



TRINITY COUNTY BOARD OF SUPERVISORS

Trinity County Library
Conference Room
Weaverville, CA

MEETING MINUTES

JULY 3, 2007

Chairman

Supervisor Jeff Morris - District 2

Vice-Chairman

Supervisor Roger Jaegel - District 3 - Absent

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: This agenda contains a brief general description of each item to be considered. Supporting documentation is available in the public packet at the Board meeting or at the Office of the Clerk of the Board. 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

**CALL MEETING TO ORDER IN OPEN SESSION
PLEDGE OF ALLEGIANCE
ANNOUNCEMENTS: SUPERVISOR JAEGEL - ABSENT**

1. CONSENT AGENDA

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

Supervisors Pflueger, Reiss, Freeman and Morris – Aye.

Approves the consent agenda as presented, with the exception of 1.04, which was pulled and considered separately.

BOARD OF SUPERVISORS

1.01 Authorizes Chairman to sign letter to the California Department of Forestry and Fire Protection requesting the state fully fund staffing for the various lookout towers in Northern California.

BUILDING AND DEVELOPMENT

1.02 Approves use permit with the United State Department of the Interior, Bureau of Land Management for right-of-way grant offer/temporary use permit for the proposed right-of-way for the land adjacent to the Lewiston Cemetery.

No Fiscal Impact

CLERK OF THE BOARD

1.03 Approves meeting minutes of June 19, 2007, as submitted by Clerk.

HEALTH AND HUMAN SERVICES

1.05 Approves Contract No. 07-177, with Michael Novak, PA, to provide medical services (under supervision of a physician) at the Trinity County Jail and the Trinity County Juvenile Detention Facility on an "as needed" basis.

Funds in Current Budget: \$30,000

PLANNING/NATURAL RESOURCES

1.06 Approves Contract No. 07-149, with Ross Taylor and Associates, to complete fisheries related task work within the Five Counties Salmonid Conservation Program area.

Funds in Current Budget: \$39,735

THE FOLLOWING ITEM WAS PULLED FROM CONSENT AND CONSIDERED SEPARATELY

COUNTY ADMINISTRATION

1.04 This item was tabled indefinitely.

Approve Memorandum of Understanding No 07-085, with the Weaverville Rod and Gun Club for use and operation of the shooting range near Junction City.

No fiscal impact

2. PRESENTATIONS

2.01 Bill McCoy of the Historical Society appears and gives quarterly report to the Board.

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

3. TRANSPORTATION COMMISSION

3.01 On motion of Commissioner Reiss, seconded by Commissioner Pflueger and carried, approves Contract No. 07-178, with Lumos & Assoc., to provide consulting services for the Transportation Development Act and State Transportation Improvement Program.

Funds in Current Budget: \$65,000.

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 – John Hall, Director of Emergency Services.
- V. Reports from members of the Board: Supervisors Freeman, Pflueger, Reiss and Morris.
- VI. Report on Cell Tower Grant – Sandy Bechtold, Cell Tower Project Specialist
- VII. Report on General Plan Update – Susan Price, General Plan Director

4. MEETS IN CLOSED SESSION

12:05 PM RECESSES
1:30 PM RECONVENES

4. REPORT ON CLOSED SESSION, CONT.

4.01 Gov't Code sections 54954.5(d) and 54956.9(b)(1). Liability Claims and/or Anticipated Litigation

Claimant: Dorothy Yingling (Claim No. TRI0400082)
Agency Claimed Against: Trinity County

On motion of Supervisor Reiss, seconded by Supervisor Pflueger and carried, authorizes settlement offer.

4.02 Gov't Code sections 54954.5(d) and 54956.9(a). Liability Claims and/or Existing Litigation

Claimant: Martin Nawrock (Claim No. 2006052906)
Agency Claimed Against: Trinity County

On motion of Supervisor Reiss, seconded by Supervisor Pflueger and carried, authorizes settlement offer.

4.03 Gov't Code sections 54954.5(d) and 54956.9(a). Liability Claims and/or Existing Litigation

Claimant: Joseph Mercier (Claim No. 2005039578)
Agency Claimed Against: Trinity County

On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, authorizes settlement offer.

4.04 Gov't Code section 54946.9(b)(1). Conference with Legal Counsel. Significant exposure to litigation.
No. of cases: One

Claimant: The Gardner's Corner (Claim No. TRN 07-004 / 6-13084-42)
Agency Claimed Against: Trinity County

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves claim in the amount of \$964.

4.05 Gov't Code section 54946.9(b)(1). Conference with Legal Counsel. Significant exposure to litigation.
No. of cases: One

Claimant: Chuck Johnson DBA Trinity Alps Golf Course
Agency Claimed Against: Trinity County

On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves claim in the amount of \$235.20.

4.06 Gov't Code section 54946.9(b)(1). Conference with Legal Counsel. Significant exposure to litigation.
No. of cases: One

Claimant: Russell Spagel
Agency Claimed Against: Trinity County

On motion of Supervisor Reiss, seconded by Supervisor Pflueger and carried, approves claim in the amount of \$206.

4.07 Gov't Code section 54954.5(e) Public Employee Evaluation:
Agricultural Commissioner/Sealer of Weights and Measures/Solid Waste Director

Evaluation was held.

4.08 Gov't Code section 54954.5(e). Public Employee Evaluation:
Director of Building and Development Services

Evaluation was held.

PUBLIC COMMENT

Comments received from Charlie Capelli, Junction City.

5. PUBLIC HEARINGS

PLANNING/NATURAL RESOURCES

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

Supervisors Reiss, Freeman, 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 (Munro APN 009-510-45, File P-07-13); and

2. Adopts Resolution No. 2007-75, adopting findings of fact and approving a tentative map to create 5 parcels from 22 acres in the Junction City area (Munro APN 009-510-45, File P-07-13).

6. COUNTY MATTERS

BEHAVIORAL HEALTH SERVICES

6.01 On motion of Supervisor Freeman, seconded by Supervisor Pflueger and carried, approves Amendment No. 05-245.2, with Victor Community Support Services to provide Therapeutic Behavior Services in accordance with the requirements of Title 9, California Administrative Code. Subject to routing and approval as to form and content.

Funds in Current Budget: \$16,000

BUILDING AND DEVELOPMENT

Staff report from Wyatt Paxton, Building and Development Services Director.

- 6.02 On motion of Supervisor Pflueger, seconded by Supervisor Reiss and carried, pre-approves bid document for contract for fencing at Ruth, Hayfork, Weaverville and Trinity Center Airports and authorizes the Airports Manager to sign and award the bid to the lowest bidder. Subject to routing and approval as to form and content
- 6.03 On motion of Supervisor Pflueger, seconded by Supervisor Reiss and carried, approves standard form hangar lease, with Rick Mohr and Pacific Jetting, for the Weaverville Airport FBO (Fixed Base Operator) Hangar, less restroom and pilots lounge areas. Subject to routing and approval as to form and content.

Revenue: \$225.00 per month

COUNTY ADMINISTRATION

- 6.04 On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves Ground Lease No. 07-176, with Velocity Technology Cooperative, Inc., for a 20 x 20 section of ground located at the Hayfork Transfer Site for the purpose of constructing and maintaining a tower and related facilities for broadband internet services. Comments received from Travis Finch, Velocity and Dero Forslund, Clerk/IT Director.

Fiscal Impact: Service in Lieu of Rent

- 6.05 On motion of Supervisor Freeman, seconded by Supervisor Pflueger and carried, approves Agreement with State of California Department of Transportation for Maintenance Within State Highway Right of Way covering landscaping along the south side of SR 3 from PM 6.5 to PM 7.3 in Hayfork, and along the east side SR 299 from PM 52.45 to PM 52.70 in Weaverville. Subject to routing and approval as to form and content.
- 6.06 On motion of Supervisor Freeman, seconded by Supervisor Pflueger and carried, approves Memorandum of Understanding with Trinity Garden Club for installation and maintenance of landscaping along the east side of SR299 from PM 52.45 to PM 52.70 (Nugget Lane, Weaverville). Subject to routing and approval as to form and content.
- 6.07 On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, authorizes the Risk Manager or his designee to approve and settle claims up to \$3,000 and authorize the CAO with the recommendation of the Risk Manager to approve and settle claims against the County for amount in excess of \$3,000 and less than \$25,000. In the event that the CAO and Risk Manager cannot agree on settlement terms, the claim would be brought before the Board for action.

GENERAL PLAN

Staff report by Susan Price, General Plan Director.

6.08 On motion of Supervisor Reiss, seconded by Supervisor Freeman, approves submittal of the 2007 Sustainable Communities Grant and Loan Program Application in the amount of \$350,000 in grant funding for the General Plan Update Project and authorize the County Administrative Officer to execute the application for funding.

6.09 Individual Supervisors appoint the following members representing the 5 Districts to the General Plan Advisory Committee:

1. Supervisor Roger Jaegel, District 3 appoints Sandy Bechtold (per Supervisor Morris).
2. Supervisor Wendy Reiss, District 5 appoints Ross Burgess
3. Supervisor Judy Pflueger, District 1 appoints Lynton Scott
4. Supervisor Jeff Morris, District 2 appoints Jackie Rae
5. Supervisor Howard Freeman, District 4 appoints Greg Simmons

On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, appoints the following members to the General Plan Advisory Committee:

Stakeholders:

1. David Van Denover
2. Bryan E. Taylor
3. Travis Finch
4. Joan Carr
5. Dave Cox

Individuals:

1. Kenneth McCoy
2. Kelli Gant
3. Colleen O'Sullivan
4. Bill Chambers
5. Carol Rogan

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

Supervisors Reiss, Freeman and Morris – Aye.

Supervisor Pflueger – No.

Approves mileage reimbursement for regular and special meetings for the General Plan Advisory Committee members, in the maximum amount of \$9,000 for the 07/08 budget year. Comments received from David Nelson, Auditor/Controller.

HEALTH AND HUMAN SERVICES

Staff report from Letty Nelson, Deputy Director, Health and Human Services.

- 6.11 On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, approves Agreement No. 07-186, with Human Response Network, to provide in-home family management services. Subject to routing and approval as to form and content.

Funds in Current Budget: \$55,000

TRANSPORTATION

Staff report from Carl Bonomini, Transportation Director.

- 6.12 On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, awards schedule II, of the Trinity County Annual Asphalt and Premix bid to Thomas R. Bess of Carlotta, CA, for Schedule II Items, and authorizes the Director of Transportation to sign the Agreement. Subject to routing and approval as to form and content.

Funds in Current Budget: \$94,721.55

- 6.13 On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried, awards the annual Agreement for Supplying the County of Trinity with specified aggregates to Eagle Rock, Inc. of Weaverville, CA, and authorizes the Director of Transportation to sign the Agreement. Subject to routing and approval as to form and content.

Funds in Current Budget: \$ 66,090.02

- 6.14 On motion of Supervisor Freeman, seconded by Supervisor Pflueger and carried, awards Schedules I and II of the Trinity County tri-annual Propane Bid to Amerigas Propane of Weaverville for the contract period of July 1, 2007 through June 30, 2010 in the annual amount of \$ 57,699.69. Subject to routing and approval as to form and content.

Funds in Current Budget: \$19,030.17 Dept. of Transportation
\$ 38,669.52 other County Departments

- 6.15 On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, awards Schedule I, of the Trinity County Annual Asphalt Concrete and Premix bid to Eagle Rock, Inc. of Weaverville, CA, for Schedule I items, and authorizes the Director of Transportation to sign the agreement. Subject to routing and approval as to form and content.

Funds in Current Budget: \$ 215,621

ADDENDA

ADMINISTRATION

6.16 On motion of Supervisor Reiss, seconded by Supervisor Pflueger and carried, approves changes in agenda procedure as follows, (to be in effect for the 1st meeting in August):

- 1. Approves new staff report form.
- 2. Adjusts agenda deadline from Tuesday @ 3:00 PM to Monday @ 9:00 AM.
- 3. Agenda items are to be submitted directly to Larry Layton, County Administrative Officer.
- 4. Adjusts agenda meeting time to Wednesday @ 9:00 AM.
- 5. Adjusts agenda packets to be completed by 3:00 PM on Thursday.

Comments received from Carl Bonomini, Transportation Director, Dero Forslund, County Clerk/Recorder and Susan Price, General Plan Director.

6.17 On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried, approves Agreement No. 07-193, with landowners on Horseshoe Lane for County to accept Horseshoe Lane into County road system if landowners make improvements to bring the Lane up to County road standards. Subject to routing and approval as to form and content. Comments received from Carl Bonomini, Transportation Director and Dan Powers, Landowner.

Fiscal Impact: Minimal cost for annual maintenance

4:20 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