

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

MEETING MINUTES

2016-06-21

Chairman
Supervisor Karl Fisher - District 3

Vice Chairman
Supervisor John Fenley - District 5

Supervisor Keith Groves - District 1
Supervisor Judy Morris - District 2
Supervisor Bill Burton - District 4

VACANT - County Administrative Officer
Margaret Long - County Counsel/Clerk of the Board
Naomi Merwin - Deputy Clerk of the Board

Meeting called to order in open session at 9:00 AM.
Pledge of Allegiance - Supervisor Burton
Public Comment - Josh Bowes and Julie Ryan.

Consent

Auditor/Controller

1.01 Approved a budget adjustment in the Copier Trust Department (Dept. 8802) increasing Services & Supplies by \$4,000.

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

1.02 Approved a budget adjustment in the Public Defender Department (Dept. 2170) transferring \$11,064 of appropriations within Services & Supplies.

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

Behavioral Health Services

1.03 Approved an agreement with Enrico and Mary Kay Raffanti to provide office space for Trinity County Behavioral Health Services.

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

Board of Supervisors

Board of Supervisors

- 1.04** Appointed Mike McHugh to the Planning Commission for District 1 to serve a term concurrent with that of Supervisor Keith Groves.

Received comments from Bobbi Chadwick, Leroy Washower and County Counsel Margaret Long.

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

Child Support Services

1.05

Approved an agreement with the Trinity County Department of Information Technology to service the county system that is linked to bi-tech and shared drives, and service the telephone system.

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

- 1.06** Approved an agreement with the Trinity County Department of Transportation to provide maintenance, service and repair of Child Support Vehicles.

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

- 1.07** Approved an agreement with the Trinity County Fair Association allowing Child Support Services staff to have an outreach booth at the Trinity County Fair.

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

Clerk of the Board

- 1.08** Adopted Resolution Number 2016-052 confirming the continuance of a Local Emergency due to drought conditions.

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

- 1.09** Appointed David Wellock to serve a two year term on the Lewiston Cemetery Committee.

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

- 1.10** Approved the regular meeting minutes of June 7, 2016 as submitted by the Clerk.

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

- 1.11** Canceled the Board Meeting currently scheduled for August 2, 2016.

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

Health & Human Services

- 1.12** Approved amendment number 2 to the Memorandum of Understanding with Partnership HealthPlan of California allowing Trinity County to participate in the Intergovernmental Transfer of Public Funds (IGT) program, and authorized the Interim County Administrative Officer/County Counsel to sign the agreement.

Received comments from Director of Health and Human Services Letty Garza and Director of Behavioral Health Services Noel O'Neill.

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

- 1.13** Approved an agreement with Del Norte County's Department of Health and Human Services to provide Quality Assurance services during federally mandated quarterly Child Welfare Case Reviews.

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

Health & Human Services

- 1.14** Approved an Intergovernmental agreement regarding the transfer of Public Funds with the California Department of Health Care Services (DHCS) allowing Trinity County to participate in the Intergovernmental Transfer of Public Funds (IGT) program; and authorized the Interim County Administrative Officer/County Counsel to sign the agreement.

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

- 1.15** Approved an Intergovernmental Transfer Assessment Fee agreement with the California Department of Health Care Services (DHCS) allowing Trinity County to participate in the Intergovernmental Transfer of Public Funds (IGT) program; and authorized the Interim County Administrative Officer/County Counsel to sign the agreement.

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

Planning

- 1.16** Approved amendment number 2 to the agreement with Michael Baker International extending the term to September 30, 2016 for consultant services on the Housing Element.

Received comments from Director of Transportation Rick Tippett.

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

- 1.17** Authorized the Chairman to sign a letter to the Redwood Coast Energy Authority (RCEA) in support of RCEA's pursuit of California Energy Commission grants to fund electric vehicle plug-in charging stations within Trinity, Humboldt and Del Norte Counties.

Received comments from Director of Transportation Rick Tippett, Senior Planner Carson Anderson and Kay Graves.

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

Probation/Collections

- 1.18** Approved amendment number 1 to the agreement with Stericycle, Inc. increasing the maximum cost by \$4,000 for special waste services.

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

- 1.19** Approved an agreement with Shasta County for the detention of minors in the Shasta County Juvenile Hall.

Received comments from Chief Probation Officer Hal Ridelhuber.

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

Sheriff

- 1.20** Approved amendment number 1 to the agreement with Central Valley Toxicology, Inc. increasing the maximum cost by \$20,000 and extending the term to June 30, 2018 for forensic toxicology services.

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

- 1.21** Approved amendment number 1 to the agreement with the Trinity County Resource Conservation District increasing the maximum cost by \$2,000 and extending the term to December 31, 2016 for GIS services for the Trinity County Volunteer Fire Departments.

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

Solid Waste

Solid Waste

- 1.22** Approved an agreement with J&J Portable Toilets, Inc. to provide and service portable toilets at Trinity Center, Junction City, Big Bar, Burnt Ranch, Hyampom and Hayfork transfer sites; provide and clean portable toilets at the Hayfork Airport; and provide and service portable toilets during emergencies.
Motion: Morris **Second:** Fenley **Vote:** Fenley, Morris, Groves, Burton and Fisher - AYE

Transportation

- 1.23** Approved an agreement with the Federal Aviation Administration (FAA) to provide Airport Improvement Project funds for the design of the Trinity Center airport pavement reconstruction, and authorized the Director of Transportation to execute the agreement and supplements.
Motion: Morris **Second:** Fenley **Vote:** Fenley, Morris, Groves, Burton and Fisher - AYE
- 1.24** Approved an agreement with the Human Response Network for administration of the Transportation Assistance Program for persons needing transportation to medical providers and social services.
Motion: Morris **Second:** Fenley **Vote:** Fenley, Morris, Groves, Burton and Fisher - AYE
- 1.25** Awarded the contract to Amerigas Propane Service to provide the County of Trinity with propane.
Motion: Morris **Second:** Fenley **Vote:** Fenley, Morris, Groves, Burton and Fisher - AYE
- 1.26** Ratified the Chairman's signature on an amended agreement with Lionakis for design of the Sheriff's Detention Facility.
Motion: Morris **Second:** Burton **Carried** **Vote:** 5-0
- 1.27** Ratified the Chairman's signature on an agreement with Tullis Inc. to pave the access road at the Minersville boat ramp.
Motion: Morris **Second:** Fenley **Vote:** Fenley, Morris, Groves, Burton and Fisher - AYE

10:00 AM Public Hearings

Grants

- 2.01** Conducted a public hearing and adopted Resolution Number 2016-053 which authorizes submission of a 2016 Community Development Block Grant application for replacement/construction of sewer laterals in the community of Lewiston.
- Received comments from Consultant Jim Cook, County Counsel Margaret Long, John Hamilton and Mary Nixon.
- Motion:** Morris **Second:** Groves **Vote:** Groves, Morris, Burton, Fenley and Fisher - AYE

Planning

Planning

2.02 Conducted a public hearing and considered the following actions:

1. Decide whether to adopt a Negative Declaration based on the findings that: (A) on the basis of the whole record before the Board, including the initial study and comments received, there is no substantial evidence that the project, as defined in item 2 below, will have a significant effect on the environment; and (B) a Negative Declaration reflects the Board's independent judgment and analysis; and
2. Adopt a resolution approving the 2014-2019 Housing Element of the General Plan for the period July 1, 2014 through June 30, 2019, pending certification by the State.

Continued consideration of taking the following actions until the Planning Commission meeting minutes are approved and can be provided as backup:

1. Decide whether to adopt a Negative Declaration based on the findings that: (A) on the basis of the whole record before the Board, including the initial study and comments received, there is no substantial evidence that the project, as defined in item 2 below, will have a significant effect on the environment; and (B) a Negative Declaration reflects the Board's independent judgment and analysis; and
2. Adopt a resolution approving the 2014-2019 Housing Element of the General Plan for the period July 1, 2014 through June 30, 2019, pending certification by the State.

Received comments from Director of Transportation Rick Tippett, Senior Planner Carson Anderson, Michael Baker International Consultant Mike Martin, County Counsel Margaret Long, Corky Latoller, Connor McIntosh, John Hamilton, Marjorie Lee, Diana Sheen and Josh Bowes.

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

Reports/Announcements

Reports/Announcements

- 3.01**
- I. Received reports from Director of Health and Human Services Letty Garza, Director of Transportation Rick Tippett; and
 - A. Received a Code Enforcement Update from Director of Transportation Rick Tippett.
 - II. Received a report regarding the County Administrative Officer position from County Counsel Margaret Long.
 - 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

- 4.01** Adopted Resolution Number 2016-054 approving the 2016/17 Overall Work Program (OWP) and OWP Budget for FY 2016/17, and authorized the Executive Secretary to execute the Regional Transportation Planning Process Certifications.

Received comments from Executive Secretary Rick Tippett and Senior Transportation Planner Polly Chapman.

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

Transportation Commission

- 4.02** Adopted Resolution Number 2016-055 approving the allocation of Local Transportation Funds for FY 2016/17 and adopted Resolution Number 2015-056 approving the allocation of State Transit Assistance Funds for FY 2016/17.

Received comments from Executive Secretary Rick Tippett.

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

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

County Matters

Auditor/Controller

- 5.01** Accepted Umpqua's offer to extend credit on the terms and conditions stated within the Commitment Letter for Fiscal Year 2016/17 Short Term Note in the amount of \$3,000,000; and authorized the Chairman to sign the Commitment Letter dated May 6, 2016.

Received comments from Assistant Auditor/Controller Mike Martin and John Brower.

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

- 5.02** Approved a budget adjustment in the Courts General Department (Dept. 1500) increasing Services & Supplies by \$15,500 and approved a budget adjustment in the General Fund Contingency Department (Dept. 9901) decreasing Contingency by \$15,500.

Received comments from Assistant Auditor/Controller Mike Martin.

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

Clerk of the Board

- 5.03** Acknowledged receipt of and assigned a Supervisor to draft a response to the following Grand Jury Reports: COR2015-2016-001 Community Development Block Grants Loans Final Report: Money, Money Nowhere... The Bucks Stop Here!!! -- Supervisor John Fenley; JUR2015-2016-001 Evidence Policies and Procedures Final Report -- Supervisor Judy Morris; and JUR2015-2016-002 Inmate Welfare Fund -- Supervisor Keith Groves.

Received comments from County Counsel Margaret Long.

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

- 5.04** Adopted a preliminary budget for fiscal year 2016/2017, including Enterprise Funds and dependent Special Districts, in the amount of \$92,116,687.

Received comments from County Counsel Margaret Long and Consultant Craig Goodman.

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

- 5.05** Pursuant to Trinity County Fee Waiver Policy considered and denied R. Marcus Duncan's request to have the Code Enforcement Appeal Fee of \$1,050 waived.

Received comments from County Counsel Margaret Long and Liz McIntosh.

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

County Counsel

County Counsel

5.06 Waived the reading of and enacted Ordinance Number 1340 which amends Trinity County Code Section 2.34.050 changing the composition of the First 5 Commission, first introduced on June 7, 2016.

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

Health & Human Services

5.07 Approved the job specification, salary range and allocated to Health & Human Services, Public Health Unit a Public Health Nursing Supervisor at Range M230, effective July 1, 2016 and directed that said change be made to the allocation listing.

Received comments from Director of Health and Human Services Letty Garza and Diana Sheen.

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

Closed Session

6.01 Government Code 54954.5(c) - Conference with Legal Counsel - Pending Litigation

No. of Cases: One

Verizon California Inc. v. California State Board of Equalization, et al. (Case No. 34-2011-00116029-CU-MC-GDS)

Direction was given.

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

Evaluation was held.

Addendum

Planning

- A** Received an update from the Director of Transportation concerning fees for Less-Than-Three-Acre Conversion Permits.

Received comments from Director of Transportation Rick Tippett, County Counsel Margaret Long, Kay Graves and Diana Sheen.

Direction given to Staff to prepare an affidavit with the following exemption options 1) describing a bona fide agricultural, forestry or other homestead maintenance purpose affirming cannabis cultivation is not proposed; 2) a legal permanent dwelling exists on the property and cannabis cultivation is not proposed; 3) conversion is pursuant to County Fire Safe Ordinance, Governor Brown’s Executive Order B-33-15 and/or the CA Board of Forestry and Fire Protection “Drought Mortality Exemption”; and 4) application is in the process of obtaining a building permit for the property and cannabis cultivation is not proposed; to require the affidavit for all applications; to waive the fee for all applications received prior to June 7, 2016; and to charge a \$250 processing fee plus a \$50 General Plan Update fee for all applications received on or after June 7, 2016.

ADJOURN

TRINITY COUNTY BOARD OF SUPERVISORS

L. KARL FISHER, CHAIRMAN
Board of Supervisors, County of
Trinity, State of California

Attest:

MARGARET E. LONG
Clerk of the Board of Supervisors

By: _____
Deputy