



**TRINITY COUNTY
BOARD OF SUPERVISORS**
Trinity County Library
Conference Room
Weaverville, CA

MEETING MINUTES

AUGUST 7, 2007

9:00 AM

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.

**CALL 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 as presented, with the exception of items 1.03 and 1.09, which were pulled from the consent agenda and considered separately.

AUDITOR/CONTROLLER

1.01 Approves and establishes two funds for depositing allocations and recording expenses associated with the Local Public Health and Healthcare Preparedness Comprehensive plan with Health and Human Services.

Fund# 543 - HRSA Bioterrorism Hospital Preparedness Fund

Fund# 544 - Pandemic Influenza Preparedness Fund

No Fiscal Impact

BEHAVIORAL HEALTH SERVICES

- 1.02 Approves Amendment 05-268.2 with Yolo Community Care Continuum to provide long-term residential care for Medi-Cal beneficiaries of Trinity County.

Funds in Current Budget: \$10,000

CLERK OF THE BOARD

- 1.04 Approves meeting minutes of July 3, 2007, as submitted by Clerk.
- 1.05 Approves meeting minutes of July 17, 2007, as submitted by Clerk.
- 1.06 Approves special meeting minutes of July 13, 2007, as submitted by Clerk.
- 1.07 Adopts Proclamation declaring the Month of October 2007 as Think Pink Month and October 18, 2007 as Think Pink Day.

COUNTY ADMINISTRATION

- 1.08 Adopts Policy No. 2007-04 For Testing for Alcohol Misuse and Controlled Substances Use.

PLANNING/NATURAL RESOURCES

- 1.10 Finds no objection to the Notice of Application to Appropriate Water filed with the California State Water Rights Division by the Burnt Ranch Estates Mutual Water Company.

PROBATION/COLLECTIONS

- 1.11 Adopts Resolution No. 2007-81, for Trinity County Probation Department to participate in the Juvenile Probation and Camps Funding (JPCF) Program administered by the Corrections Standard Authority (CSA); and

Authorizes Chief Probation Officer to sign on behalf of the Board of Supervisors the JPCF Program agreement with the CSA.

Funds in Current Budget: \$98,342

SHERIFF

- 1.12 Accepts and places in County inventory a 1992 utility stock-hauling trailer donated to the Sheriff's Department, Animal Control division (Vin # 140BLBB22NA1196).

THE FOLLOWING ITEMS WERE PULLED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY

BOARD OF SUPERVISORS

1.03 On motion of Supervisor Reiss, seconded by Supervisor Jaegel and carried;

Accepts the resignation of Larry Layton on these terms:

1. Approves Amendment No. 05-3101, to employment agreement with Larry Layton; and
2. Approves Contract No. 07-240 with Larry Layton for consulting services.

COUNTY ADMINISTRATION

1.09 This item was tabled to September 2007;

Approve Amendment No. 05-359.2, with the Department of Forestry & Fire Protection, for Training Officer Services and to extend the contract for one year; and

Adopt resolution approving the Department of Forestry and Fire Protection Agreement (2CA55052) for services from July 1, 2007 to June 30, 2008.

Annual Fee: \$10,555

2. PRESENTATIONS

2.01 Pat Zugg, representing the Trinity County Chamber of Commerce and Weaverville Chamber of Commerce appears and updates the Board on Chamber activities.

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 – Lynn McConnachie, Child Support Services Director, Sheriff Craig and Dero Forslund, County Clerk.
- V. Reports from members of the Board of Supervisors: Reiss, Pflueger, Jaegel, Freeman and Morris.
- VI. Report on Cell Tower Grant – Sandy Bechtold, Cell Tower Project Specialist
- VII. Report on General Plan Update – Susan Price, Planning Director

3. MEETS IN CLOSED SESSION

12:00 PM RECESSES
1:30 PM RECONVENES

3. REPORT ON CLOSED SESSION, cont...

3.01 Gov. Code 54946.9(b)(1). Conference with Legal Counsel. Significant exposure to litigation. No. of cases: One

Claimant: Donald Methlie (Claim No. TRN 07-005; 6-13564-42)
Agency Claimed Against: Trinity County

On motion of Supervisor Freeman, seconded by Supervisor Jaegel and carried;

Denies claim filed by Donald Methlie

- 3.02 Gov't Code section 54954.5(e)
Public Employee Evaluation: Director of Child Support Services

Evaluation was held on Director of Child Support Services.

- 3.03 Gov't Code section 54954.5(e)
Public Employee Evaluation: County Counsel

Evaluation was held on County Counsel.

- 3.04 Gov't Code section 54954.5(e). Public Employee Appointment or Employment
Title: County Administrative Officer

Direction given to Chairman.

PUBLIC COMMENT

Comments received from Charlie Capelli, Junction City.

4. PUBLIC HEARINGS

GRANTS AND HOUSING

- 4.01 Chairman opens public hearing:

Staff report by Pat Mortensen, Grants Coordinator.

Comments received from Greg Schneider, Trinity Pines.

Chairman closes public hearing.

On motion of Supervisor Reiss, seconded by Supervisor Freeman and carried;

Adopts proposed amendments to the Community Development Block Grant (CDBG) Housing Rehabilitation Program Guidelines, and authorizes the issuance of a Minute Order prior to the approval of the Board Minutes.

No Fiscal Impact

- 4.02 Chairman opens public hearing:

Staff report by Pat Mortensen, Grants Coordinator.

No comments received.

Chairman closes public hearing.

On motion of Supervisor Pflueger, seconded by Supervisor Reiss and carried;

Accepts the annual 2006-2007 Community Development Block Grant (CDBG) Grantee Performance Reports for grants #04-EDBG-0637 Business Loan Program; #05-STBG-1524 Hayfork Community Center-Mountain Valley Haven II; Community Facilities Revolving Loan Fund; Economic Development Revolving Loan Fund; and Housing Rehabilitation Revolving Loan Fund, and authorizes the County Administrative Officer to sign the reports for submittal to CDBG program staff.

No Fiscal Impact

PLANNING/NATURAL RESOURCES

4.03 Chairman opens public hearing:

Staff report by Susan Price, Planning Director and John Jelichich, Senior Planner.

No comments received.

Chairman closes public hearing.

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

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

Waives reading and directs the Clerk to let the record show that Ordinance No. 315-745 is hereby amended to include APN 024-200-15, which was inadvertently left off the list of Sierra Pacific Industries (SPI) parcels rezoned from Timber Production Zone (TPZ) to Open Space with no potential for further division (OS-B3) approved by the Board of Supervisors on 5/16/06 by directing the Clerk to let the record show that Ordinance 315-745 is amended by adding 024-500-15 to the list of Assessors Parcel being rezoned to Open Space (SPI, P-06-06).

No Fiscal Impact

4.04 The Board Continued the following Public Hearing to August 21, 2007:

1) Adopt proposed 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 Negative Declaration reflects the Board's independent judgment and analysis; and

2) Discuss and/or take action to waive reading and direct the Clerk to let the record show that an ordinance amending Trinity County Zoning Ordinance 315, rezoning the eastern portion of APN 15-470-12 from Rural Residential one-acre minimum (RR-1) to Mobile Home Park (MHP), located at 251 Riverview Road, is introduced and enacted (Applicant: Worthington, P-07-25).

No Fiscal Impact

5. COUNTY MATTERS

BUILDING AND DEVELOPMENT

5.01 This item was tabled to the September 18, 2007 meeting.

Comments received from Marvin Stewart, Hayfork.

Approve the Memorandum of Understanding No. 07-238, with the Greater Hayfork Valley Park and Recreation District for general maintenance and upkeep of the Hayfork Park.

Funds in Current Budget: \$19,800

5.02 On motion of Supervisor Jaegel, seconded by Supervisor Reiss and carried;

Approves appropriation of funds for fixed assets prior to the adoption of the 2007-2008 budget for the purchase of the CXT restrooms for the parks projects. The source of funding for this project is Prop 40 grant funds.

Budget Adjustment: \$329,432. 39

CLERK OF THE BOARD

5.03 On motion of Supervisor Jaegel, seconded by Supervisor Pflueger and carried;

Acknowledges receipt and appoints Supervisor Wendy Reiss to respond to the following Grand Jury report:

1. Development and Environmental Committee Final Report - Citizen Complaint
Re: Clean-up of Former Drug Lab.

5.04 On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried;

Approves increasing the length of the Wednesday meeting following the first Tuesday Board meeting, to include an afternoon session.

CLERK/RECORDER/ASSESSOR

- 5.05 On motion of Supervisor Freeman, seconded by Supervisor Reiss and carried;
Denies adoption of provisions of Revenue and Taxation Code section 69.5.

COUNTY COUNSEL

- 5.06 On motion of Supervisor Reiss, seconded by Supervisor Freeman and on the following vote to-wit;
Supervisors Freeman, Reiss, Jaegel and Morris – Aye.
Supervisor Pflueger – No.
Approves budget adjustment increasing expenditures for Public Defender's Office for FY 06/07.
Budget Adjustment: \$55,968

GRANTS AND HOUSING

- 5.07 On motion of Supervisor Reiss, seconded by Supervisor Pflueger and on the following vote to-wit;
Supervisors Pflueger, Reiss, Freeman, Jaegel and Morris – Aye.
Adopts Resolution No. 2007-80, approving the submittal of a HOME Investment Partnerships grant in the amount of \$800,000 for an Owner-Occupied Housing Rehabilitation Program throughout Trinity County, and authorizes the County Administrative Officer to sign the HOME application documents and other documents necessary for the administration of the program.
New Funding: \$800,000
- 5.08 On motion of Supervisor Jaegel, seconded by Supervisor Reiss and carried;
- 1) Designates County Administrative Officer Trinity County's Section 504 Coordinator to assure that Section 504 of the Rehabilitation Act of 1973, as amended, provides that no otherwise qualified individual shall, solely by reason of his or her handicap, be excluded from participation (including employment), denied program benefits, or subjected to discrimination under any program or activity receiving federal funds; and
 - 2) Authorizes Section 504 Coordinator to take any action that will not result in undue financial and administrative burdens to the maximum extent possible to ensure that individuals with handicaps receive the benefits and services of the program or activity; and

- 3) Adopts the county grievance procedures for the Community Development Block Grant and HOME Investment Partnership programs that incorporate appropriate due process standards that provide for prompt and equitable resolution of complaints; and
- 4) Evaluates current policies and practices and determine that Trinity County meets the requirements of Section 504 by completing the self-evaluation annually for each open CDBG and HOME grant.

PLANNING/NATURAL RESOURCES

5.09 On motion of Supervisor Freeman, seconded by Supervisor Jaegel and carried;

Approves and authorizes Chairman to sign letter to Interior Secretary Dirk Kempthorne requesting that the Trinity Management Council (TMC) Bylaws be changed from a super-majority to a simple majority in order to pass a motion.

5.10 On motion of Supervisor Freeman, seconded by Supervisor Jaegel and carried;

Approves and authorizes Chairman to sign letter to Congress in support of HR 2733, the Trinity River Restoration Fund Act.

3:50 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