

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

Tuesday, October 7, 2003

The Chairman of the Board of Supervisors of the County of Glenn, State of California, called the meeting to order at 9:00 a.m., with members as follows:

Present: Supervisors Freeman, Hansen, McGowan, Sprague and Bungarz (Chairman)
Also Present: Belinda Blacketer, County Counsel
Debbie Lambert, Deputy Clerk

THE PLEDGE OF ALLEGIANCE WAS RECITED

1. **Minutes**

Matter: Approve Minutes of September 25 and September 30, 2003.

- Motion/Second:
- a. On motion of Supervisor Freeman, seconded by Supervisor Hansen, it was ordered to approve the aforesaid matter;
 - b. Upon discussion recognizing that Supervisor Freeman was absent for the September 25, 2003 meeting, it was unanimously ordered that the aforesaid motion was amended by Supervisor Freeman, with Supervisor Hansen concurring, to approve the Minutes of September 30, 2003; and
 - c. On motion of Supervisor Hansen, seconded by Supervisor McGowan, it was unanimously ordered to approve the Minutes of September 25, 2003.

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. **Vertical Prosecution Program Grant/District Attorney**

- (1) District Attorney Robert S. Holzapfel requested that the Board consider an emergency matter that arose after the posting of the regular agenda, and recommended that the Board adopt Resolution 2003-111 "*Submittal of Request for Authorization to Apply for Grant Funding From the State of California Through the Governor's Office of Criminal Justice Planning*" to receive a \$53,149.00 grant, whereby on motion of Supervisor Freeman, seconded by Supervisor Hansen, it was unanimously ordered to add this matter to the agenda based on the application for said grant having an deadline of October 21, 2003; and
- (2) On motion of Supervisor Freeman, seconded by Supervisor Sprague, it was unanimously ordered to adopt Resolution 2003-111.

c. Supervisor Bungarz advised of the following:

- (1) Recognized the Elections Department, who requested and received permission from the Secretary of State to open Election Polls October 5, 2003 for the Spanish Fire firefighters
- (2) Letter to Mendocino National Forest requesting a presentation on the proposed salvage logging operations due to the recent wildfire activity, to be mailed and ratified at the October 21, 2003 meeting, pursuant to no objections by the Board
- (3) Great Valley Center Workshop to be held October 29, 2003, which Administrative Representative Kim Gaghagen and County Counsel Belinda Blacketer advised they would attend
- (4) Glenn County Sheriff Department annual candy drive for the Deputies to distribute Halloween
- (5) Candlelight Vigil held October 1, 2003 for Domestic Violence Awareness Month
- (6) Presentation by the USDA of a loan check for the Education Administrative Building on November 20 or 21, 2003

d. Human Resource Agency Director Kim Gaghagen advised of a Bowl-a-Thon being held October 25, 2003 for United Way.

e. Later this date, Supervisor Freeman advised that he and Supervisor McGowan would be unable to attend the November 18, 2003 Board Meeting due to the California Annual Conference being held at that time, whereby Mr. Gaghagen requested that the Clerk of the Board notify Departments to request that any item requiring 4/5th vote be presented to the Board at the November 4 or December 2, 2003 meetings.

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3. **Consent Calendar**

Matter: Review and take actions related to the Consent Calendar set forth on Attachment "A".
Motion/Second: Supervisor McGowan/Supervisor Freeman
Order: Approve the Consent Calendar set forth on Attachment "A"
Vote: Unanimous.

4. **Chemical Bid – Agricultural Commissioner**

Matter: Recommendation of Interim Agricultural Commissioner Bill Duckworth to approve opening bids on Monday, October 20, 2003 in the Agricultural Commissioner's Office at 3:00 p.m. for roadside weed control chemicals, with bids to close October 20, 2003 at 2:00 p.m., and awarded on October 21, 2003.
Motion/Second: Supervisor Hansen/Supervisor Sprague
Order: Approve the aforesaid matter
Vote: Unanimous.

5. **Board Appointment – California State Association of Counties**

Matter: Recommendation of Steven C. Szalay, Executive Director of California State Association of Counties, to select the California State Association of Counties Board of Director Member and one Alternate Member for 2004, term beginning November 20, 2003.
Motion/Second: Supervisor Sprague/Supervisor Hansen
Order: Appoint Supervisor Freeman as Member and Supervisor McGowan as Alternate Member for 2004, term beginning November 20, 2003.
Vote: Unanimous.

6. **Legislation/Proposed Constitutional Amendment**

Matter: Recommendation of Supervisors Freeman and Bungarz to execute letter of support for the *Proposed Constitutional Amendment*, which is sponsored by California State Association of Counties and League of Cities.
Motion/Second: Supervisor Sprague/Supervisor Freeman
Order: Approve the aforesaid matter
Vote: Unanimous.

7. **Human Resource Agency – Contract/Matson & Isom**

Matter: Recommendation of Human Resource Agency Director Kim Gaghagen to:
a. Authorize the Director or his designee to execute Agreement with Matson & Isom Technology Consulting for Phase Three of the Foster Youth Web Site with cost not to exceed \$8,500.00 for term October 7, 2003 to January 30, 2004; and (No General Fund Impact)
b. Authorize the Director or his designee to modify or amend the agreement upon County Counsel review as to form.
Proceedings: Mr. Gaghagen advised that the Website will be a Virtual Resource Center which will serve sixteen Northern California Counties.
Motion/Second: Supervisor Freeman/Supervisor McGowan
Order: Approve the aforesaid matter
Vote: Unanimous.

8. **Mental Health, Alcohol and Drug Commission**

Matter: Recommendation of the Glenn County Mental Health, Alcohol and Drug Commission to:
a. Accept the resignation of Marletta Logan Curry from the Glenn County Mental Health, Alcohol and Drug Commission;
b. Notice of Unscheduled Vacancy having been posted, appoint Patricia Hampton to fill the vacancy of Marletta Logan Curry, said appointee to serve term to December 31, 2005; and
c. Reappoint the following members, term January 1, 2003 to December 31, 2006:

Pat Heitkam	Joni Samples	Ken Blaine
Terry Allen	Keith Hansen	Denny Bungarz

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

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**THE CHAIRMAN ADJOURNED TO A MEETING OF THE
GLENN COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY**

9. **Glenn County In-Home Supportive Services Advisory Committee**

Matter: Recommendation of Public Authority Manager Judi Anthony to:

- a. Remove the following members from the Glenn County In-Home Supportive Services Advisory Committee as they have resigned or are no longer able to serve:

Appointee	Representation
Kay Grega	Advocate
Stephanie Beserra	Provider
Mary Jane Phillips	Consumer

- b. Reappoint the following members to the Glenn County In-Home Supportive Services Advisory Committee to serve a two year term to January 1, 2005:

Appointee	Representation
Sue Good	Advocate
Mary Ann Duran	Advocate
Jay Harris	Consumer

Proceedings: Human Resource Agency Deputy Director Scott Gruendl advised that the Committee has four applications pending for the three vacancies available

Motion/Second: Supervisor Bungarz/Supervisor McGowan

Order: Approve the aforesaid matter

Vote: Unanimous.

**THE CHAIRMAN ADJOURNED TO A MEETING OF THE
GLENN COUNTY BOARD OF SUPERVISORS**

10. **Glenn County Animal Control Yearly Report**

Matter: Information Glenn County Animal Control Yearly Report July 1, 2002 through June 30, 2003.

Proceedings: Supervisor Hansen questioned who's responsible for collection of the \$13,070.00 outstanding unpaid fines, whereby the Director of Finance Don Santoro advised that he would research.

11. **Miscellaneous**

Matter: Reviewed the following items with no action taken:

- a. Information Notice from Planning Administrator Vince Minto advising of the following meetings:
- (1) Technical Advisory Committee meetings to be held October 2, 2003 and October 16, 2003, at 9:00 a.m. at the Glenn County Board of Supervisors Chambers, 526 W. Sycamore St., Willows, CA; and
 - (2) Planning Commission meeting to be held October 15, 2003, 9:00 a.m. at the Glenn County Board of Supervisors Chambers, 526 W. Sycamore St., Willows, CA.
- b. Information Notice from Interim Agricultural Commissioner Bill Duckworth advising that the Water Advisory Committee meeting for October 14, 2003 has been cancelled, and the next meeting will be November 13, 2003.

12. **Sole Source Purchase/Generator Replacement Project – Sheriff**

Also Present: Bob Shadley, Sheriff-Coroner
Dan Gardner, Building Maintenance and Inspection Director

Matter: Recommendation of Sheriff Shadley to:

- a. Approve sole source purchase of generator from Peterson Power Systems, Inc.; (Sole source justification set forth therein)
- b. Authorize the Sheriff to execute Purchase Agreement for generator which is funded from Rural Sheriff's Discretionary funds set aside for project of \$100,000.00; and
- c. Authorize the Sheriff to complete project; contract for services if necessary; approve expenditures for the installation of new generator in Willows and the removal, transporting, and installation of old generator from Willows to Orland.

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- Proceedings: a. Mr. Gardner advised that the generators are on a Maintenance Agreement and serviced semiannually;
b. Senior Secured Facilities Maintenance Technician Craig Berglund described the battery chargers and backups

9:39 a.m. – County Counsel Belinda Blacketer Left the Meeting

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

9:47 a.m. – County Counsel Belinda Blacketer Re-Entered the Meeting

13. **Contracts - Legal Advertising with Local Newspapers**

Also Present: Scott Gruendl, Human Resource Agency Deputy Director
Matter: Pursuant to Minute Order 22 of July 15, 2003, and on the recommendation of Human Resource Agency Director Kim Gaghagen:
a. Award bid for legal advertising to the Sacramento Valley Mirror and the Willows Journal;
b. Execute Agreements with the Willows Journal and Sacramento Valley Mirror for Legal Advertising for amount not to exceed \$19,000.00 each, for term October 13, 2003 to June 30, 2004. (Contingent upon approval as to form by County Counsel)
Proceedings: Mr. Gruendl reviewed the bid submission table within Attachment "B" and Attachment "C" Recommendation of Award Announcement Request for Bid (RFB) Legal Advertising Services for the County of Glenn, and advised that no protests were received during the protest period
Motion/Second: Supervisor Freeman/Supervisor McGowan
Order: Approve the aforesaid matter
Vote: Unanimous.

**9:50 a.m. -- The Chairman Called the Meeting in Recess
10:03 a.m. -- The Chairman Called the Meeting to Order**

14. **Public Hearing - Zone Change #2003-05**

Also Present: Christy Leighton, Principal Planner
Matter: Pursuant to Affidavit of Publication on file in the Office of the County Clerk, hold Public Hearing to:
a. Adopt Negative Declaration for Zone Change #2003-05, which states that an Environmental Impact Report is not required because there will be no environmental impacts from this Code Change. Any projects applying for a Density Bonus under this Code Change will require a separate environmental review process. (three Findings set forth therein); and
b. Approve the Project (Zone Change #2003-05) by adopting Ordinance 1162 "Adding Chapter 19.24, Density Bonus, to Title 19, Zoning, of the Glenn County Code". (Read Title of Ordinance and waive further reading)
Proceedings: a. The Chairman opened the aforesaid matter for public hearing;
b. Citing a possible future conflict of interest, Supervisor Sprague left the room;
c. Mrs. Leighton reviewed the aforesaid matter and advised that the aforesaid matter is an Amendment to the Zone Code of Glenn County, not a Zone Change;
d. The Chairman opened the hearing for public comments; whereupon none having been heard, the Chairman closed the hearing to public comments;
e. The Chairman called for exhibits, whereupon the Clerk advised that no exhibits were submitted;
f. On motion of Supervisor Freeman, seconded by Supervisor McGowan, it was unanimously ordered to conclude hearing, decide matter, Adopt Negative Declaration for Zone Change #2003-05, and having read title of Ordinance set forth above, adopt Ordinance 1162 and waive further reading.
g. County Counsel defined *Density Bonus*, which is set forth within the Ordinance.

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10:11 a.m. – Supervisor Sprague Re-Entered the Meeting

15. **Interim Agricultural Commissioner Position**

Also Present: Kim Gaghagen, Administrative Representative
William Duckworth, Interim Agricultural Commissioner
Matter: Recommendation of Administrative Representative Kim Gaghagen to:
Extend appointment of Mr. Duckworth as Interim Agricultural Commissioner
for an additional sixty days.
Motion/Second: Supervisor McGowan/Supervisor Hansen
Order: Approve the aforesaid matter
Vote: Unanimous.

**THE CHAIRMAN ADJOURNED TO A MEETING OF THE
GLENN COUNTY AIR POLLUTION CONTROL DISTRICT**

16. **Interim Air Pollution Control Officer**

Also Present: Kim Gaghagen, Administrative Representative
William Duckworth, Interim Air Pollution Control Officer
Matter: Recommendation of Administrative Representative Kim Gaghagen to:
Extend Mr. Duckworth's appointment as Interim Air Pollution Control Officer
for an additional sixty days.
Motion/Second: Supervisor McGowan/Supervisor Hansen
Order: Approve the aforesaid matter
Vote: Unanimous.

**THE CHAIRMAN ADJOURNED TO A MEETING OF THE
GLENN COUNTY BOARD OF SUPERVISORS**

17. **Continued Public Hearing - PG&E Gas & Electric Franchise**

Also Present: Belinda Blacketer, County Counsel
Matter: Pursuant to Minute Order 29 of August 5, 2003, and Affidavit of Publication on
file in the Office of the County Clerk, Resolution 2003-15 "*Acknowledging the
Intention to Grant an Electric Franchise*", and Resolution 2003-16
"*Acknowledging the Intention to Grant a Gas Franchise*" hold continued Public
Hearing to consider written or oral protests against the granting of said
franchises.
Proceedings: Ms. Blacketer advised that it appears PG&E will not be splitting into E-Trans
and G-Trans, whereby Supervisor Freeman asked that County Counsel
request PG&E to give the Board a status report on the aforesaid matter
Motion/Second: Chairman Direction
Order: Continue Public Hearing to December 2, 2003.

18. The Chairman adjourned the meeting at 10:26 a.m. in memory of former business owner and
volunteer fire fighter Jack Kelly who passed away October 3, 2003.

DG BUNGARZ, Chairman

ATTEST:

Vince T. Minto, County Clerk-Board of Supervisors

BY: _____
Debbie Lambert, 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 McGowan/Supervisor Freeman
Order: Approve Consent Calendar as set forth below
Vote: Unanimous by members present.

a. **Correction to the Assessment Roll**

Upon the recommendation of Vince Minto, approved the following Requests for Correction to the Assessment Roll, as follows:

Name	Parcel No.	Fiscal Year	Corr. No.
Nolta, Hugh Gregg	01-04961X-00	2003-04	17B
Nolta, Hugh Gregg	01-040170-00	2003-04	18B

b. **Health Services – Contract**

Upon the recommendation of Health Services Agency Director Mike Cassetta, executed State Contract Amendment for HIV Program Activities and Immunization Program for amount not to exceed \$227,378.00 for fiscal year 2002/2003. (County Contract 513) (No General Fund Impact)

c. **Orland Cemetery District**

Upon the recommendation of Orland Cemetery District, reappointed Frank Reimann for term May 21, 2003 to May 21, 2007.

d. **Legislation – Senate Bill 1049**

Ratified letter to Governor Gray Davis requesting a veto on Senate Bill 1049 which would impose multiple resource-related fees.