



TRINITY COUNTY BOARD OF SUPERVISORS

Trinity County Library
Conference Room
Weaverville, CA

MEETING MINUTES

JUNE 5, 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

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

CHAIRMAN CALLS MEETING TO ORDER IN OPEN SESSION PLEDGE OF ALLEGIANCE ANNOUNCEMENTS

1. CONSENT AGENDA

On motion of Supervisor Freeman, seconded by Supervisor Pflueger and on the following vote to-wit;

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

Approves the consent agenda, with the exception of 1.01, which was pulled and considered separately.

AGRICULTURE/SOLID WASTE

1.02 Approves the reduction in Solid Waste parcel fee for lease holders within the Ruth Lake Community Services District in Trinity County.

AUDITOR/CONTROLLER

1.03 Authorizes budget adjustment increasing revenues and expenditures associated with SB90 State Reimbursement Mandated Costs.

Fiscal Impact: \$28,000

BOARD OF SUPERVISORS

1.04 Finds no objection to the issuance of an alcoholic beverage license to the Weaverville Lions Club to sell alcohol in Lowden Park over the 4th of July Holiday, June 29, 2007 – July 4, 2007.

1.05 Approves the Mountain Community Health Care District Conflict of Interest Code.

BUILDING AND DEVELOPMENT

1.06 Declares one County motor pool vehicle as surplus and authorize sale due to condition of vehicle (VIN No. 1GTCS1440S8537448).

CLERK OF THE BOARD

1.07 Appoints Anne MacRae, Ph.D., to the Trinity County Behavioral Health Advisory Board, as recommended by the BHA Board.

1.08 Accepts Marvin Stewart's resignation from the Trinity County Commission on aging, as Commissioner-at-Large, directs the Clerk to advertise for the vacancy; and further approve and authorizes the Chairman of the Board to sign letter of appreciation to Marvin Stewart for his years of volunteerism in Trinity County.

1.09 Approves meeting minutes of May 15, 2007, as submitted by Clerk.

CLERK/RECORDER/ASSESSOR

1.10 Approves budget adjustments and authorize transfers of funds (\$10,000 from the Micrographics Fund and \$15,000 from the Auto Records Retrieval Fund) to cover the negative balance in Supplies and Services (Office Expenses) in the Clerk Recorder's budget.

Budget Adjustment: \$25,000

GENERAL PLAN

1.11 Approves budget adjustment to Department 2850, Director of the General Plan.

Fiscal Impact: \$49,856

INFORMATION/TECHNOLOGY

1.12 Authorizes reducing the Information and Technology budget Salaries and Benefits by \$61,000, and increasing Fixed Assets by that amount and authorizes the purchase of VM Ware Servers and Storage area network.

No Fiscal Impact.

PROBATION/COLLECTIONS

1.13 Approves Memorandum of Understanding No. 07-128, between Trinity County Office of Education (TCOE) and Trinity County Probation Department (TCPD) for school year 2007/08.

Funds in Current Budget: \$113,492

SHERIFF

1.14 Approves Budget Adjustment increasing Revenue and Expenditures in the Sheriff's Cannabis Eradication Program (CEP) Budget.

Budget Adjustment: \$5,585

1.15 Approves Budget Adjustment increasing revenues and expenditures in the Trinity County Search and Rescue budget.

Budget Adjustment: \$16,450

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

AGRICULTURE/SOLID WASTE

Staff report: Mark Lockhart, Agricultural Commissioner.

1.01 On motion of Supervisor Reiss, seconded by Supervisor Jaegel and carried, approves Contract No. 07-136, effective June 1, 2007 with Bettendorf Enterprises, Inc. to haul municipal solid waste from the Weaverville Transfer Station to the Anderson/Cottonwood Landfill.

Funds in Current Budget: \$140,000

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

TRANSPORTATION COMMISSION

Staff Report: John Jelich, TC Secretary and Jeff Schwein, Lumos and Associates.

2.01 On motion of Commissioner Freeman, seconded by Commissioner Pflueger and carried, amends Contract No. 06-130 to increase allowable costs payable to Lumos and Associates, Inc. for Transportation Development Act (TDA) Administration and State Transportation Improvement Plan (STIP) Administration Services.

Funds in Current Budget: \$10,000

2.02 On motion of Commissioner Reiss, seconded by Commissioner Freeman and on the following vote to-wit;

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

Adopts Resolution No. 2007-65, approving the 2007/08 Overall Work Program (OWP) and OWP Budget for the 2007/08 fiscal year and authorize the Executive Secretary to execute the Regional Transportation Planning Agency Regional Transportation Planning Process Certification.

Funds in Current Budget: \$147,000

2.03 On motion of Commissioner Jaegel, seconded by Commissioner Reiss and on the following vote to-wit;

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

Adopts Resolution No. 2007-66, authorizing allocation of Local Transportation Funds (LTF) in amount of \$325,500 and Resolution No. 2007-67, authorizing allocation of State Transit Assistance (STA) in the amount of \$175,000 for Fiscal Year 2007/2008.

Funds in Current Budget: \$500,000

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

REPORTS

- I. Report from County Administrative Officer – Larry Layton
- II. Report on Hospital Transfer – Larry Layton
- III. Report from County Counsel – Jeanette Palla

- IV. Report from Department Heads – Dero Forslund, County Clerk/Recorder and Lynda Hymas, Treasurer/Tax Collector
- V. Reports from members of the Board of Supervisors – Supervisors Freeman, Jaegel, Pflueger, Reiss and Morris
- VI. Report on Cell Tower Grant – Sandy Bechtold, Cell Tower Project Specialist
- VII. Report on General Plan – Susan Price, General Plan Director

MEETS IN CLOSED SESSION

12:00 PM RECESSES
1:30 PM RECONVENES

REPORT ON CLOSED SESSION

REPORT FROM MAY 15, 2007 CLOSED SESSION

2.04 Gov't Code section 54954.5(e)
 Public Employee Evaluation: Clerk of the Board

Direction given to County Administrative Officer

REPORT FROM MAY 23, 2007 CLOSED SESSION

1.01 Gov't Code section 54954.5(e). Public Employee Appointment or Employment
 Title: Emergency Services Director

Interviews were held, unanimous vote to employ John Hall.

REPORT FROM CURRENT CLOSED SESSION JUNE 5, 2007

3.01 Gov't Code section 54956.9(b)(1). Significant exposure to litigation. Conference with legal counsel.
 No. of cases: 2

- a. Bluford Creek Slide - *Direction given to Director of Transportation.*
- b. Deferred Compensation Benefits - *Direction given to County Auditor/Controller*

3.02 Gov't Code section 54954.5(e)
 Public Employee Evaluation: Clerk of the Board.

Item continued to June 19, 2007.

PUBLIC COMMENT

Chairman opens public comment period to the public:

Comments received from Charlie and Dixie Capelli, Byron Pickle, Hokins Bar; Josh Van Leeuwen, Hayfork; Vince Hubble, Douglas City; B.E. Smith, Denny, Ian Gonzales and Tom Ballanco, Atty, Weaverville.

Chairman closes public comment period.

4. PUBLIC HEARINGS

AGRICULTURE/SOLID WASTE

4.01 *Chairman opens public hearing:*

Staff Report: Mark Lockhart, Agricultural Commissioner

Comments received from Eberhard Schneider, Hyampom.

Chairman closes public hearing.

Discussion was held regarding the number of units assessed to a given parcel for the annual Solid Waste Fee. No action was taken by the Board.

GRANTS AND HOUSING

4.02 *Chairman opens public hearing:*

Staff report: Pat Mortensen, Grants Coordinator.

Comments received from John Jelich, Planning Director and Susan Price, General Plan Update Director.

Chairman closes public hearing.

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, selects the following proposals for Community Development Block Grant (CDBG) grant applications for a General Allocation Planning and Technical Assistance (PTA 1) grant and Economic Development Planning and Technical Assistance (PTA 2) grant.

PTA 1. Housing Needs Assessment: which will aid in the Housing Element of the General Plan update from the General Planning and Technical Assistance Grant.

PTA 2. Geographic Information System (GIS) Work: which will aid in the Economic Development Element of the General Plan from the Economic Development Planning and Technical Assistance Grant.

Total Grant Allocation: \$70,000

PTA 1: \$35,000

PTA 2: \$35,000

County Match from Grants Budget: \$4,200

THE FOLLOWING PUBLIC HEARING ITEMS WERE TAKEN OUT OF ORDER

4.04 *Chairman opens public hearing:*

Staff report: Pat Mortensen, Grants Coordinator

No comments received.

Chairman closes public hearing.

On motion of Supervisor Jaegel, seconded by Supervisor Pflueger and carried, adopts proposed amendments to the CDBG Program Income Reuse Plan, and authorizes the issuance of a Certified Minute Order prior to the approval of the Board Minutes.

No Fiscal Impact

4.03 *Chairman opens public hearing:*

Staff report: Pat Mortensen, Grants Coordinator.

No comments received.

Chairman closes public hearing.

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, adopts proposed amendments to the Community Development Block Grant (CDBG) Housing Rehabilitation Program Guidelines, and authorize the issuance of a Certified Minute Order prior to the approval of the Board Minutes.

No Fiscal Impact

PLANNING/NATURAL RESOURCES

4.05 *Chairman opens Public Hearing:*

Staff report: John Jelcich, Planning Director and Sean Armstrong, Danco Inc.

Comments received from Debbie Holland-Olson, Weaverville; Dana Ryan, Weaverville; Carol Rogan, Weaverville; Colleen O'Sullivan, Weaverville and Mark Lancaster, Weaverville.

Chairman closes Public Hearing.

The Board holds a discussion regarding the Danco project:

Supervisor Howard Freeman gives disclosure statement.

Supervisor Judy Pflueger gives disclosure statement.

Supervisor Jeff Morris gives disclosure statement.

Chairman re-opens public hearing:

Additional staff report received from Jeannie Bonomini, Assistant Planner.

Further comments received from Colleen O'Sullivan, Weaverville; Mark Lancaster, Weaverville and Susan Price, General Plan Update Director.

On motion of Supervisor Reiss, seconded by Supervisor Pflueger, to approve item no. 4.05... Motion and second withdrawn.

THIS ITEM WAS TABLED TO THE JUNE 19, 2007 MEETING

1. Adopt 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. Discuss and/or take action to approve the resolution amending the Weaverville Community Plan by changing the General Plan land use designation of APNs 002-120-13, 14 & 16 from Commercial (C) to Multi-Family Residential (MFR); and
3. Discuss and/or take action to waive reading and direct the Clerk to let the record show that an ordinance amending the Trinity County Zoning Ordinance No. 315, rezoning APNs 002-120-13, 14 & 16 from General Commercial (C-2) to Multiple Family Residential (R-3) with Plan Review provisions (PR), located at 918 Main Street, Weaverville, is introduced and enacted (Applicant: Danco, P-06-83).

4.06 *Chairman opens public hearing:*

Staff report: John Jelich, Planning Director.

No comments received.

Chairman closes public hearing.

On motion of Supervisor Freeman, seconded by Supervisor Jaegel and on the following vote to-wit;

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

Adopts Resolution No. 2007-68, to initiate a Zoning Ordinance amendment to update Section 29.5 "Architectural Review and Preservation: Special Treatment".

4.07 *Chairman opens public hearing:*

Staff report: John Jelcich, Planning Director.

Comments received from Mathew Hannum, Attorney for the Peckhams.

Chairman closes public hearing.

Supervisor Reiss gives disclosure statement.

Supervisor Howard Freeman gives disclosure statement.

Supervisor Jeff Morris gives disclosure statement.

On motion of Supervisor Reiss, seconded by Supervisor Freeman and on the following vote to-wit;

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

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. Approves Resolution No. 2007-69, adopting findings of fact and approving a tentative map for Peckham (APN 008-860-25, File P-04-56).

5. COUNTY MATTERS

BOARD OF SUPERVISORS

5.01 On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves the submittal of an entry to the 2007 CSAC Challenge Awards for the formation of the MCMS JPA and subsequent Healthcare District.

5.02 On motion of Supervisor Reiss, seconded by Supervisor Jaegel and on the following vote to-wit;

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

Adopts Resolution No. 2007-70, designating the amounts of funding to be assigned to Title II and Title III projects for the Public Law 106-393, Secure Rural Schools Act. Comments received from Jim French, RAC.

BUILDING AND DEVELOPMENT

Staff report: Wyatt Paxton, Building and Development Services.

5.03 On motion of Supervisor Pflueger, seconded by Supervisor Reiss and carried, pre-approves the contract template for tree removal services at the Weaverville Airport; and authorizes the Airport Manager to sign and award to the lowest bidder.

CLERK OF THE BOARD

5.04 On motion of Supervisor Freeman, seconded by Supervisor Reiss and on the following vote to-wit;

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

Adopts Resolution No. 2007-71, (with amendments) in Support of a Weaverville Community Skate Park to be located in Lowden Park. Comments received from Mark Lancaster, Chairman, Weaverville/Douglas City Parks and Recreation District, Wyatt Paxton, Building and Development Director and Kelly Frost, S.K.A.T.E.

COUNTY ADMINISTRATION

5.05 Discussion regarding the continuing role of the County Finance Committee and direction given to County Auditor to over-see the committee and prepare meeting dates. Comments received from David Nelson, Auditor.

DISTRICT ATTORNEY

Staff report: Dave Cox, DA Investigator and Donna Harrison, DA Senior Admin

5.06 On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, approves budget adjustment from Salaries and Benefits to Supplies and Services (\$4,018) and Fixed Assets (\$24,000) to allow the purchase a 4 wheel drive vehicle to replace one of the current vehicles.

Budget Adjustment: \$28,018

GRANTS AND HOUSING

Staff report received from Pat Mortensen, Grants Coordinator.

5.07 On motion of Supervisor Reiss, seconded by Supervisor Pflueger and carried, appoints the following members to the Housing Rehabilitation Loan Committee, term to expire September 30, 2009.

1. Sharon Eggleston
2. Bill Hinman
3. David Nelson
4. Millie Pollard
5. Wendy Reiss
6. Chris Erikson

TRANSPORTATION

Staff report received from Carl Bonomini, Transportation Director.

5.08 On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves Addendum No. 25 to the Road Cooperative Agreement between the County of Trinity and the United States Forest Service (USFS) to begin the process of considering accepting into the County Maintained Road System approximately 0.50 miles of USFS road 5N21, Mill Creek Road, where it intersects with the end of County road #432, Friedrich Road near Burnt Ranch; 1.0 mile of USFS road 3N10, Pelletreau Road from the intersection of County road #311, South Fork Road in Hyampom; and 1.30 miles of USFS road 33N38, Weaver Bally Road from the intersection of County road #WVC38 Weaver Bally Road, #WVC59 Victory Lane, and #WVC39 Weaver Bally Loop.

5.09 On motion of Supervisor Pflueger, seconded by Supervisor Reiss and carried, awards Contract No. 07-141, (State 07-bridge-232), to Dunton Construction, of Anderson, Ca, to construct a bridge over Little Browns Creek on Roundy Road near Weaverville and authorizes the Chairman to sign the state standard form contract documents upon execution and submittal by the contractor, subject to routing and approval as to form and content.

Funds in Current Budget: \$415,000

5:45 PM ADJOURN