

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

Tuesday, November 16, 2004

The Vice Chairman Forrest Sprague called a duly noticed informal meeting of the Board of Supervisors and Department Heads to order at 8:22 a.m., in the Board of Supervisors Conference Room at 526 West Sycamore Street, Willows, with Board members as follows:

Present: Supervisors Bungarz, Hansen, Sprague (Vice-Chairman)
Also Present: Debbie Lambert, Deputy Clerk
Absent: Supervisors McGowan and Freeman (Chairman)

1. **Supervisors/Department Heads**

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

- Proceedings:
- a. Agriculture Department Environmental Biologist I Lester Messina advised that Agenda Item No. 6 regarding a Grant Application for the Local Groundwater Assistance Project to perform tasks of Northern California Water Association, which requests 1) adopting a Resolution, 2) authorizing execution of agreements with Department of Water Resources 3) authorizing execution of contracts to perform tasks of proposal, and 4) letter of support, will be pulled and presented at the December 7, 2004 Board Meeting, due to Northern California Water Association's request that all entities include an additional "whereas" paragraph in their Grant Application Resolutions to reflect a more regional approach for funding under Assembly Bill 303, which will also strengthen Proposition 50 Phase 8 funding;
 - b. Agricultural Commissioner Bill Duckworth advised that the Air Pollution Control Board has implemented diesel engine regulations that require the County to get rid of or replace old diesel engines, that the Counties are proposing a phase-out period due to the high cost, and that the County will receive Carl Moyer funding of \$200,000 without a match requirement; also advised that after applying the new standards to government entities, the requirements will be enforced for fleet operations and then public;
 - c. Director of Finance Don Santoro advised that the County would be receiving Educational Revenue Augmentation Funds (ERAF) from Special Districts, and also that the County will soon be able to take credit card payments through the telephone and internet;
 - d. Planning Director Dan Obermeyer spoke regarding a letter received from Orland City Manger Joe Riker in which he protests proposed changes to the general plan in the Orland area, and advised that the area in question is in the Counties sphere of interest, was initiated by the property owners, and expanded to prevent spot zoning, and that letters have been received from residents on County Road 21 opposing the changes, though many of the complaints are unfounded; also advised that the Housing Element must allow zoning for 150 low income homes, and that the County notifies the Cities of projects within their sphere of influence; and
 - e. The Chairman adjourned the meeting at 8:50 a.m.

The Vice-Chairman of the Board of Supervisors of the County of Glenn, State of California, called the meeting to order at 8:59 a.m., with members as follows:

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

THE PLEDGE OF ALLEGIANCE WAS RECITED

1. **Closed Session**

- Matter:
- a. Adjourn to Closed Session pursuant to Government Code Section 54956.9 for Conference with Legal Counsel on Anticipated Litigation of two potential cases; and
 - b. Adjourn to Closed Session pursuant to Government Code Section 54957.6, to receive information from and provide instructions to the County's Chief Negotiator regarding negotiations with the Deputy Sheriff's Association and Peace Officer's Association.
- Proceedings:
- a. The Vice-Chairman announced the aforesaid matters;

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- b. As a result of Closed Session the Chairman made the following announcements:
- (1) Animal Control: The County will continue to follow policy of releasing names of individuals who call Animal Control if the names are given to the department;
 - (2) Labor Negotiations: Negotiations are continuing with the Deputy Sheriff's Association and the Peace Officer's Association; and
- c. Later this date the Vice-Chairman read the following announcement as a result of Closed Session in the matter of the Sheriff recruitment:

"Upon learning that a special election was not a legal option for selecting a qualified person to serve out the two years remaining on the retiring Sheriff's term, the Glenn County Board of Supervisors authorized a Civil Service/Merit System process (like other departments) for the appointment of an interim Sheriff.

This approach has two components. The first step is the objective/impartial rating of all applicants based on specific and predetermined qualifications (experience, education, training, etc.). In the second component, the full Board of Supervisors would interview the most qualified candidates and make an appointment (in open session).

It has always been the intent of the Board of Supervisors to be as public and inclusive as feasibly possible. To this end, we established a panel composed of elected and/or local representatives (i.e., two City Council members, one Board of Supervisor member, the District Attorney, and one Hamilton City representative) and local "subject matter experts" (i.e., two Chiefs of Police, D.A., County Counsel, and Director of Finance) to objectively evaluate the qualifications of the applicants, through an interview process and make recommendations to the Board of Supervisors. The Board would have then interviewed the candidates.

The Board believes that the above process would have allowed for the fairest, most impartial appraisal of the applicants' basic qualifications. However, due to the recent threat of costly and time consuming litigation in this important matter, we have re-evaluated the County's position and determined the following:"

- 1) *Conducting a public election to fill this vacancy is prohibited by law. The next opportunity under law for the citizens of Glenn County to directly elect the Sheriff will be the 2006 General Election.*
- 2) *The Board hereby dissolves the panel of community representatives which were scheduled to interview the applicants on December 6, 2004, and wishes to thank those that agreed to participate on the panel.*
- 3) *The full Board will interview qualified candidates in open session at a Special Board of Supervisors meeting to be held on Monday, December 6, 2004.*

*Approved by a Unanimous vote of members present (3-0)
Ayes: Supervisors Bungarz, Hansen, and Sprague (Vice Chairman)*

- d. Later this date Vice-Chairman Sprague re-stated the announcements regarding Animal Control and Labor Negotiations.

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

2. **Minutes**

Matter: Approve the Minutes of November 2, 2004.
Motion/Second: Supervisor Bungarz/Supervisor Hansen
Order: Approve the aforesaid Minutes
Vote: Unanimous by members present.

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3. **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. Supervisor Bungarz announced that Drug Court will be held on December 1, 2004; whereby Supervisor Hansen stated that he would be there to present congratulation letters on behalf of the Board of Supervisors;
 - c. Director of Finance Don Santoro submitted and reviewed "Educational Revenue Augmentation Fund shift by Special District for 2004/2005 and 2005/2006 fiscal years.
 - d. Later this date citizen James Hurley spoke regarding recall of the new Sheriff, and questioned if it could be done after a Sheriff is appointed, whereby County Counsel advised she would need to follow up on this matter for an answer.

4. **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 by members present.

County Counsel Belinda Blacketer Entered the Meeting

5. **Resolution – Planning & Community Development Director & Buildings Services Department Allocation List**

- Also Present: **Dan Obermeyer, Planning & Community Development Director
John Greco, Personnel Director**
- Matter: Recommendation of the Consolidation Committee to adopt Resolution 2004-109 "Amending the Book of Class Specifications, the List of Personnel Classes and Salary Ranges, and the Position Allocation List for the Planning and Community Development Services Agency/Building Services Department Reorganization", which reclassifies the Senior Building Inspector position to a Building Official, the Supervising Building-Grounds Worker to a Facilities Maintenance Supervisor, and eliminates the current classification of Building Services Department Director.
- Proceedings:
- a. Discussion was held on the aforesaid matter; and
 - b. Citizen James Hurley spoke regarding if there would be recruitment of any vacant positions with the reorganization; whereby Mr. Obermeyer stated that if vacancies occurred personnel policy would be followed.
- Motion/Second: Supervisor Bungarz/Supervisor Hansen
- Order: Adopt Resolution 2004-109
- Vote: Unanimous by members present.

County Counsel Belinda Blacketer Left the Meeting

6. **Health Services Agency – Sole Source Purchase of Generator**

- Matter: Recommendation of Health Services Director Mike Cassetta to:
- a. Approve the sole source purchase of generator from Peterson Power Systems, Inc. (Findings set forth therein)
 - b. Authorize Health Services Director, or his designee to execute purchase agreement for generator upon approval as to form of County Counsel; and
 - c. Authorize Health Services Director, or his designee to complete the project, contract for services if necessary, and approve expenditures for the installation of the new generator in Willows, for Glenn County Bioterrorism Plan. (Grant funded – No general fund impact)
- Motion/Second: Supervisor Hansen/Supervisor Bungarz
- Order: Approve the aforesaid matter
- Vote: Unanimous by members present.

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7. **Artois-Glenn County Fire Protection District - Appointment**

Matter: a. Accept resignation of Eugene Schonauer, Jr. from the Artois-Glenn County Fire Protection District; and
b. Notice of Unscheduled Vacancy having been posted, consider appointment application of John Lenus Berens to the Artois-Glenn County Fire Protection District to fill the unscheduled vacancy of Mr. Schonauer, to serve at the pleasure of the Board of Supervisors.

Motion/Second: Supervisor Bungarz/Supervisor Hansen
Order: Approve (a) above and appoint John Lenus Berens as set forth in (b) above
Vote: Unanimous by members present.

8. **Canvass and Statement of Vote for Presidential General Election**

Matter: Recommendation of County Clerk/Recorder Vince Minto to accept and make official the Canvass and Statement of Vote for the Presidential General Election held on November 2, 2004.

Motion/Second: Supervisor Bungarz/Supervisor Hansen
Order: Accept matter as set forth above
Vote: Unanimous by members present.

9. **Central Valley Project Contracts**

Matter: Letter from Northern California Water Association requesting a letter urging U.S. Bureau of Reclamation to immediately execute all Central Valley Project contracts in Northern California, due to a press release from Sacramento Valley Environmental Water Caucus which protests the Reclamation's plan to renew the Sacramento River Settlement Contracts for over two-million acre-feet of Sacramento Valley Water and advocates that the water contracted for in Northern California be given to people in other parts of the State.

Motion/Second: Supervisor Bungarz/Supervisor Hansen
Order: Authorize letter to be executed by the Chairman urging U.S. Bureau of Reclamation to immediately execute all Central Valley Project Contracts in Northern California, with Supervisor Bungarz to draft letter for execution
Vote: Unanimous by members present.

County Counsel Belinda Blacketer Entered the Meeting

10. The Chairman adjourned the meeting at 11:20 a.m.

FORREST SPRAGUE, VICE 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"

4. **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. **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.
Zwald John A	013-13-0-017-0	2004/2005	81b
Vintage Petroleum	054-02-0-002-0	2004/2005	58B
Vintage Petroleum	054-02-0-003-0	2004/2005	59B
Vintage Petroleum	054-02-0-006-0	2004/2005	62B
Vintage Petroleum	054-02-0-013-0	2004/2005	65B
Vintage Petroleum	054-02-0-016-0	2004/2005	68B
Vintage Petroleum	054-02-0-018-0	2004/2005	70B
Vintage Petroleum	054-02-0-019-0	2004/2005	71B

b. **Transfer of Funds**

Approved the following intradepartmental Transfer of Funds:

Trans No.	Department Budget	Description	Amount
5038	Women, Infants & Children (WIC)	To transfer appropriations for fixed assets to services & supplies to cover WIC program expenses. No general fund impact.	\$ 16,170.00

c. **Contract – Pacific Bell/MCI**

Upon the recommendation of Assistant Director of Finance Debbie Newman, approved and authorized the Chairman of the Board of Supervisors to execute an extension of agreement with the State of California and Pacific Bell/MCI, to secure current rates, term to December 2008.

d. **Contract - Office of Education Administration Building**

Upon the recommendation of Planning & Community Development Director Dan Obermeyer, approved and authorized the Chairman of the Board to execute *Amendment No. 2 Between the Glenn County Office of Education County Superintendent of Schools, Board of Education and the County of Glenn*, which allows reimbursement requests for County of Glenn employee(s) services, for the construction of the Office of Education Administration building. (County Contract 1733)