MEETING MINUTES
2011-04-05

Chairman
Supervisor Judy Morris - District 2

Vice Chairman
Supervisor Roger Jaegel - District 3

Supervisor Judy Pflueger - District 1
Supervisor Debra Chapman - District 4
Supervisor Wendy Otto - District 5

Derek P. Cole - County Counsel
Wendy Tyler - Clerk of the Board/Deputy County Administrative Officer

Meeting called to order in open session at 9:00 a.m.
Pledge of Allegiance - Supervisor Jaegel
Announcements - None

Consent

Auditor/Controller

1.01 Approves establishing a new Agency Fund - Fund# 613 - Lien Releases.
   Motion: Pflueger   Second: Jaegel   Vote: Jaegel, Pflueger, Otto, Chapman and Morris - AYE

Board of Supervisors

1.02 Adopts Resolution 2011-019 of Appreciation Recognizing the Retirement of Department of Transportation Combined Road Crew Supervisor Tim Robinson
   Motion: Pflueger   Second: Jaegel   Vote: Jaegel, Pflueger, Otto, Chapman and Morris - AYE

1.03 Approves letter of support for AB 37 (Huffman) which provide PG&E customers an opt-out alternative to wireless Smart meters and requires disclosures regarding the technology and performance of wireless meters, deleting the reference to PG&E in the 2nd paragraph, 2nd sentence
   Motion: Chapman   Second: Otto   Carried

Child Support Services

1.04 Approves Budget Adjustment for Fiscal Year 2010-11 in the Child Support Department (Dept. 2130) decreasing Salaries & Benefits by $7,364 and increasing Interfund Expense by $7,364
   Motion: Pflueger   Second: Jaegel   Vote: Jaegel, Pflueger, Otto, Chapman and Morris - AYE
Clerk of the Board

1.05 Approves regular meeting minutes of March 15, 2011, and special meeting minutes of March 17, 21 and 30, 2011, as submitted by Clerk

Motion: Pflueger Second: Jaegel Vote: Jaegel, Pflueger, Otto, Chapman and Morris - AYE

County Administrative Officer

1.06 Adopts Resolution No. 2011-020 designating authorized signature(s) for EECBG projects.

Motion: Pflueger Second: Jaegel Vote: Jaegel, Pflueger, Otto, Chapman and Morris - AYE

1.07 Approves amendment 2 to the lease agreement with Weaverville Parent Nursery School.

Motion: Pflueger Second: Jaegel Vote: Jaegel, Pflueger, Otto, Chapman and Morris - AYE

Health & Human Services

1.08 Approves contract with the Floor Store for installation of carpet and 4" base in both buildings at Health and Human Services

Motion: Pflueger Second: Jaegel Vote: Jaegel, Pflueger, Otto, Chapman and Morris - AYE

1.09 Approves Amendment No. 1 to contract with Butte County Health and Human Services for the PSSF Meth Grant Program

Comments received from Linda Wright

Motion: Jaegel Second: Otto Carried

Sheriff

1.10 Approves Budget Adjustment for fiscal Year 2010-11 in the Lake Patrol Department (Dept. 2210) decreasing Salaries & Benefits by $2,323 and increasing Interfund expenses by $2,323

Motion: Pflueger Second: Jaegel Vote: Jaegel, Pflueger, Otto, Chapman and Morris - AYE

1.11 Approves Budget Adjustment for Fiscal Year 2010-11 in the Cannabis Eradication Program (Dept. 2280) decreasing Salaries & Benefits by $13,172 and increasing Services & Supplies by $13,172

Comments received from Bruce Haney and Mary Treece

Motion: Otto Second: Chapman Carried

1.12 Approves Budget Adjustment for fiscal Year 2010-00 in the Sherif-Anti Drug Abuse Department (Dept. 2240) decreasing Salaries & Benefits by $814 and increasing Indirect Costs by $814

Motion: Pflueger Second: Jaegel Vote: Jaegel, Pflueger, Otto, Chapman and Morris - AYE

Transportation

1.13 Approves the Lease agreement with Terry Hawkins for a 1 year term for Hangar Unit 1 located at Weaverville Airport.

Motion: Pflueger Second: Jaegel Vote: Jaegel, Pflueger, Otto, Chapman and Morris - AYE

Reports

Reports

2.01 I. Report from Deputy County Administrative Officer -
II. Report from Department Heads - Linda Wright, Richard Tippett and Bruce Haney
III. Report from members of the Board of Supervisors
Closed Session

**Board of Supervisors**

3.01 Gov't Code Section 94954.5(e). Public Employee Appointment or Employment

   Title: County Administrative Officer

   No reportable action

**County Administrative Officer**

3.02 Gov. Code 54956.9(b)(1). Conference with Legal Counsel. Significant exposure to litigation.

   No. of Cases: Eight

   Claimant: Deborah Bodge (U.S. District Court, Eastern District Case No. 2:10-cv-01319-MCE-CMK)
   Agency Claimed Against: Royce Grossman

   Claimant: Scott Dale Brunsma (Claim No.: New Claim - not yet assigned)
   Agency Claimed Against: Trinity County

   Claimant: William Chabino (Trinity County Superior Court Case No. 08CV092)
   Agency Claimed Against: Trinity County

   Claimant: Georgette Hedrick & Jason Auten (Trinity County Superior Case No. 09CV034 & USDA EDCA Case No. 2:09-CV-01797-GB-E-FB)
   Agency Claimed Against: Trinity County

   Claimant: Justin Wesley Summerfield & James Edward Summerfield (U.S. District Court, Eastern District Case No. 2:10-cv-02884-WBS-EB)
   Agency Claimed Against: Trinity County

   Barbara Webb v. Trinity County Health and Human Services
   State Personnel Board Case Nos. 07-1524 and 07-2009; and

   Webb v. County of Trinity, et al
   Trinity County Superior Court Case No. 07CV090

   No reportable action
Meeting reconvenes at 1:30 PM

PUBLIC COMMENT - None

Public Hearings

Planning/Natural Resources

4.01 Takes the following actions concerning planning file P-10-17 (Solid Rock Foundation Ministries), regarding APN: 018-580-23, located in Mad River:

A. Adopts a negative declaration, based on the finding that (1) 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, as defined in Item (B) below, will have a significant effect on the environment; and (2) that a negative declaration reflects the Board's independent judgment and analysis; and

B. Waives reading and directs the Clerk to let the record show that Ordinance No. 315-793 amending Ordinance 315 by rezoning APN 018-580-23 from Rural Residential to Public Facilities, is introduced and enacted.

Comments received from Richard Tippett, Doug Todd
Supervisor Otto discloses conversations with constituents regarding this item

Motion: Pflueger Second: Otto Vote: Otto, Pflueger, Chapman, Jaegel and Morris - AYE

4.02 Takes the following actions concerning planning file P-09-10-26 (Cozart), regarding APN: 007-650-24, located in Coffee Creek (Site of the former Forest Café):

A. Adopts a negative declaration, based on the finding that (1) 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, as defined in Item (B) below, will have a significant effect on the environment; and (2) that a negative declaration reflects the Board's independent judgment and analysis; and

B. Waives reading and directs the Clerk to let the record show that Ordinance No. 315-794 amending Ordinance 315 by rezoning APN 007-650-24 from Unclassified to Retail Commercial (C-1) is introduced and enacted.

Comments received from Richard Tippett, Gary Cozart

Motion: Otto Second: Pflueger Vote: Pflueger, Otto, Chapman, Jaegel and Morris - AYE

Transportation Commission

4.03 A) Adopts Resolution No. 2011-021 Adopting Definitions for “Unmet Transit Needs” and “Reasonable to Meet”
B) Conducts hearing regarding potential unmet transit needs. Commission determines that there are no “unmet transit needs” that are "reasonable to meet", and adopts Resolution No. 2011-022 making that finding.

Comments recived from Richard Tippett

Motion: Otto Second: Chapman Vote: Chapman, Otto, Pflueger, Jaegel, and Morris - AYE

County Matters
Auditor/Controller

5.01 A) Approves Budget Adjustment in the Vertical Prosecution Recovery Act Department (Dept. 2146) increasing Transfers Out by $30,000; further approves Budget Adjustment in the Contributions to Other funds (Dept. 1990) increasing Transfers In by $30,000;

B) Approves Budget Adjustment in the Contingency Department (Dept. 9901) increasing the Contingency appropriation by $30,000 (from $133,367 to $163,367);

C) Approves Budget Adjustment in the Contingency Department (Dept. 9901) decreasing the Contingency appropriation by $30,000; further approves Budget Adjustment in the Contributions to Other funds (Dept. 1990) increasing Transfer Out by $30,000; Further approves Budget Adjustment in the ADARAP Department (Dept. 2157) increasing Transfers In by $23,000; Further approves Budget Adjustment in the MSP Grant (Dept. 2160) increasing Transfers In by $7,000

Comments received from Marilyn Horn, Donna Harrison

Motion: Otto Second: Jaegel Carried

Board of Supervisors

5.02 Directs County Counsel to draft Ordinance to include Douglas City Community Services District in County Leash Law, bring back to the Board 1st meeting in May.

5.03 Discussion regarding holding Board of Supervisors meetings in other areas of the County as well as "field trips" throughout areas of the County.

Comments received from Richard Tippett

Clerk of the Board

5.04 Appoints the following persons to the Weaverville Architectural Review Committee in the following capacities:

- Representing Architect or Builder or Contractor - Bob Morris
- Representing the Artistic Community - Dorris Hein

Comments received from Bob Morris

Motion: Otto Second: Chapman Carried

5.05 Tables to April 19, 2011

Discuss and/or take action to appoint a Member at Large to the Trinity County Commission on Aging

5.06 Appoints Edward Coyle as a public member to the Superior California Economic Development District Board

Motion: Otto Second: Jaegel Carried

5.07 Tables to April 19, 2010

Find that the proposed license will meet the public convenience and necessity, and find no objection to the issuance of an On-Sale Beer and Wine Alcoholic Beverage License to Pristine Industries, LLC for The Red Bud, located at 6861 State Highway 3, Hayfork, CA

5.08 Tables to April 19, 2011:

Find that the proposed license will meet the public convenience and necessity, and find no objection to the issuance of an On-Sale Beer and Wine Alcoholic Beverage License to Jason Kane Trine for Mad River Bar, located at 2515 State Highway 36, Mad River, CA

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County Administrative Officer

5.09 Authorizes Chairman to sign Amendment #3 to the Subrecipient Agreement with Superior California Economic Development to perform the Microenterprise activity of the CDBG grant agreement #08-EDEF-5789 for the 2008-2009 California Community Economic Enterprise Fund of the State of Community Development Block Grant (CDBG) Program, not to exceed $188,000.

Comments received from Bob Nash and Kim Stratton
Motion: Otto Second: Pflueger Carried

5.10 Authorizes the in County recruitment and hiring of a Probation Assistant effective April 1, 2011.

Comments recevied from Terry Lee
Motion: Pflueger Second: Otto Carried

5.11 Authorize the in county recruitment and hiring of an Administrative Services Office in the Solid Waste Department effective April 1, 2011.

Comments received from Mark Lockhart
Motion: Otto Second: Pflueger Carried

5.12 Waives the recruitment process and authorizes hiring Rebecca Barber as an Administrative Clerk I at Range G137A, in the Solid Waste Department, effective April 1, 2011.

Comments received from Mark Lockhart
Motion: Otto Second: Chapman Carried

Sheriff

5.13 Approves Resolution No. 2011-023 Declaring a Local Emergency Related to the 2011 Winter Storms Event (Countywide)

Comments received from Eric Palmer, Richard Tippett, and Kelly Ambrose
Motion: Otto Second: Jaegel Carried Vote: Jaegel, Otto, Chapman, Pflueger and Morris - AYE

Addendum

Building

A Authorizes the reduction of counter hours from Monday thru Friday to Monday thru Thursday, 8:00 to noon for the Building and Planning Departments

Comments received from Richard Tippett
Motion: Otto Second: Pflueger Carried Vote: Jaegel - NO
JUDY MORRIS, CHAIRMAN
Board of Supervisors, County of Trinity, State of California

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