

**MEETING MINUTES**

2015-12-15

**Chairman**

**Supervisor Judy Morris - District 2**

**Vice Chairman**

**Supervisor Karl Fisher - District 3**

**Supervisor Keith Groves - District 1**

**Supervisor Bill Burton - District 4 - ABSENT**

**Supervisor John Fenley - District 5**

**Wendy Tyler - County Administrative Officer/Clerk of the Board**

**Margaret Long - County Counsel**

**Suzie White - Administrative Coordinator**

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

**Pledge of Allegiance - Supervisor Fenley**

**Public Comment - John Hamilton.**

## **8:30 AM Closed Session**

### **County Counsel**

**1.01** Government Code Section 54954.5(e) - Public Employee Evaluation: County Administrative Officer

Evaluation was held.

## **Presentations**

### **Sheriff**

**2.01** Received a presentation and update from Project Director Robert Oates from the Board of State and Community Corrections in regards to Trinity County receiving funding for a new Jail Facility through SB 863.

Received comments from Sheriff Bruce Haney.

## **Consent**

### **Behavioral Health Services**

## **Behavioral Health Services**

- 3.01** Appointed John Stokke to the Trinity County Behavioral Health Services Board (TCBHSB) to serve a three year term expiring December 14, 2019.

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

## **Board of Supervisors**

- 3.02** Approved a budget adjustment in the Board of Supervisors Department (Dept. 1100) increasing revenues and Services and Supplies by \$881.

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

## **Clerk of the Board**

- 3.03** Adopted Resolution No. 2015-124 confirming the continuance of a Local Emergency due to drought conditions.

Received comments from John Hamilton and Director of Transportation Rick Tippett.

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

- 3.04** Adopted Resolution No. 2015-121 confirming the continuance of a Local Health Emergency due to hazardous unhealthy debris and air quality concerns in Trinity County.

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

- 3.05** Approved regular meeting minutes of November 17, 2015, as submitted by the Clerk.

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

- 3.06** Approved the standard encroachment permit application with Cal-Trans for installation of various banners over and across Highway 299 at post mile 51.8 (between Hammer and Olson buildings) in Weaverville, CA from January 1 through June 30, 2016; and directed staff to bring back in March an item to review alternate plans for the banner process.

Received comments from County Administrative Officer Wendy Tyler and Administrative Coordinator Suzie Hawkins.

**Motion:** Fenley      **Second:** Fisher      **Carried** **Vote:** 4-0  
Burton - ABSENT

- 3.07** Authorized the Chairman to sign a letter to Caltrans supporting the encroachment permit application submitted by the Human Response Network for Teen Dating Violence Awareness Month (February), Sexual Assault Awareness Month (April), Child Abuse Awareness Month (April), and Domestic Violence Awareness Month (October).

Received comments from County Administrative Officer Wendy Tyler and Kay Graves.

**Motion:** Fisher      **Second:** Groves      **Carried** **Vote:** 4-0  
Burton - ABSENT

## **Clerk Recorder Assessor**

- 3.08** Accepted the Canvass of the November 3, 2015, Consolidated District Election completed on November 17, 2015, and directed the Clerk to let the record show that the Official Statement of Votes Cast is hereby made a part of the minutes of the Board, and the following candidates are hereby declared elected to the offices specified:

Coffee Creek School District ~ Nancy Vincent & Meghan Coleman  
Mountain Valley Unified School District Area 1 ~ Angela Riggs & Diane K. Yates  
Trinity Alps Unified School District Area 1 ~ Lynne Gervasi

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

## General Services

- 3.09** Approved a budget adjustment in the General Services Department (Dept. 1750) increasing revenue and Services & Supplies by \$12,500.

**Motion:** Groves      **Second:** Fenley

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

## Grants & Housing

- 3.10** Adopted Resolution No. 2015-125 modifying the DRI grant #10-DRI-6793 application resolution (2011-028) to allow for a budget adjustment to move funds for the completion of the project at the Hospital.

Received comments from Grants Consultant Jim Cook and County Administrative Officer Wendy Tyler.

**Motion:** Fisher      **Second:** Fenley

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

- 3.11** Approved amendment number 4 to the agreement with Aspen Street Architects, Inc. to modify Tasks C, D and E; increase the maximum cost by \$14,101.93 and extend the term to March 31, 2016 for architectural service for design related to the Hospital portion of the DRI grant, 10-DRI-6793.

Received comments from Grants Consultant Jim Cook.

**Motion:** Groves      **Second:** Fisher      **Carried** Vote: 4-0

Burton - ABSENT

## Health & Human Services

- 3.12** Approved an agreement with Esplanade Office for layout design, purchase and installation of 36 workstations with partitions in five units/offices of the Health and Human Services Department in an amount not to exceed \$139,607.01.

Received comments from County Administrative Officer Wendy Tyler, Interim Director of Health and Human Services Letty Garza and John Hamilton.

**Motion:** Fenley      **Second:** Fisher      **Carried** Vote: 4-0

Burton - ABSENT

## Personnel

- 3.13** Approved changing the range of the Vocational Trainee from G128 to G138 and the Vocational Assistant from G138 to G148 effective January 1, 2016.

**Motion:** Groves      **Second:** Fenley

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

- 3.14** Approved destruction of employment applications, rating sheets and selection materials dated prior to December 31, 2012.

**Motion:** Groves      **Second:** Fenley

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

## Sheriff

- 3.15** Adopted Resolution No. 2015-122 which removes from the Sheriff's Office Capital Asset Inventory Departmental Listing:

Asset ID 13169, a 2005 Ford Expedition (VIN # 1FMPU16545LA17591).

**Motion:** Groves      **Second:** Fenley

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

- 3.16** Approved a 5 year Master Agreement with the USDA, Forest Service, Shasta Trinity National Forest to receive financial support for Trinity County Sheriff's Office performing law enforcement activities on the Shasta Trinity National Forest, and authorized the County Administrative Officer to sign the agreement.

**Motion:** Groves      **Second:** Fenley

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

## Sheriff

- 3.17** Approved a 5 year Master Agreement with the USDA, Forest Service, Six Rivers National Forest to receive financial support for Trinity County Sheriff's Office performing law enforcement activities on the Six Rivers National Forest, and authorized the County Administrative Officer to sign the agreement.

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

## Solid Waste

- 3.18** Accepted information listing Solid Waste's compliance with the State requirements for the Mandatory Commercial Recycling Program.

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

- 3.19** Approved a Memorandum of Understanding with GovDeals, a Delaware Corporation to provide an online auction system for Trinity County Solid Waste.

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

## Transportation

- 3.20** Approved amendment number 2 to the agreement with Enplan Consultants of Redding, CA to extend the term to December 31, 2016 and increase the maximum amount by \$39,000 for on-call Environmental Services.

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

- 3.21** Awarded to VSS Emultech of W. Sacramento, CA the contract for Asphaltic Emulsions for Schedule I in an amount not to exceed \$224,596.40 and Schedule II in the amount not to exceed \$87,115.88.

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

## Treasurer/Tax Collector

- 3.22** Adopted Resolution No. 2015-123 approving disbursement of excess proceeds from the 2013-14 sale of Tax-Defaulted property.

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

## 10:00 AM Public Hearings

### Transportation

- 4.01** Adopted Resolution No. 2015-120 which vacates 0.5 miles of East Fork Road, County Road Number 421, crossing over Lot 37 within Sections 29 and 32, Township 35 North, Range 11 West M.D.B. & M.

Received comments from Director of Transportation Rick Tippett.

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

## Reports/Announcements

### Reports/Announcements

- 5.01**
- I. Received reports from Director of Transportation Rick Tippett.
    - A. Received a Code Enforcement Update from Planning Director Rick Tippett.
  - 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 CONVENED AS THE TRANSPORTATION COMMISSION

#### Transportation Commission

- 6.01** Adopted Resolution No. 2015-126 which approves a grant application for California Transit Security Grant Program Proposition 1B-6667-0002 eligible funds naming Trinity County, as the operator of Trinity Transit, the eligible recipient of these funds in the amount of \$11,507 for Fiscal Years 2014-2015.

Received comments from Executive Secretary Rick Tippett.

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

- 6.02** Adopted Resolution No. 2015-127 which approves the 2016 Regional Transportation Improvement Program (RTIP) for the 2016 State Transportation Improvement Program (STIP).

Received comments from Executive Secretary Rick Tippett.

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

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

## County Matters

#### Clerk of the Board

- 7.01** Authorized the removal of the existing stick built fair managers residence by the most economical means; and authorized placement of a new 27'x44' Fleetwood Manufactured Home Model 28443S, to be purchased and installed at the expense of the Trinity County Fair Association on the fairgrounds property.

Received comments from County Administrative Officer Wendy Tyler and Trinity County Fair Association CEO Mike Fillett.

**Motion:** Fenley      **Second:** Fisher      **Carried** **Vote:** 4-0  
Burton - ABSENT

#### County Administrative Officer

- 7.02** Approved a Memorandum of Understanding establishing the Northcoast Regional Department of Child Support Services.

Received comments from County Administrative Officer Wendy Tyler, Director of Child Support Services Lisa Dugan, and Child Support Services Senior Account Technician Diane Darrah.

**Motion:** Fisher      **Second:** Groves      **Carried** **Vote:** 4-0  
Burton - ABSENT

- 7.03** Discussed content of commercial medicinal marijuana permitting and monitoring program.

Received comments from County Administrative Officer Wendy Tyler, Director of Transportation Rick Tippett, Humboldt County Senior Agricultural Inspector Waylon Shaw, Rob Oakley, Duncan McIntosh, Andrew Franklin, Duane Sceper, County Counsel Margaret Long, Tom Balanko, Naomi Underwood and Bobbi Chadwick.

Directed staff to increase staff and develop a department with the Agricultural Commissioner's Office to oversee the regulations, fees and permits of commercial marijuana; collaborate with Humboldt County on the process and allow the Planning Commission to look at land use aspects or the permitting program prior to finalization.

## County Administrative Officer

**7.04** Adopted Resolution No. 2015-128 delegating the responsibilities of the County Administrative Officer.

Received comments from County Administrative Officer Wendy Tyler and Drew Franklin.

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

## County Counsel

**7.05** Received a presentation from County Counsel on necessary and/or recommended changes to medical marijuana ordinance (315-797) related to personal grow in light of new California law.

Received comments from County Counsel Margaret Long, Duane Sceper, Duncan McIntosh, Mark Feely, Bobbi Chadwick, Kay Graves and Director of Transportation Rick Tippett.

Directed staff to look into modifying our current ordinances to allow for fines to be added to the tax roll and attorney fees to be collected and directed staff to have the Planning Commission look at set backs and fence requirements after they are done working on a commercial grow ordinance.

## Risk Management

**7.06** Increased from 1 to 2 the allocation of Loss Prevention Specialist I/II or Risk and Loss Prevention Manager (maximum of one) in the Risk Management Unit of County Administration, effective January 1, 2016 and directed that said changes be made to the allocation of positions listing.

Received comments from County Administrative Officer Wendy Tyler and Risk and Loss Prevention Manager Shelly Pourian.

**Motion:** Groves      **Second:** Fisher      **Carried** **Vote:** 4-0  
Burton - ABSENT

## **Closed Session**

### County Counsel

**8.01** Government Code section 54954.5(c) - Conference with Legal Counsel - Existing Litigation

No. of Case: Two

~ County of Trinity v. UPEC, Local 792 for General Unit

~ Bosenko v. The City of Los Angeles (LA Superior Court Case No. BS158682)

No reportable action was taken.

**8.02** Government Code Section 54954.5(e) - Public Employee Evaluation: County Counsel

Evaluation was held.

### Risk Management

**8.03** Government Code 54954.5(d) - Liability Claims

No. of Cases: One

Claimant: Joseph Daniel Wescott (Claim No. TRN14-009)

Agency Claimed Against: Trinity County

Rejected claim.

**Motion:** Groves      **Second:** Fenley      **Carried** **Vote:** 4-0  
Burton - ABSENT

**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