100-04 from Unclassified to Agriculture ten-acre minimum (A-10) is introduced and enacted. (Van Voltenburg, 241 Ruth-Zenia Rd., Ruth. P-06-62).

- 5.02 **OPENS PUBLIC HEARING:** To consider a mitigated Negative Declaration for the Sweet rezone (P-06-73) and Ordinance No. 315-760, amending the zoning on APN 011-110-01 from Unclassified to Agriculture ten-acre minimum (A-10) and Open Space (OS) on all that portion of Parcel 4 west of Eltapom Creek.

Staff Report by John Jelichich, Planning Director.

CLOSES PUBLIC HEARING

On motion of Supervisor Reiss, seconded by Supervisor Pflueger and on the following vote polled:

Supervisors Pflueger, Reiss, Freeman, Jaegel and Morris – Aye.

1. Adopts a mitigated Negative Declaration for the Sweet rezone (P-06-73), 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. Waives reading and directs the Clerk to let the record show that Ordinance No. 315-760, amending the zoning on APN 011-110-01 from Unclassified to Agriculture ten-acre minimum (A-10) and Open Space (OS) on all that portion of Parcel 4 west of Eltapom Creek is introduced and enacted. (Sweet, USFS Road 04N009, Hyampom, P-06-73)

6. COUNTY MATTERS

AUDITOR/CONTROLLER

Comments received from Wyatt Paxton, Building and Development Services Director.

- 6.01 On motion of Supervisor Jaegel, seconded by Supervisor Pflueger and carried, approves additional spending and authorizes budget adjustment. Transfer \$6,000 from the County contingency fund into the Building and Development Services Department's Maintenance of Structures budget for an emergency project for the Veteran's Memorial Hall building.

Budget Adjustment: \$6,000

BUILDING AND DEVELOPMENT SERVICES

Comments received from Nancy Antoon, Behavioral Health Services Interim-Director.

- 6.02 On motion of Supervisor Reiss, seconded by Supervisor Pflueger and carried, approves moving forward with the Facilities Planning Committee's recommendations to move Behavioral Health into the Raffanti Building No. 1 only, with leasehold improvements not to exceed a maximum of \$180,000.

CLERK OF THE BOARD

6.03 NO ACTION TAKEN BY THE BOARD

Review applications and recommendations and make appointments to fill the vacancies on the PSA 2 Area Agency on Aging Advisory Council.

COUNTY ADMINISTRATIVE OFFICER

6.04 NO ACTION TAKEN BY THE BOARD*

Set legislative priorities for State and Federal representatives.

*Direction given to County Administrative Officer to draft "Legislation Action Policy" and bring back to the Board for approval.

6.05 THIS ITEM WAS TABLED TO LATER IN THE AFTERNOON

Approve the job description and allocate the position of Behavioral Health Fiscal Officer in the department of Behavioral Health at Range M225.

Budgetary Savings

GRANTS AND HOUSING

THIS ITEM WAS MOVED FORWARD AS REQUESTED BY THE CHAIRMAN

Staff Report from Pat Mortensen, Grants Coordinator

Comments received from Carol Fall, UC Davis.

6.09 On motion of Supervisor Reiss, seconded by Supervisor Jaegel, and on the following vote polled:

Supervisors Jaegel, Reiss, Freeman, Pflueger and Morris – Aye.

Adopts Resolution No. 2007-10, approving the submittal to the National Park Service of a Preserve America Grant application for a Weaverville Marketing and Wayfinding Project, and authorizes the Chairman to sign the application and other required forms.

SUBSEQUENT ITEM

On motion of Supervisor Reiss, seconded by Supervisor Pflueger, agrees to hear subsequent item regarding the Mentally Ill Offender Crime Reduction Grant, on a finding that there is a need to take immediate action and the need for action came to the attention of the Board subsequent to the posting of the agenda. Supervisor Jaegel – No.

On motion of Supervisor Reiss, seconded by Supervisor Pflueger and on the following vote polled:

Supervisors Pflueger, Reiss, Freeman and Morris – Aye.
Supervisor Jaegel – No.

Adopts Resolution No. 2007-11, for the Mentally Ill Offender Crime Reduction Grant and authorized Sheriff Lorrac Craig to sign the Standard Grant Agreement between the State of California, acting by and through the California Department of Corrections and Rehabilitation, Corrections Standard Authority and the County of Trinity; and authorizes the Clerk to sign a Certified Minute Order prior to the minutes being approved.

COUNTY ADMINISTRATIVE OFFICER CONTINUED...

6.06 On motion of Supervisor Pflueger, seconded by Supervisor Jaegel and on the following vote polled:

Supervisors Jaegel, Pflueger, Reiss, Freeman and Morris – Aye.

1. Adopts Resolution of Intention No. 2007-14, to Sell Real Property That Portion of Trinity County Assessor's Parcel No. 024-010-38 lying east of Sky Ranch Road, Junction City, California; and
2. Adopts Resolution of Intention No. 2007-15, to Sell Real Property That Portion of Trinity County Assessor's Parcel No. 024-010-38 lying west of Sky Ranch Road, Junction City, California.

No Fiscal Impact

COUNTY COUNSEL

Comments received from Wyatt Paxton, Building and Development Services and Dero Forslund, County Clerk.

6.07 THIS ITEM WAS TABLED TO THE FEBRUARY 20, 2007 MEETING

On motion of Supervisor Reiss, seconded by Supervisor Jaegel, tables this item to the February 20, 2007 meeting and directs that additional information be provided to the Board.

1. Waive reading and direct the Clerk to let the record show that Ordinance No. 1305, amending Title 10 of the Trinity County Code pertaining to vehicles and traffic is introduced; and
2. Adopt Resolution No. 2007-16, Establishing a Schedule of Fines and Bail Amounts for Certain Parking and Vehicle Code Violations

6.08 THIS ITEM WAS DENIED BY THE BOARD*

On motion of Supervisor Freeman, seconded by Supervisor Reiss, and carried, denies Resolution No. 2007-13, acknowledging increase in State's portion of application fees for medical marijuana identification cards; and

*Directs the County Counsel, County Administrative Officer and Supervisor Freeman to draft response letter to the State and bring back to the Board for approval.

GRANTS AND HOUSING

Staff Report from Pat Mortensen, Grants Coordinator.

6.10 On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, approves Memorandum of Understanding No. 07-019, with Mountain Valley Elder Care, Inc. and Eskaton Properties, Inc. regarding cultural resources environmental constraints for Mountain Valley Haven III. Comments received from Dero Forslund, County Clerk.

No Fiscal Impact

6.11 THIS ITEM WAS TABLED TO THE FEBRUARY 20, 2007 MEETING

On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, agrees to table item to the February 20, 2007 meeting, following the public hearing item on transfer item.

Approve Contract No. 07-020, with Rob Barcellona Construction, Weaverville, CA, to rehabilitate the Roderick Senior Center, in the amount of \$66,460, funded by Community Development Block Grant (CDBG) #05-STBG-1524.

Funds in Current Budget: \$66,460

6.12 On motion of Supervisor Reiss, seconded by Supervisor Jaegel and carried, authorizes The Watershed Research and Training Center, Hayfork, CA to subcontract with Danco Communities, Arcata, CA to assist in the completion of the CDBG #04-PTAA -0821 Planning Study "Affordable Housing New Construction Master Plan".

No Fiscal Impact

COUNTY ADMINISTRATIVE OFFICER CONTINUED...

6.05 THIS ITEM WAS TABLED TO FEBRUARY 20, 2007

On motion of Supervisor Reiss, to table item to February 20, 2007...motion dies for lack of second

On motion of Supervisor Reiss, seconded by Supervisor Pflueger, agrees to table this item to the February 20, 2007 meeting and directs that staff add additional salary information to the item.

Approve the job description and allocate the position of Behavioral Health Fiscal Officer in the department of Behavioral Health at Range M225.

Budgetary Savings

4:05 PM ADJOURN

TRINITY COUNTY BOARD OF SUPERVISORS

Attest:

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

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

By: _____
Kelly Frost, Deputy Clerk