

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

MEETING MINUTES

September 6, 2022

Chairman

Supervisor Dan Frasier - District 5

Vice-Chairman

Supervisor Keith Groves - District 1

Supervisor Jill Cox - District 2

Supervisor Liam Gogan - District 3

Supervisor Jeremy Brown - District 4

Letty Garza - Interim County Administrative Officer

Margaret E. Long - County Counsel

Suzie Hawkins - Deputy Clerk of the Board

ZOOM INFORMATION

This meeting used Zoom due to the coronavirus (COVID-19).

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

Pledge of Allegiance

Pledge led by Supervisor Jeremy Brown

PRESENTATIONS

Behavioral Health Services

- 1.1** Adopted a proclamation which recognizes September 2022 as Suicide Prevention Awareness Month.

Received comments from Director of Behavioral Health Services Connie Cessna-Smith.

Motion: Keith Groves **Second:** Jeremy Brown **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

Clerk of the Board

- 1.2 Received an update from incident Commander Steven Fillmore on the fires currently burning in Trinity County.

Received comments from: Commander Steven Fillmore, Travis Sutter, and Jimmy Harris.

Public Comment

Received public comments from: Nor Rul Muk tribe member, Adrian Keys, Steve Lion, Jake Grossman-Christ, and Veronica Kelley- Albiez.

REPORTS/ANNOUNCEMENTS

- 2.1 I. Received a report from Cannabis Division Director Sean Connell
II. Received a report from Intern County Administrative Officer Letty Garza
III. Received reports from Members of the Board of Supervisors
A. Received a report from Cannabis Cultivation Program Ad Hoc

CONSENT CALENDAR

Behavioral Health Services

- 3.1 Adopted Resolution Number 2022-135, which authorizes the Director of Behavioral Health Services, or his/her designee, to sign the State Department of Health Care Services performance contract and all subsequent amendments or updates.

Motion: Keith Groves **Second:** Jill Cox **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

Board of Supervisors

- 3.2 Appointed Benjamin Sarkissian as Council Member to the PSA2 Area Agency on Aging Advisory Council to serve a 4 year term.

Motion: Keith Groves **Second:** Jill Cox **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

Clerk of the Board

- 3.3** Adopted Resolution Number 2022-136 regarding the use of remote teleconference meetings pursuant to the Brown Act.

Motion: Keith Groves **Second:** Jill Cox **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

- 3.4** Adopted the resolutions listed below confirming the continuance of the following local health emergencies in the County of Trinity:
- Resolution Number 2022-137- Local health emergency due to hazardous material concerns resulting from the 2021 fires;
 - Resolution Number 2022-138- Local health emergency due to the novel coronavirus known as COVID-19; and
 - Resolution Number 2022-139- Local health emergency due to hazardous unhealthy debris and air quality concerns caused by the 2022 Lightning Fires.

Motion: Keith Groves **Second:** Jill Cox **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

- 3.5** *This item was pulled from the Consent Calendar and considered separately.*

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 Ryan Crockett for Crockett's Up North at 480 Main Street, Weaverville, CA 96093.

Motion: Jill Cox **Second:** Jeremy Brown **Carried**
Ayes: Brown, Cox, Frasier, Gogan
Recuse: Groves

- 3.6** *This item was pulled from Consent Calendar and considered separately*

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 Shawn Hill for Northern Delights Coffee at 7091 State Highway 3, Hayfork, CA 96041.

Motion: Jeremy Brown **Second:** Liam Gogan **Carried**
Ayes: Brown, Cox, Frasier, Gogan
Recuse: Groves

- 3.7** Reappointed Christina Johnson as Board Member to the Far Northern Coordinating Council to serve a two year term.

Motion: Keith Groves **Second:** Jill Cox **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

3.8 *This item was pulled from the Consent Calendar and considered separately.*

Discussed the Trinity County Arts Council's application for waiver of county fees.

Received comments from Robi Camacho, County Counsel Margaret Long, and Deputy Board Clerk Suzie Hawkins.

Subsequent motion by Supervisor Cox, second by Supervisor Gogan to deny the fee waiver application and direct continued communication with the applicant regarding the denial was withdrawn.

Deny the fee waiver application and gave direction to continue communication with the applicant regarding the denial was.

Waived provision 2C of the County Fee Waiver Policy, found that the Trinity County Arts Council's (TCAC) Festival of Light provides a benefit to the County and approved TCAC's application for waiver of county fees, waiving General Services fees in the amount of \$236.15.

Motion: Keith Groves **Second:** Liam Gogan **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

County Administrative Office

3.9 Approved an agreement with Trinity County Fair Association, Inc. to use and manage the Trinity County Fairgrounds, including conducting an annual County Fair.

Motion: Keith Groves **Second:** Jill Cox **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

Health and Human Services

3.10 Approved an agreement with CalSAWS Joint Power and Authority to change Trinity County's network model to a Point of Presence network model.

Motion: Keith Groves **Second:** Jill Cox **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

3.11 Approved an agreement with Data Strategy Consulting, LLC to conduct a Trinity County Equity Assessment.

Motion: Keith Groves **Second:** Jill Cox **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

Probation

- 3.12 Approved an agreement with Humboldt County Probation to house Trinity County Juveniles on a space available basis as needed.

Motion: Keith Groves **Second:** Jill Cox **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

Solid Waste

- 3.13 Approved amendment number 1 to the agreement with World Telecom & Surveillance, Inc increasing the maximum cost to \$39,764 to provide CAT 6 cabling at the Trinity County Solid Waste Building.

Motion: Keith Groves **Second:** Jill Cox **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

- 3.14 Approved amendment number 8 to the agreement with Bettendorf Enterprises, Incorporated increasing the maximum cost by \$25,000 to provide hauling of municipal solid waste from the Weaverville Transfer Station to the Anderson Landfill.

Motion: Keith Groves **Second:** Jill Cox **Carried**
Ayes: Brown, Cox, Frasier, Gogan, Groves

PUBLIC HEARINGS

Building and Development Services

- 4.1 Continued the public hearing from August 16, 2022 and took the following actions regarding the establishment of Limited Density Rural Dwelling regulations:
1. Found the adoption and implementation of this ordinance to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), common-sense exemption, which applies to projects where the activity will not result in a significant effect on the environment;
 2. Introduced and waived the reading of an ordinance amending Trinity County Code by adding Chapter 15.25 regarding Limited Density Rural Dwellings with the following amendments: adding "structural" before "electrical" in Section I(C)(3); modifying Section 15.25.010(E)(2) to read "...owner-built structures within two years after certificate of occupancy shall be presumptive..."; adding "The County Assessor must be notified of the change." to the end of Section 15.25.020(E); changing "single" to "final" in Section 15.25.020(H); adding "plumbing" between "electrical" and "or mechanical" in Section 15.25.020(I); adding "The Certificate of Occupancy stating that the structure is built to Title 25 standards shall be recorded with the County. Applicant shall pay recording costs." to the end of Section 15.25.020(L); in Section 15.25.030 changed "2.5" to "5" and removed "with the exception of Rural Residential where there is no parcel size limit."; added 15.25.030(B) "In special circumstances where the applicant has lost his/her residence due to a locally declared natural disaster, the applicant may seek exemption from the zoning and minimum acre requirements from the Planning Commission. The Planning Commission has the sole discretion to grant the exemption."; added "of at least 6 and 12 and" between "roofing at a pitch" and "sufficient for snow" in Section 15.25.040(I); added "Potable" before "Water Supply" to Section 15.25.040(T); added Section 15.25.040(W) "Exterior Fire Safe Regulations: Nothing in this section shall waive the applicant's requirement to comply with applicable State regulations regarding exterior siding and the Public Resource Code."; in Section 15.25.060 removed "title" before "search" and added "by current owner name." after "search"; and
 3. Directed staff to file a copy of this ordinance with the Department of Housing and Community Development complete with the local findings for each local change or modification to the alternative regulations contained within State Housing Law or California Building Standards Law pertaining to Limited Density Owner-Built Rural Dwellings.

Received comments from Interim Deputy Director of Planning Ed Prestley, Chriss Williams, Tom Ballanco, Veronica Kelly-Albiez, Jake Grossman-Crist and Ryan Tarbell.

Motion: Dan Frasier **Second:** Liam Gogan **Carried**
Ayes: Cox, Frasier, Gogan, Groves
Brown: Recused

Planning and Zoning

4.2 Discussed taking actions regarding the establishment of a Cannabis Processing Ordinance.

Received comments from Cannabis Division Director Sean Connell, Tom Ballanco, Chriss Williams, Jake Grossman-Crist, Travis and Moe.

Motion 1: KG/DF: Accept as presented with amending "church" to say "religious institution".

Motion 2: JC/DF: Adopt as presented with amending "church" to "religious institution" and define set back from property line to facility.

Motion 3:

Motion: Jeremy Brown **Second:** Liam Gogan **Failed due to lack of a majority**

Ayes: Brown, Gogan

Nays: Cox, Frasier, Groves

1. Found that the adoption of the proposed Ordinance falls within the scope of the Cannabis Program Environmental Impact Report (EIR) certified by the Board of Supervisors on December 21, 2020
2. Introduced and waived the reading of an ordinance establishing Chapter 17.43I regarding Cannabis Processing removing the reference to "Church" as a sensitive receptor; and
3. Directed staff to file CEQA Notice of Determination within five days of final action by the Board of Supervisors.

Motion: Jill Cox **Second:** Dan Frasier **Failed due to lack of a majority**

Ayes: Cox, Frasier

Nays: Brown, Gogan, Groves

1. Found the adoption of the proposed Ordinance falls within the scope of the Cannabis Program Environmental Impact Report (EIR) certified by the Board of Supervisors on December 21, 2020;
2. Introduced and waived the reading of an ordinance establishing Chapter 17.43I regarding Cannabis Processing changing the reference to "church" to "Religious Institution", and defined "set back" as being from the distance from the Processing Facility and the property line of sensitive receptor; and
3. Directed staff to file a CEQA Notice of Determination within five days of final action by the Board of Supervisors.

Absent: Brown

1. Found that adoption of the proposed Ordinance falls within the scope of the Cannabis Program Environmental Impact Report (EIR) certified by the Board of Supervisors on December 21, 2020;
2. Introduced and waived the reading of an ordinance establishing Chapter 17.43I regarding Cannabis Processing changing the reference to "Church" to "Religious Institution"; and
3. Directed staff to file a CEQA Notice of Determination within five days of final

action by the Board of Supervisors.

Motion: Keith Groves **Second:** Dan Frasier **Carried**
Ayes: Brown, Cox, Frasier, Groves
Nays: Gogan

COUNTY MATTERS

Board of Supervisors

- 5.1 Discussed giving direction to the County's Trinity Management Council (TMC) representative regarding the County's official position on two items up for discussion/vote at the September 21 TMC meeting:
1. TMC's vote for "winter flow variability plan"; and
 2. "Bylaw changes" that would lower the bar regarding the requirements for an agenda item to pass TMC.

Received Comments from John Vorpol, Tom Stokely, Michale Orcutt, Chad Able, TRRP Executive Director Mike Dixon and Ken.

Pull the discussion on the County's stance on the "Bylaw Change" from consideration.

Directed the County's TMC representative to vote in favor of the winter flow variability plan.

Motion: Keith Groves **Second:** Jill Cox **Carried**
Ayes: Brown, Cox, Groves
Nays: Frasier, Gogan

CLOSED SESSION

6.1 Government Code Section 54954.5(c) - Conference with Legal Counsel - Existing Litigation

No. of Cases: Five

- Mines v. Trinity County, et al. (Trinity County Superior Court Case No. 20CV036);
- Mines v. Trinity County and Kim Hunter (Trinity County Superior Court Case No. 20CV082);
- Trinity Alps Farms, Inc., et al. v. Trinity County, et al. (Trinity County Superior Court Case No. 21CV008);
- Carlson, et al. v. County of Trinity, et al. (Trinity County Superior Court Case No. 20CV136); and
- American Cannabis Partners, LLC v. Keith Groves, et al. (Trinity County Superior Court Case No. 20CV157)

Continued to a special board meeting at a date to be determined.

6.2 Government Code Section 54954.5(f) - Conference with Labor Negotiators
County's Designated Representatives: Sophia Meyer
Employee Organizations: Deputy Sheriff's Association, General Unit, Management & Confidential Unit, Probation Peace Officers Association and Skilled Trades Unit

Continued to a special board meeting at a date to be determined.

ADJOURN

TRINITY COUNTY BOARD OF SUPERVISORS



Dan Frasier, Chairman
Board of Supervisors,
County of Trinity.
State of California

Attest:

Letty Garza
Clerk of the Board of Supervisors

By: 

Deputy