

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

MEETING MINUTES

March 7, 2023

Chairman

Supervisor Jill Cox - District 2

Vice-Chairman

Supervisor Ric Leutwyler - District 1

Supervisor Liam Gogan - District 3

Supervisor Heidi Carpenter - Harris - District 4

Supervisor Dan Frasier - District 4

Elizabeth Hamilton - Interim County Administrative Officer

Margaret E. Long - County Counsel

Ashley Piker - 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 Frasier.

CLOSED SESSION REPORT OUT

PRESENTATIONS

Health and Human Services

- 1.1** Received a presentation from Emergency Operations Manager Philip Simi on the Trinity County Courthouse Concrete Bollard Project.

- 1.2 Adopted a proclamation recognizing March 2023 as Social Work Month.

Received comments from OES Deputy Director Mike Cottone.

Motion: Ric Leutwyler **Second:** Liam Gogan **Carried**

Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

Planning and Zoning

- 1.3 Received a presentation from Mintier Hamish owner Jim Hamish, Project manager Michael Gibbson, and Assistant Project Manager Bret Gibbson regarding the General Plan Update.

Public Comment

Received comments from Veronica Kelly-Albiez and Adrian Keys.

REPORTS/ANNOUNCEMENTS

- 2.1 I. Reports received from Sheriff Tim Saxon; Chief Probation Officer Ruby Fierro, Cannabis Division Director Drew Plebani.
II. Report received from Interim County Administrative Officer Elizabeth Hamilton
III. Reports received from Members of the Board of Supervisors.
IV. Reports received from Ad Hoc:
 A. Good Neighbor Authority
 B. Strategic Plan
 C. Trinity County Water
 D. Cannabis Ordinance
V. Staff Committee Report
 A. Cannabis Budget

CONSENT CALENDAR

Auditor/Controller

- 3.1 Approved amendment number 6 to the agreement with Carrel's Office Supply updating Attachment A to the maintenance contract for three additional copiers to be added.

Motion: Dan Frasier **Second:** Ric Leutwyler **Carried**

Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

Board of Supervisors

- 3.2 Authorized the Chairman to sign a letter supporting Trinity High School's request for funding an all-weather track.

Received comments from Veronica Kelly-Albiez.

Motion: Dan Frasier **Second:** Ric Leutwyler **Carried**
Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

Child Support Services

- 3.3 Approved amendment number 9 to the agreement with Calserve, Inc. extending the term to March 1, 2024, updating exhibit B "Fee schedule" and increasing the maximum cost by \$15,000 to serve legal documents on behalf of the North Coast Regional Department of Child Support Services.

Motion: Dan Frasier **Second:** Ric Leutwyler **Carried**
Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

- 3.4 Approved amendment number 13 to the agreement with ANGELA'S CUSTODIAL SERVICE, extending the term to January 31, 2024, substituting the Exhibit B from amendment 11 with new Exhibit B and increasing the maximum cost by \$4,034 to provide janitorial services to the child support office at 850 B Main Street, Weaverville, CA.

Motion: Dan Frasier **Second:** Ric Leutwyler **Carried**
Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

Clerk of the Board

- 3.5 Adopted resolutions confirming the continuance of the following local emergencies in the County of Trinity:
- Resolution Number 2023-019 local emergency due to drought conditions;
 - Resolution Number 2023-020 local emergency due to flash flooding and debris flow following the October 19-21, 2021 rains;
 - Resolution Number 2023-021 local emergency due to the December 2021 winter storm event;
 - Resolution Number 2023-022 local emergency due to the River Complex Fire;
 - Resolution Number 2023-023 local emergency due to the 2021 wildfire; and
 - Resolution Number 2023-024 local emergency due to the 2022 Lightning Fires - Six River Lightning Complex.

Motion: Dan Frasier **Second:** Ric Leutwyler **Carried**
Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

- 3.6 Adopted Resolutions confirming the continuance of the following local health emergencies in the County of Trinity:
- Resolution Number 2023-025 local health emergency due to hazardous material concerns resulting from the 2021 fires;and
 - Resolution Number 2023-026 local health emergency due to hazardous unhealthy debris and air quality concerns caused by the 2022 Lightning Fires-Six Rivers Lightning Complex.

Motion: Dan Frasier **Second:** Ric Leutwyler **Carried**
Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

- 3.7 Approved the regular meeting minutes of June 21 and Special meeting minutes June 28, as submitted by the deputy clerk.

Motion: Dan Frasier **Second:** Ric Leutwyler **Carried**
Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

County Administrative Office

- 3.8 *This item was pulled from the consent calendar and considered separately.*
Approved amendment number 3 to the agreement with Rodney Craig Goodman Jr. increasing the maximum cost by \$80,000 and modifying the term of agreement to be auto-renewable to provide assistance in developing the annual budget for the County and to perform a countywide fee study.
Received comments from: Interim CAO Liz Hamilton and Senior Financial Analyst Suzie Hawkins.

Motion: Ric Leutwyler **Second:** Dan Frasier **Carried**
Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

Health and Human Services

- 3.9 Approved an agreement with The Disability Law Office of Kay Tracy, Esq. to provide legal representation for Social Security Disability claimants in compliance with the Housing and Disability Advocacy Program for Trinity County.

Motion: Dan Frasier **Second:** Ric Leutwyler **Carried**
Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

Sheriff

- 3.10 Adopted Resolution Number 2023-027 executing the Facility Sublease, and executed the sublease between the Board of State Community Corrections (BSCC), and the County of Trinity.

Motion: Dan Frasier **Second:** Ric Leutwyler **Carried**

Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

PUBLIC HEARINGS

Received comments from Veronica Kelly-Albiez and Adrian Keys.

Board of Supervisors

- 4.1
1. Waive the provisions of the governance manual requiring a motion of reconsideration be made during the same meeting as the item that passed;
 2. Discuss and/or approve a motion to reconsider item 6.7 from the January 3, 2023 meeting regarding a planning commission decision appeal on planning file P-22-19; and
 3. If motion to reconsider is approved, reconsider the Board's approval on the appeal hearing to upholding, modifying or overturn the Planning Commission's determination that application P-22-19 was complete with the submittal of vesting deeds and proof of legal access to Parcel C for the submitted exhibit.

Received comments from County Counsel Margaret Long and Project Applicant Scott White.

Waived the provisions of the governance manual requiring a motion of reconsideration be made during the same meeting as the item that passed.

Motion: Ric Leutwyler **Second:** Dan Frasier **Carried**

Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

Discussed and approved a motion to reconsider item 6.7 from the January 3, 2023 meeting regarding a planning commission decision appeal on planning file P-22-19 and bring back at a future meeting.

Motion: Liam Gogan **Second:** Jill Cox **Failed due to passing of a subsequent motion**

Discussed and approved a motion to reconsider item 6.7 from the January 3, 2023 meeting regarding a planning commission decision appeal on planning file P-22-19 and decided to reconsider at today's meeting March 7, 2023.

Motion: Ric Leutwyler **Second:** Dan Frasier **Carried**

Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

Motion to continue to reconsideration of the Board's approval on the appeal hearing to upholding, modifying or overturn the Planning Commission's determination that application P-22-19 was complete with the submittal of vesting deeds and proof of legal access to Parcel C for the submitted exhibit to the next

meeting, March 21, 2023, in order to create clear instruction for both the county and the applicant on how to move forward.

Motion: Dan Frasier **Second:** Heidi C Harris **Carried**

Ayes: C Harris , Frasier

Nays: Cox, Gogan, Leutwyler

Motion to reconsider was approved, reconsidered the Board's approval on the appeal hearing to upholding, modifying or overturn the Planning Commission's determination that application P-22-19 was deemed incomplete with the submittal of vesting deeds and proof of legal access to Parcel C for the submitted exhibit.

Motion: Liam Gogan **Second:** Jill Cox **Carried**

Ayes: Cox, Gogan, Leutwyler

Nays: C Harris , Frasier

Building and Development Services

4.2 Conducted a public hearing to consider taking the following actions concerning the County Buildings and Construction Ordinance (Title 15).

1. Finding the adoption and implementation of an 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. Introducing and waiving the reading of an ordinance establishing Trinity County Code Section 15.26 regarding Electric Vehicle Charging Station Permit Expediting.

Received comments from Associate Planner Skyler Fisher and Carol Fall.

Motion to adopt as presented with amending CUP to DUP and adding definition for commercial stand alone charging stations for profit, and that it is a violation of Health and Safety and a public nuisance to have a EV charging station outside of Commercial and Highway zoning.

Motion: Ric Leutwyler **Second:** Dan Frasier **Failed due to passing of a subsequent motion**

Motion to adopt as presented with CUP changed to DUP, adding definition for commercial stand alone charging station for profit and that it is a violation of public health and Safety and a public nuisance to have outside of commercial and highway zoning.

Motion: Dan Frasier **Second:** Liam Gogan **Carried**

Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

COUNTY MATTERS

Clerk of the Board

- 5.1 Chairman Cox appointed Supervisor Leutwyler as primary and herself as alternate as committee members for the Northern Sierra Nevada Conservancy.
- 5.2 Discussed and provided direction regarding County response to Department of Alcoholic Beverage Control regarding that the Board of Supervisors would decide on the Public Convenience or Necessity (PCN) for application for an ABC License.

Motion: Ric Leutwyler **Second:** Liam Gogan **Carried**
Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

County Administrative Office

- 5.3 Introduced and waived the reading an ordinance amending Trinity County Code Section 2.64.050 regarding various county fees.
Received comments from Interim CAO Liz Hamilton, Senior Financial Analyst Suzie Hawkins, and Financial Consultant Craig Goodman.

Motion: Ric Leutwyler **Second:** Liam Gogan **Carried**
Ayes: C Harris , Cox, Frasier, Gogan, Leutwyler

CLOSED SESSION

- 6.1 Government Code Section 54954.5(f) - Conference with Labor Negotiators-County's Designated Representatives: Margaret Long and Elizabeth Hamilton.

No reportable action was taken.

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

No. of Cases :Seven

- Sabai, et al. vs. Trinity County, et al. (Trinity County Superior Court Case No. 21CV144); and
- Bower, et al Vs Trinity County, et al (Trinity County Superior Court Case not yet initiated)
- 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)

Sabia (Case No. 21CV114) and Carlson (Case No. 20CV136) - Direction given to staff.

Remaining five cases- No reportable action was taken.

6.3 Government Code Section 54954.5(c) - Conference with Legal Counsel - Initiation of Litigation

No. of Cases:Eight

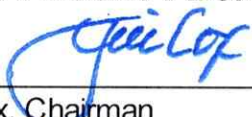
Direction was given to staff.

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

Evaluation was held.

ADJOURN

TRINITY COUNTY BOARD OF SUPERVISORS



Jill Cox, Chairman
Board of Supervisors,
County of Trinity.
State of California

Attest:

Elizabeth Hamilton
Clerk of the Board of Supervisors

By:



Deputy