

MEETING MINUTES

2015-06-16

Chairman

Supervisor Judy Morris - District 2

Vice Chairman

Supervisor Karl Fisher - District 3

Supervisor Keith Groves - District 1

Supervisor Bill Burton - District 4

Supervisor John Fenley - District 5

Wendy Tyler - County Administrative Officer/Clerk of the Board

Margaret Long - Assistant County Counsel

Suzie White - Administrative Coordinator

Meeting called to order in open session at 9:00 AM.

Pledge of Allegiance - Supervisor Morris

Public Comment - None

Presentations

Board of Supervisors

- 1.01** Received an update from United States Forest Service Trinity River Management Unit District Ranger Tina Lynski and United States Forest Service South Fork Management Unit District Ranger Tom Hall on the fires currently burning in Trinity County.

Planning/Natural Resources

- 1.02** Adopted Resolution No. 2015-055 of appreciation recognizing Principal Planner Frank Lynch upon his retirement from Trinity County.

Received comments from Director of Transportation Rick Tippet and Sheriff Bruce Haney.

Motion: Fenley

Second: Fisher

Vote: Fisher, Fenley, Groves, Burton and Morris - AYE

Consent

Auditor/Controller

Auditor/Controller

- 2.01** Approved a budget adjustment in the Auditor's Department (Dept. 1300) increasing revenues and Services & Supplies by \$46,000.
Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

- 2.02** Approved establishing a new Capital Project Fund - Fund# 143 - Jail Construction.
Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

Behavioral Health Services

- 2.03** Approved amendment number 1 to the agreement with Willow Glen Care Center extending the term to June 30, 2016 and updating the rate schedule for FY 2015-16 for long-term residential care.
Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

Board of Supervisors

- 2.04** Changed the appointment of Supervisor Karl Fisher from alternate to primary for the North Coast Resource Partnership Policy Review Panel, effective immediately.
Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

Clerk of the Board

- 2.05** Adopted Resolution No. 2015-056 confirming the continuance of a Local Emergency due to drought conditions.
Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE
- 2.06** Approved regular meeting minutes of June 2, 2015, as submitted by the Clerk.
Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE
- 2.07** Found that the proposed license will meet the public convenience and necessity, and found no objection to the issuance of an On-Sale Beer and Wine Alcoholic Beverage License to Elaine Letton for Indian Creek Cafe, located at 59741 Highway 299W, Douglas City, CA 96024.
Motion: Burton **Second:** Fisher **Carried** **Vote:** 4-0
Groves - RECUSED
- 2.08** Pursuant to County Policy number 3-93 found no objection to the issuance of a Catering Authorization to CF Foods for Diamond W Production to serve alcohol during the annual Fourth of July activities in the arena area of Lowden Park in Weaverville, CA on July 3 and 4, 2015.
Motion: Fisher **Second:** Burton **Carried** **Vote:** 4-0
Groves - RECUSED

County Administrative Officer

- 2.09** Approved a memorandum of understanding (MOU) with Humboldt County for Agricultural Commissioner/Sealer of Weights and Measures services and authorized the County Administrative Officer to sign the MOU.
Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE
- 2.10** Approved amendment number 1 to the agreement with Trinity Life Support extending the term to June 30, 2017, modifying the Scope of Services, Fees, and Radio Charges for Ambulance/EMS services in Zone 1 of Trinity County.
Received comments from John Hamilton and County Administrative Officer Wendy Tyler.
Motion: Fisher **Second:** Fenley **Carried** **Vote:** 5-0

County Administrative Officer

- 2.11** Approved amendment number 5 to the agreement with Northern California EMS, Inc. extending the term to June 30, 2016 for Local EMS Agency (LEMSA) services.

Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

County Counsel

- 2.12** Discussed adopting an updated Hazardous Weather and Emergency Conditions Policy.

Received comments from John Hamilton, County Counsel Margaret Long, and County Administrative Officer Wendy Tyler.

Substitute motion to adopt the updated Hazardous Weather and Emergency Conditions Policy failed due to the lack of a second.

Deny adoption of an updated Hazardous Weather and Emergency Conditions Policy.

Motion: Fisher **Second:** Burton **Vote:** 2-3
Groves, Fenley and Morris - NO

General Services

- 2.13** Approved a lease agreement with Donna Jones for studio "G" in the Sam Lee Ranch House.

Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

- 2.14** Approved a lease agreement with Jennifer Durkin for studio "M" in the Sam Lee Ranch House.

Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

- 2.15** Approved the purchase of a 2015 Toyota Sienna AWD Van for Motor Pool to be assigned to Behavioral Health Services and approved a budget adjustment in the Motor Pool (Dept. 8803) transferring \$36,351 from the Motor Pool cash fund into the Motor operating budget.

Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

Health & Human Services

- 2.16** Approved amendment number 2 to the agreement with David Herfindahl, MD extending the term to June 30, 2017 to serve as County Health Officer.

Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

Sheriff

- 2.17** Adopted Resolution No. 2015-057 which approves an agreement with California Department of Corrections and Rehabilitation (CDCR agreement no. 5600005369) to provide correctional bed space and services for County Offender, Inmate Rodney Burke.

Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

- 2.18** Approved a budget adjustment in the Animal Control Department (Dept. 2350) increasing revenues by \$1,000 and Services & Supplies by \$6,000, and decreasing Salaries & Benefits by \$5,000.

Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

- 2.19** Approved the 2015 Cooperative Law Enforcement Annual Drug Operations Plan & Financial Plan (11-LE-11051360-216) with the USDA, Forest Service, Shasta-Trinity National Forest to receive funding to conduct operations to suppress manufacturing and trafficking of controlled substances on or affecting National Forest Systems Lands.

Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

Sheriff

- 2.20** Approved the 2015 Cooperative Law Enforcement Annual Drug Operations Plan & Financial Plan (11-LE-11051360-215) with the USDA, Forest Service, Six Rivers National Forest to receive funding to conduct operations to suppress manufacturing and trafficking of controlled substances on or affecting National Forest Systems Lands.

Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

Solid Waste

- 2.21** Discussed amendment to agreement with Lawrence and Associates.

Received comments from Deputy Director of Solid Waste Diane Rader and County Administrator Wendy Tyler.

Approve amendment number 1 to the agreement with Lawrence and Associates to extend the term to June 30, 2020 and increase the maximum amount by \$40,000 per year making the new maximum amount \$90,000 per year.

Motion: Burton **Second:** Groves **Vote:** Motion failed due to passing of substitute motion.

Approved amendment number 1 to the agreement with Lawrence and Associates to extend the term to June 30, 2020 and increase the maximum amount by \$50,000 per year making the new maximum amount \$100,000 per year.

Motion: Groves **Second:** Fisher **Carried** **Vote:** 4-1
Burton - NO

Transportation

- 2.22** Approved amendment number 2 to the agreement with North State Resources increasing the not-to-exceed amount by \$19,000 for on-call environmental services.

Motion: Fisher **Second:** Fenley **Vote:** Fenley, Fisher, Groves, Burton and Morris - AYE

10:00 AM Public Hearings

Planning/Natural Resources

- 3.01** Conducted a public hearing and took the following actions concerning Planning File #PW 15-02 regarding an amendment to Zoning Ordinance 315 regarding the keeping of "backyard chickens."

1. Determined that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Therefore the Board found the project exempt given its very limited scope ; and
2. Adopted Resolution No. 2015-058 which approves the amendment to the Zoning Ordinance pertaining to the keeping of chickens in your backyard; and
3. Introduced, waived the reading of and enacted Ordinance No. 315-812 amending Trinity County Zoning Ordinance (Ordinance No. 315) by amending Section 30(D)(2) - Keeping of Livestock in Residential Zoning Districts changing section b(4) to read "The solid material structure shall be limited to a maximum of 100 square feet in size, however the outdoor area is unlimited provided it is completely contained." and section b(5) to read "The coop shall be located to be a minimum of 20 feet from any off-site residence and shall otherwise conform to setbacks of the district.

(Planning Commission Recommendation: Approval)

Received comments from Principal Planner Frank Lynch, Kay Graves, and John Hamilton.

Motion: Burton **Second:** Fisher **Vote:** Fisher, Burton, Groves, Fenley and Morris - AYE

Solid Waste

- 3.02** Conducted a public hearing, considered comments and took the following actions regarding the number of units assessed to a given parcel for the annual Solid Waste Parcel Fee.

Received comments from Deputy Director of Solid Waste Diane Rader.

Supervisor Burton's motion to approve Ms. Kolbo's request to change her assessment from 1 unit to Vacant Property and deny Ms. Ryness' request to change her assessment from 2 units to 1 unit failed due to the lack of a second.

Denied the request of Ms. Kolbo to change her assessment from 1 unit to Vacant Property and denied the request of Ms. Ryness to change her assessment from 2 units to 1 unit.

Motion: Fisher **Second:** Fenley **Carried** Vote: 4-1
Burton - NO

Transportation

- 3.03** Continued to July 7, 2015 a public hearing to consider adopting a resolution which selects a project alternative, makes CEQA findings and adopts a Mitigation and Reporting Plan for the Wildwood Road Realignment and Widening Project.

Motion: Fenley **Second:** Fisher **Carried** Vote: 5-0

Reports/Announcements

Reports/Announcements

- 4.01** I. Received reports from County Counsel Margaret Long and Director of Transportation Rick Tippet (Caltrans Construction Manager Chris Cummins answered some questions during Director Tippet's report).
- II. Received a report from County Administrative Officer Wendy Tyler.
- III. Received reports from Members of the Board of Supervisors.

Transportation Commission

RECESSED AS THE BOARD OF SUPERVISORS AND CONVENEED AS THE TRANSPORTATION COMMISSION

Transportation Commission

- 5.01** Adopted Resolution No. 2015-059 which approves the allocation of Local Transportation Funds (LTF) for FY 2015/2016 and adopted Resolution No. 2015-060 which approves the allocation of State Transit Assistance Funds (STA) for FY 2015/2016.

Received comments from Executive Secretary Rick Tippet.

Motion: Groves **Second:** Fisher Vote: Fisher, Groves, Burton, Fenley and Morris - AYE

ADJOURNED AS THE TRANSPORTATION COMMISSION AND RECONVENED AS THE BOARD OF SUPERVISORS

County Matters

Auditor/Controller

Auditor/Controller

- 6.01** Approved a budget adjustment in the Public Defender Department (Dept. 2170) increasing revenues by \$2,243 and Services & Supplies by \$51,324; approved a budget adjustment in the General Fund Contingency Department (Dept. 9901) decreasing appropriations by \$51,324; and approved a budget adjustment in the Public Defender Realignment Department (Dept. 8501) increasing revenues and Transfers Out by \$743.

Received comments from Auditor/Controller Angie Bickle.

Motion: Fenley **Second:** Burton **Carried** Vote: 5-0

- 6.02** Awarded to Laura S. Woods the contract to provide Public Defender services to Trinity County; and awarded to Larry Olsen the contract to provide Public Defender services to Trinity County.

Received comments from Auditor/Controller Angie Bickle.

Motion: Fisher **Second:** Fenley **Carried** Vote: 5-0

Clerk of the Board

- 6.03** Acknowledged receipt of and assigned Supervisor Morris to draft a response to Grand Jury Report JUR 2014-2015-001 Trinity County Detention Facility Jail Report.

Received comments from County Administrative Officer Wendy Tyler.

Motion: Fenley **Second:** Fisher **Carried** Vote: 5-0

County Administrative Officer

- 6.04** Adopted a preliminary budget for fiscal year 2015/2016, including Enterprise Funds and dependent Special Districts, of \$107,185,964.

Received comments from County Administrative Officer Wendy Tyler.

Motion: Fisher **Second:** Fenley **Carried** Vote: 5-0

Sheriff

- 6.05** Approved a budget adjustment in the Jail Health Department (Dept. 2301) increasing revenues by \$871 and increasing Services & Supplies by \$53,438 and decreasing Salaries & Benefits by \$32,567; and approved a budget adjustment in the General Fund Contingency Department (Dept. 9901) decreasing appropriation by \$20,000.

Received comments from Business Manager Mary Treece.

Motion: Burton **Second:** Groves **Carried** Vote: 5-0

- 6.06** Approved an agreement with Lionakis to prepare a draft funding proposal in response to SB 863 guidelines issued by the Board of State and Community Corrections, in order to pursue potential SB 863 funds to accommodate the replacement of the existing Trinity County Jail.

Received comments from Sheriff Bruce Haney, Business Manager Mary Treece and County Administrative Officer Wendy Tyler.

Motion: Fisher **Second:** Fenley **Carried** Vote: 4-1
Burton - NO

Transportation

Transportation

- 6.07** Approved an agreement with Southern Trinity Health Services (STHS) to provide public transportation services and medical and social transportation services for citizens of the Southern Trinity and Hayfork area in the amount of \$25,000.

Received comments from Director of Transportation Rick Tippett.

Motion: Fenley **Second:** Fisher **Carried** Vote: 5-0

- 6.08** Approved an agreement with the Human Response Network to administer the Transportation Assistance Program in the amount of \$45,000.

Received comments from Director of Transportation Rick Tippett.

Motion: Fisher **Second:** Burton **Carried** Vote: 5-0

Closed Session

County Counsel

- 7.01** Government Code section 54956.9(c) - Conference with Legal Counsel - Initiation of Litigation
No. of Cases: Two

Direction was given to staff.

Transportation

- 7.02** Government Code Section 54956.8 - Conference with Real Property Negotiators
Assessor Parcel Numbers: 024-100-71; 024-100-72; 024-210-08; 024-210-03; and 024-021-06
Agency Negotiators: Rick Tippett, Margaret Long, and Martin Appraisals and Acquisition
Negotiating Parties: James and Diane Borruso, Trinity River Lumber Co., Ronald and B.J. Yingling
Under Negotiation: Price, terms and payment

Received comments from Kay Graves.

Direction was given to the negotiators regarding APN's 024-100-71; 024-100-72; and 024-210-08.

Addendum

Transportation

A Reconsidered earlier Board direction as to the type of temporary traffic control to be installed at Lance Gulch Road/State Highway 299.

Received comments from Director of Transportation Rick Tippett, Caltrans District 2 Deputy Director Don Anderson, Mike McHugh, John Hamilton, and Kay Graves.

Directed staff to accept Caltrans recommendation and install a temporary four-way stop until the final design is complete.

Motion: Groves **Second:** Fisher **Carried** Vote: 5-0

ADJOURN

TRINITY COUNTY BOARD OF SUPERVISORS

JUDY MORRIS, CHAIRMAN
Board of Supervisors, County of
Trinity, State of California

Attest:

WENDY G. TYLER
Clerk of the Board of Supervisors

By: _____
Deputy