

**MINUTES
BOARD OF SUPERVISORS
GLENN COUNTY, CALIFORNIA**

Tuesday, April 19, 2005

Chairman Amaro called a duly noticed informal meeting of the Board of Supervisors and Department Heads to order at 8:17 a.m., in the Board of Supervisors Conference Room at 526 West Sycamore Street, Willows, with Board members as follows:

Present: Supervisors Bungarz, Freeman, Hansen, McGowan and Amaro (Chairman)
Also Present: Sandy Soeth, Assistant Clerk of the Board

1. **Supervisors/Department Heads**

Matter: Informal session with the County Department Heads to receive reports and updates on departmental activities.

- Proceedings:
- a. Director of Finance Don Santoro advised that he will schedule a budget meeting once the Governor presents the State's May Revise; also advised that the proposed County Master Fee Schedule was established to recover costs of services provided, and will go before the Board of Supervisors for approval May 3, 2005; whereby, discussion was held on the current fees of the Planning Department.
 - b. Sheriff Larry Jones announced that the Sheriff's Department will receive \$10,000 for marijuana eradication; and gave a brief overview of the enforcement efforts in Hamilton City, whereby, Supervisor Hansen commended Sheriff Jones for his efforts.
 - c. Probation Officer Brandon Thompson announced that the "Drug Store Program" will begin May 5, 2005, where local law enforcement will perform a training session against drugs to 8th grade students.
 - d. Human Resource Agency Director Kim Gaghagen gave an update on the In-Home Supportive Service workers, and advised that the United Domestic Worker's will hold an election for worker salary increase, which has become a statewide issue; also reviewed the State's budget, including Medical Reform and Calworks.
 - e. Sheriff Jones advised that the Sheriff's Association spoke directly to the Governor regarding the Local Law Enforcement Funding for Rural Sheriff's of \$500,000, and stated that the meeting was perceived to be positive.
 - f. Safety Officer Mark Marshall of Golden State Risk Management Authority spoke regarding the "Camp Program", where 300-500 youth rehabilitate homes for the elderly, and advised that the Willows High School has offered to house them in 2006, for the rehabilitation of 90 homes.
 - g. Planning & Public Works Agency Director Dan Obermeyer advised that he received letters from the Hamilton City Citizens In Action and the Hamilton City Community Services District requesting the installation of stop signs in various locations for safety purposes, and that he will be working with them for a solution, and the matter will be brought before the Board on May 3, 2005 with a recommended action plan.
 - h. Mr. Gaghagen advised that the grant application has been submitted to the State for the curb & gutter project for Hamilton City.
 - i. Dan Perry of Golden State Risk Management Authority reminded of the Gordon Graham Seminar to be held at Colusa Casino Conference Center in Colusa on May 20, 2005, and that it is recommended that Board members, Department Heads and front line Supervisors register for the seminar by April 25, 2005.
 - j. Water Resource Coordinator Lester Messina advised that Northern California Water Association will make a presentation this date to the Board, to inform of Glenn County's role and responsibilities for the Regional Water Management Plan.
 - k. Supervisor Denny Bungarz advised that the California Bay-Delta Authority adopted a Resolution approving an Interagency Agreement to provide \$1,020,000 for the Hamilton City Levee Project.
 - l. The Chairman adjourned the meeting at 8:57 a.m.
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The Chairman of the Board of Supervisors of the County of Glenn, State of California, called the meeting to order at 9:04 a.m., with members as follows:

Present: Supervisors Bungarz, Freeman, Hansen, McGowan, Amaro (Chairman)
Also Present: Belinda Blacketer, County Counsel
Sandra Pergson, Deputy Clerk

**THE PLEDGE OF ALLEGIANCE WAS RECITED IN MEMORY OF
THE ANNIVERSARY OF THE OKLAHOMA CITY BOMBING 10 YEARS AGO**

1. **Minutes**
Matter: Approve the Minutes of April 5 and April 11, 2005.
Motion/Second: Supervisor Freeman/Supervisor McGowan
Order: Approve the aforesaid Minutes
Vote: Unanimous.
2. **Unscheduled Matters**
Matter: Receive comments from the audience, staff and Board members, and if deemed necessary, refer the subject matter to the appropriate department for follow-up and/or schedule the matter on a subsequent Board agenda.
Proceedings:
 - a. Reports and issues were discussed by Supervisors.
 - b. Susan Meeker, Glenn County Police Activity League, advised of the annual "You Have Been Summoned" day to be held May 4, 2005 at Jensen Park, and submitted a flyer with details.
 - c. Kim Gaghagen, Human Resource Agency Director, spoke in regards to the Glenn-Colusa-Trinity Action Agency replacement of a van, and youth that will be helping to rehabilitate homes in this area this summer.
 - d. Dan Bailey, Orland Sand & Gravel, submitted a document titled "Legal Notice" relating to Closed Session to be held later this date; whereby County Counsel advised that Closed Session is allowed by Government Code and that Litigation is all that will be discussed.
3. **Consent Calendar**
Matter: Review and take actions related to the Consent Calendar set forth on Attachment "A".
Motion/Second: Supervisor Bungarz/Supervisor Hansen
Order: Approve Consent Calendar
Vote: Unanimous.
4. **County Service Recognition**
Also Present: Cherie Ollenberger, Human Resource Agency, Employment & Training Worker II
Virginia Petersen, Human Resource Agency, Office Assistant III
Matter: Present County Service Pin to Ms. Ollenberger and Ms. Petersen in recognition of 10 years of service with the County of Glenn.
Proceedings: The Chairman presented pins to Ms. Ollenberger and Ms. Petersen.
5. **Contingency Transfer/Clerk of the Board of Supervisors**
Also Present: Vince Minto, Clerk of the Board
Matter: Recommendation of Mr. Minto to approve Transfer of Funds No. 5152 from Contingency to 01011020/0327/Small Tools for \$2,702.73, to cover a portion of the cost of a new recording system to be used in the Board Chambers for Board meetings and Planning Commission meetings. (4/5th vote required)
Motion/Second: Supervisor Bungarz/Supervisor Hansen
Order: Approve the aforesaid matter
Vote: Unanimous.
6. **County Administrative Manual – Budget Transfer Procedures**
Also Present: Don Santoro, Director of Finance
Matter: Recommendation of Mr. Santoro to adopt Resolution 2005-28 "Amending Chapter 5.16 to the Glenn County Administrative Manual Establishing Procedures for Transfers".
Proceedings: Mr. Santoro reviewed the aforesaid matter
Motion/Second: Supervisor Bungarz/Supervisor McGowan
Order: Adopt Resolution 2005-28
Vote: Unanimous.

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7. Legislation – Proposition 42

Matter: Recommendation of Supervisor Amaro to adopt Resolution 2005-29 “Resolution Opposing Suspension of Proposition 42 Funding to Local Government”, which shifts sales tax on motor vehicle fuels from the State General Fund to the Transportation Investment Fund for transportation purposes.

Proceedings: Planning & Public Works Director Dan Obermeyer reviewed the aforesaid matter and explained that local input is needed

Motion/Second: Supervisor Hansen/Supervisor Bungarz

Order: Adopt Resolution 2005-29 and direct Mr. Obermeyer to provide a distribution list for the Resolution, with copies of Resolution to also be sent to Regional Council of Rural Counties, California State Association of Counties, local representatives and the Governor of California

Vote: Unanimous.

8. Booking Fee for 2005/2006

Also Present: Don Santoro, Director of Finance

Matter: Recommendation of Mr. Santoro to authorize the Chairman of the Board to execute a letter which notifies the Cities of Willows and Orland of a new reduced Booking Fee and outlines the Counties responsibilities under the law, with copies of an independent study to determine future rates for booking fees attached, and a letter to the Courts to inform them of the new fee which is effective fiscal year 2005/2006. (Government Code 29550)

Motion/Second: Supervisor Bungarz/Supervisor Freeman

Order: Approve the aforesaid matter

Vote: Unanimous.

9. Vehicle Purchase – Human Resource Agency

Also Present: Dan Obermeyer, Planning & Public Works Agency Director
Rick Nunes, Planning & Public Works Agency Fleet Operations Manager

Matter: Recommendation of Mr. Obermeyer to purchase for the Human Resource Agency-Social Services Division one (1) Full-size SUV Dodge Durango utilizing the CMAS (California Multiple Award Schedule), for \$24,588.67. (Budgeted - No general fund impact)

Proceedings: Kim Gaghagen, Human Resource Agency Director, advised that the SUV is needed for the room to transport children

Motion/Second: Supervisor Hansen/Supervisor Bungarz

Order: Approve the aforesaid matter

Vote: Unanimous.

The Chairman Adjourned to the Glenn County Board of Equalization

10. Assessment Appeal Applications

Matter: Recommendation of Assessor Vince Minto to continue the following Assessment Appeal Applications to July 19, 2005:

Assessment Appeal Corr. No.	Name
#2004-19	Johns Manville Corp.
#2004-20	Aspen Exploration Corp.

Motion/Second: Supervisor Bungarz/Supervisor Freeman

Order: Approve the aforesaid matter

Vote: Unanimous.

The Chairman Adjourned to the Glenn County Board of Supervisors

11. Transfer of Funds

Matter: Approve the following intradepartmental Transfer of Funds, 4/5 vote required: (No general fund impact)

Trans No.	Department/Budget	Description	Amount
5146	Human Resource Agency/Social Services Division	To appropriate unanticipated Social Security revenue to cover payments to clients in the General Assistance Program.	\$ 50,000.00
5147	Human Resource Agency/Community Action Division	To appropriate unanticipated revenue to cover cost allocation expenses in the Community Action	\$ 31,681.00

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		Administration Program.	
5158	District Attorney/ Supplemental Law Enforcement Services Fund (SLESF)	To appropriate unanticipated revenue and transfer appropriations from fixed assets to cover services and supplies expenses in the District Attorney SLESF grant.	\$ 487.18

Motion/Second: Supervisor Freeman/Supervisor Bungarz
Order: Approve the aforesaid matter
Vote: Unanimous.

12. **County Administrative Manual - Board Correspondence**

Matter: Recommendation of County Counsel Belinda Blacketer to adopt Resolution 2005-30 "Setting Procedures for Correspondence to the Board".
Proceedings: County Counsel Belinda Blacketer reviewed this matter
Motion/Second: Supervisor Bungarz/Supervisor McGowan
Order: Adopt Resolution 2005-30
Vote: Unanimous.

13. **Health Services Agency - Personnel**

Matter: Recommendation of Health Services Agency Director Mike Cassetta to start the Deputy Director of Health Services Programs at Step E, \$2,942.40 bi-weekly.
Motion/Second: Supervisor Bungarz/Supervisor Hansen
Order: Approve the aforesaid matter
Vote: Unanimous.

14. **Legislation**

Matter: Recommendation of Supervisor Bungarz to take the following action on pending legislation:

Pending Legislation	Description	Position
Assembly Bill 362 (Aghazarian) Administrative Proceedings	Established in statute minimum procedural rights that all parties appearing before the water boards are entitled to unless they choose to waive those rights in writing. Also clarifies that all persons, public and private, shall receive equal treatment in proceedings before the water boards.	Support
Assembly Bill 392 (Chan) County Integrated Health and Human Services	Would make available the cost savings and efficiencies of an integrated health and human services system to any County who opted into the program, and authorize a county's integrated system to include additional services and programs.	Support
Assembly Bill 474 (Cogdill) Prevailing Wages	Would require the Director of Industrial Relations to include information regarding wages in rural areas when determining the general prevailing wage rate.	Support
Assembly Bill 783 (Jones) Elections: Payment of Expenses	Would shift the cost of elections called by the Governor to fill vacancies to the state, instead of requiring counties to absorb these additional expenses which counties have no control over.	Support
Assembly Bill 1248 (Umberg) Booking Fees	Would eliminate the payment of booking fees to counties except for a narrowly defined group of misdemeanors.	Oppose
Senate Bill 34 (Florez) First 5 Commissions	Would require counties to adopt an ordinance that grants the members of each First Five Commission authority to select their own Chairperson, and require that a majority of the commission membership be composed of non-county members.	Oppose

Motion/Second: Supervisor Freeman/Supervisor Bungarz
Order: Approve the aforesaid matter
Vote: Unanimous.

15. **Contract – Agricultural Commissioner**

Matter: Recommendation of Agricultural Commissioner Bill Duckworth to approve and authorize Mr. Duckworth to execute contract with *Pacheco Backhoe Service*, for supplying all labor and materials to install a culvert for an entrance to monitor and maintain a dedicated monitoring well, amount not to exceed \$3,000.00, term to June 30, 2006.

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Motion/Second: Supervisor Hansen/Supervisor Bungarz
Order: Approve the aforesaid matter
Vote: Unanimous.

16. **Basin Management Objectives – District 5 Private Pumpers**

Matter: Recommendation of Agricultural Commissioner Bill Duckworth to approve the establishment of an interim summer Basin Management Objectives (BMO) for groundwater levels in Sub-area 9, Board of Supervisors District 5 Private Pumpers.

Motion/Second: Supervisor Hansen/Supervisor Bungarz
Order: Approve the aforesaid matter
Vote: Unanimous.

17. **Local Child Care Planning Council - Resignation**

Matter: Recommendation of Local Child Care Planning Council Coordinator Laura Van Dervoort to accept the resignation of Carolyn Bird Eden from the Child Care Provider Representative category.

Motion/Second: Supervisor Bungarz/Supervisor Hansen
Order: Approve the aforesaid matter
Vote: Unanimous.

18. **Miscellaneous**

Matter: Reviewed the following items with no action taken:

- a. Notice advising that the Olive Pest Management District has scheduled a Public Hearing to consider the proposed 2005/2006 budget, to be held Wednesday, April 20, 2005, 1:00 p.m., at Orland Memorial Hall.
- b. Notice advising that the Water Advisory Committee will not hold a meeting until June 14, 2005.
- c. Notice advising that the Technical Advisory Committee meeting, for the Water Advisory Committee, for April 26, 2005 has been cancelled.
- d. Auditor's Cash Report for the month of March 31, 2005.

19. **Oakland Motorcycle Club Tour**

Matter: Letter and map from the Oakland Motorcycle Club advising of a self guided dual sport tour scheduled for May 21 & 22, 2005, using public roads and trails in Glenn County.

Proceedings: John Brooks, Sacramento Valley Mirror stated that there could be environmental damage to roads because of excess vehicles; whereby no action was taken on this matter.

10:08 a.m. – The Chairman Called the Meeting in Recess

10:22 a.m. – The Chairman Called the Meeting to Order

20. **Northern California Water Association – Sacramento Valley Water Management Agreement**

Also Present: David Guy, Executive Director, Northern California Water Association
Van Tenney, Glenn Colusa Irrigation District

Matter: a. Presentation by the Northern California Water Association (NCWA) regarding their efforts to implement the Sacramento Valley Water Management Agreement (SVWMA) through the Sacramento Valley Integrated Regional Water Management Program (IRWMP); and
b. Recommendation of Agricultural Commissioner Bill Duckworth to authorize the Chairman of the Board to execute support letter for NCWA's application for funding to implement the SVWMA and IRWMP.

Proceedings: a. Mr. Guy presented a plaque for Supervisor Bungarz in appreciation for his efforts on the Northern California Water Association;
b. Mr. Guy submitted and presented a power point presentation of the "Regional Water Management Plan"; and
c. Mr. Tenney reviewed the history of the Glenn Colusa Irrigation District.

Motion/Second: Supervisor Bungarz/Supervisor Freeman
Order: Authorize (b) as set forth in matter above
Vote: Unanimous.

11:05 a.m. – The Chairman Called the Meeting in Recess

**Deputy Clerk Sandra Pergson Left the Meeting and
Assistant Clerk of the Board Sandy Soeth Entered the Meeting**

11:15 a.m. – The Chairman Called the Meeting to Order

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21. **Closed Session**

- Matter: Adjourn to Closed Session pursuant to Government Code Section 54957 to consider appointment for the position of Agriculture Commissioner/Sealer Weights and Measures;
- Proceedings: a. The Chairman announced the aforesaid matter;
b. As a result of Closed Session, the Chairman announced the following:
The Board appointed Mark Black to the position of Agricultural Commissioner/Sealer Weights and Measures, with salary set at step "C"; and
c. Upon the above announcement, Mr. Black requested that the Board consider increasing the salary for parity with surrounding counties; whereby, upon discussion it was brought to the Board's attention that the advertised job flyer gave a specific rate of \$85,500, which is set as step "E", therefore, on motion of Supervisor McGowan, seconded by Supervisor Hansen, it was unanimously ordered to appoint Mark Black to the position of Agricultural Commissioner/Sealer Weights and Measures, with salary set at step "E".
- Motion/Second: Chairman direction
Order: Adjourn to Closed Session.

12:27 p.m. – The Chairman Adjourned to 1:30 p.m.

AFTERNOON SESSION

The Chairman of the Board of Supervisors of the County of Glenn, State of California, called the meeting to order at 1:34 p.m., with members as follows:

- Present: Supervisors Bungarz, Freeman, Hansen, McGowan, and Amaro (Chairman)
- Also Present: Belinda Blacketer, County Counsel
Sandra Pergson, Deputy Clerk

22. **NOTICE: Continue Public Hearing on the Appeal of the Planning Commission Decision re: Orland Sand & Gravel Corporation**

- Matter: The owner of Orland Sand and Gravel Corporation, Doc Bogart, has filed a Writ of Mandate regarding the right of the Board of Supervisors to hear an appeal under SMARA.
- The Writ of Mandate was filed in Glenn County Superior Court on April 13, 2005. Therefore the Public Hearing is continued to May 17, 2005. It is likely the Public Hearing on the Appeal will be continued on May 17, 2005, to a later date, pending a decision on the Writ of Mandate.
- Recommended Action: Continue Appeal Hearing to May 17, 2005 at 10:00 a.m.
- Proceedings: The Chairman opened continued hearing, and on motion of Supervisor McGowan, seconded by Supervisor Bungarz it was unanimously ordered to continue hearing to May 17, 2005 at 10:00 a.m.

23. **Closed Session**

- Matter: a. Adjourn to Closed Session pursuant to Government Code Section 54957 to consider appointment for the position of County Administrative Officer;
b. Adjourn to Closed Session pursuant to Government Code Section 54956.9 for Conference with Legal Counsel on Existing Litigation:
Case Name - Orland Sand and Gravel, Corporation, et al. v. County of Glenn, et al.
Filed on April 13, 2005
Case No. Unknown
Served on (date)
(No Proper Service on County as of April 14, 2005 by 3:25 p.m.)
c. Adjourn to Closed Session pursuant to Government Code Section 54957.7 to approve Closed Session Minutes from February 18, 2003 to December 16, 2003, and authorize the 2003 Board of Supervisors Chairman to execute said Minutes.

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- Proceedings:
- a. The Chairman announced the aforesaid matters.
 - b. The Chairman made the following announcements as a result of Closed Session:
 - (1) The Board appointed Mark Black to the position of Agricultural Commissioner/Sealer Weights and Measures, with salary set at step "E"; (Restated from Item #21)
 - (2) The Board authorized the Ad Hoc Committee (Supervisors Freeman and McGowan) to negotiate terms and conditions of potential employment of the County Administrative Officer position;
 - (3) The Board authorized County Counsel to obtain assistance of outside Counsel in the Orland Sand and Gravel lawsuit matter; and
 - (4) The Board approved Closed Session Minutes from February 18, 2003 to December 16, 2003 and authorized the 2003 Board of Supervisors Chairman to execute said Minutes.

Motion/Second: Chairman direction
Order: Adjourn to Closed Session.

24. The Chairman adjourned the meeting at 2:37 p.m.

JOHN AMARO, Chairman

ATTEST:

Vince T. Minto, County Clerk-Board of Supervisors

BY: _____
Sandra Pergson, Deputy Clerk

Distribution:	Board Members	KIQS Radio Station	Willows Library
	County Counsel	Sacramento Valley Mirror	Orland Library
	Finance Director	Elections	

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ATTACHMENT "A"

3. **Consent Calendar**

Matter: Review and take actions related to the Consent Calendar.
Motion/Second: Supervisor Bungarz/Supervisor Hansen
Order: Approve Consent Calendar as set forth below
Vote: Unanimous by members present.

a. **Transfer of Funds**

Approved the following intradepartmental Transfer of Funds:

Trans No.	Department Budget	Description	Amount
5148	Human Resource Agency/Social Services Division	To transfer appropriations within Social Services Administration to cover purchase of door for the Hamilton City Family Resource Center.	\$ 5,800.00

b. **Tax and Revenue Anticipation Note (TRANS)**

Upon the recommendation of Director of Finance Don Santoro, adopted Resolution 2005-25 "Authorizing and Approving the Borrowing of Funds for Fiscal Year 2005-2006; the Issuance and Sale of a 2005-2006 Tax and Revenue Anticipation Note Therefore and Participation in the California Communities Cash Flow Financing Program".

c. **Annual Employer Contribution Rate for Annuity**

Upon the recommendation of Personnel Director John Greco, adopted Resolution 2005-26 "Adjusting the Annual Employer Contribution Rate for Annuity Based on 5% of the Actual 2005 Employer Contribution for Active Employees as Provided Under the Public Employees' Medical and Hospital Care Act". (Budgeted)

d. **Probation – Comprehensive Multi-Agency Juvenile Justice Plan**

Upon the recommendation of Chief Probation Officer Linda Shelton, adopted Resolution 2005-27 "Accepting the County of Glenn Comprehensive Multi-Agency Juvenile Justice Plan", which allows Glenn County to receive approximately \$76,000 from the State to fund the local Personal Pathways Program.

e. **Proclamation – National Drug Court**

Upon the recommendation of Health Services Agency Director Mike Cassetta, Proclaimed May 2005 as "National Drug Court Month".

f. **Contract – Glenn County General Unit**

Upon the recommendation of Personnel Director John Greco, approved and authorized the Chairman of the Board of Supervisors to execute Corrected Copy of Addendum 1 Memorandum of Understanding Between the County of Glenn and the Glenn County General Unit 1/01/04 through 12/31/04, which corrects calculation errors. (No budget impact)

g. **Fleet Operations – Vehicle Purchase**

Upon the recommendation of Planning & Public Works Agency Director Dan Obermeyer, approved the following changes to Minute Order 7 & 8 of February 15, 2005, due to vendor/vehicle unavailability and County Departmental needs:

- (1) Remove Red Bluff Ford and Corning Ford as approved vendors for purchases;
 - (2) Add California Multiple Award Schedule (CMAS) as an approved vendor;
 - (3) Purchase two (2) Compact Pickups in place of two (2) Full Size Pickups; and
 - (4) Purchase one (1) Mini-Van in place of one (1) Sedan Wagon.
- (No general fund impact)

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- h. **Contract – Agricultural Commissioner**
Upon the recommendation of Agricultural Commissioner Bill Duckworth, approved *Amendment No. 2 with Frame Surveying & Mapping*, which extends the term to June 30, 2005. (Budgeted - County Contract 1739)

- i. **Contract - Probation**
Upon the recommendation of Probation Officer Linda Shelton, approved and authorized Mrs. Shelton to execute a renewal Agreement with *Redwood Toxicology Laboratory, Inc.* for toxicology screening, which decreases the contract amount by \$10,000.00 for fiscal year 2004/2005 and 2005/2006. (No general fund impact)

- j. **Standard Agreement Amendment – Department of Justice**
Upon the recommendation of Director of Finance Don Santoro, approved and authorized the Chairman of the Board of Supervisors to execute Standard Agreement Amendment with Department of Justice, which changes all references of “Intoxilyzer” to “Breath Testing Instrument/Device”. (No general fund impact)

- k. **Blue Claim & Credit Card Authorization – Health Services Agency**
Upon the recommendation of Health Services Agency Director Mike Cassetta, authorized the following:
 - (1) Health Services Agency Deputy Director of Programs Maureen Hernandez to execute Blue Claims and make credit card purchases; and
 - (2) Health Services Agency Accountant Jeanne Collette to execute Blue Claims.

- l. **Blue Claim Payment**
Upon the recommendation of Director of Finance Don Santoro, approved payment of invoices over one year old, to Dell Government Leasing for \$478.01, for Health Services Agency.