

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

Tuesday, March 16, 2004

The Chairman of the Board of Supervisors of the County of Glenn, State of California, called the meeting to order at 9:02 a.m., with members as follows:

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

THE PLEDGE OF ALLEGIANCE WAS RECITED

1. **Closed Session**

Matter: Pursuant to Government Code Section 54956.9 hold Closed Session regarding Existing Litigation with California Farm Bureau Federation et al v. California Department of Forestry and Fire Protection et al. Sacramento County Superior Court Case No. 04CS000225.

Proceedings: a. The Chairman announced the aforesaid matter;
b. Later this date as a result of Closed Session the Chairman made the following announcement:
The County is Stipulating to a Preliminary Injunction with the lawsuit of the California Farm Bureau regarding the \$35.00 per parcel fee, and the County has agreed not to collect this fee, County will let litigation take it's course, and until determined by the Courts if legal.
c. Director of Finance Don Santoro requested that this matter be sent to his office in writing.

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

2. **Minutes**

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

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. Human Resource Agency Director Kim Gaghagen reviewed his trip to Washington D.C. and spoke regarding the Workforce Investment Act, Development around the County Airports, and the Community Development Block Grant (CDBG) Reuse Meeting, which approved new software for the County Websites for public access to information.

4. **Consent Calendar**

Matter: Review and take actions related to the Consent Calendar set forth on Attachment "A".

Proceedings: Supervisor Bungarz requested pulling item 4 (c) from the Consent Calendar for discussion

Motion/Second: Supervisor Bungarz/Supervisor Sprague
Order: Approve Consent Calendar with item 4 (c) pulled for discussion
Vote: Unanimous by members present.

5. **Assistant Agricultural Commissioner Position**

Matter: Recommendation of Agricultural Commissioner Bill Duckworth, approved the hiring of the Assistant Agricultural Commissioner Mark Black at Step E, justification set forth therein.

Proceedings: Supervisor Bungarz reviewed the aforesaid matter

Motion/Second: Supervisor Bungarz/Supervisor Sprague
Order: Approve the aforesaid matter
Vote: Unanimous by members present.

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6. **County Service Recognition - Human Resource Agency**
Also Present: Loretta Kjer, Eligibility Supervisor
Leslie Corbin, Employment & Training Supervisor
Elodia Villa, Employment & Training Worker II
Matter: Present County Service Pins to Loretta Kjer, Leslie Corbin and Elodia Villa in recognition of 10 years of service with the County of Glenn.
Proceedings: The Chairman presented pins to the aforesaid employees for ten years of service with the County of Glenn.
7. **Canvass and Statement of Vote – Presidential Primary Election**
Matter: Recommendation of Clerk-Recorder Vince Minto to accept and make official the Canvass and Statement of Vote for the Presidential Primary Election held on March 2, 2004.
Motion/Second: Supervisor Sprague/Supervisor Bungarz
Order: Approve the aforesaid matter
Vote: Unanimous by members present.
8. **Resolution - District Attorney Position Allocation**
Matter: Recommendation of District Attorney Robert Holzapfel to adopt Resolution 2004-19 “*Amending the Position Allocation List for the District Attorney’s Office*” which increases the Legal Secretary Position by .3 FTE (Full Time Equivalent). (No General Fund Impact) (Grant Funded through June 30, 2004)
Proceedings: Supervisor Freeman advised that this position may not be permanent after July 1, 2004 depending on grant funding, and there being no funds from the County General Fund to pay for anymore positions
Motion/Second: Supervisor Sprague/Supervisor McGowan
Order: Adopt Resolution 2004-19
Vote: Unanimous by members present.
9. **Regional Bioterrorism Website**
Matter: Recommendation of Health Services Director Mike Cassetta to approve and authorize the Chairman of the Board of Supervisors to execute application for a \$50,000.00 grant to develop a Regional Bioterrorism website. (County Contract 1741) (No General Fund Impact)
Motion/Second: Supervisor McGowan/Supervisor Bungarz
Order: Approve the aforesaid matter
Vote: Unanimous by members present.
10. **Agreement – Visual Imagry, Inc**
Matter: Recommendation of Health Services Director Mike Cassetta to approve and authorize the Health Services Director, or his designee, to execute *Agreement Between the County of Glenn and Visual Imagry, Inc.*, and any extensions and/or amendments, for consultation, training and web site development services for the Bioterrorism Program, cost not to exceed \$50,000.00, term February 15, 2004 to August 30, 2004. (No General Fund Impact)
Motion/Second: Supervisor Sprague/Supervisor Bungarz
Order: Approve the aforesaid matter
Vote: Unanimous by members present.
11. **Agreement – Dell Marketing**
Matter: Recommendation of Health Services Director Mike Cassetta to, due to the implementation of new programs and security requirements of HIPPA (Health Insurance Portability and Accountability Act), approve and authorize the Health Services Director or his authorized designee to:
a. Purchase needed computer equipment from Dell Marketing, for \$50,400.00;
b. Execute Amendment and any future amendments to the current contract with Dell Marketing for the purchase of computers, which increases the amount not to exceed \$85,400.00, term fiscal year 2003/2004. (County Contract 1686); and
c. Execute Amendment and any future amendments to the current contract with New Visions Computers, which increases the amount not to exceed \$72,000.00, term fiscal year 2003/2004. (County Contract 1664) (No General Fund Impact)
Motion/Second: Supervisor Bungarz/Supervisor McGowan
Order: Approve matters as set forth above
Vote: Unanimous by members present.

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12. **Agreement – Matson & Isom Technology Consulting for Phase Four of the Foster Youth Web Site**
Matter: Recommendation of Human Resource Agency Kim Gaghagen to:
a. Approve and authorize the Director, or his designee, to execute *Agreement Between the County of Glenn, Human Resource Agency, Social Services Division and Matson & Isom Technology Consulting for Phase Four of the Foster Youth Web Site*, cost not to exceed \$5,000.00, term March 22, 2004 to June 30, 2004; and
b. Authorize the Director, or his designee, to modify or amend the agreement contingent upon County Counsel review and approval as to form. (No General Fund Impact)
Motion/Second: Supervisor McGowan/Supervisor Bungarz
Order: Approve matters as set forth above
Vote: Unanimous by members present.
13. **Legislation – Support House Representatives Bill 3242 Farm Assistance Act**
Matter: Recommendation of Agricultural Commissioner Bill Duckworth to authorize the Chairman of the Board of Supervisors to execute letter of support for the House Representatives Bill 3242 Farm Assistance Act, which would provide block grants to states based upon their specialty crop production values.
Motion/Second: Supervisor Sprague/Supervisor McGowan
Order: Approve the aforesaid matter
Vote: Unanimous by members present.
14. **Appointments – Planning Commissioner from District 2 and District 4**
Matter: Recommendation of Planning & Development Director Daniel Obermeyer, to authorize the Planning Division to advertise for interested applicants for the position of Planning Commissioner from Districts 2 and 4 during April, and schedule the selections of Planning Commissioners for May 18, 2004.
Motion/Second: Supervisor Sprague/Supervisor McGowan
Order: Approve the aforesaid matter
Vote: Unanimous by members present.
15. **Appointments – Fish, Game and Recreation Commission**
Matter: Recommendation of Assistant Clerk of the Board Sandy Kennedy to:
a. Accept resignation of Wilda Sealy as District 2 representative of the Fish, Game and Recreation Commission; and
b. Notice of Unscheduled Vacancy being posted, and no response being received thereto, consider appointment to the Fish, Game and Recreation Commission to fill the vacancy of District 2 representative, said appointee to serve at the pleasure of the Board of Supervisors.
Motion/Second: Supervisor Bungarz/Supervisor Sprague
Order: Accept Resignation of Wilda Sealy
Vote: Unanimous by members present.
16. **Public Hearing – Williamson Act and Farmland Security Zone Contracts**
Also Present: Daniel Obermeyer, Planning & Development Director
Matter: Pursuant to Affidavit of Publication on file in the Office of the County Clerk, on file in the office of the County Clerk, hold Public Hearing to consider adopting the following:
a. Negative Declaration with three (3) Findings and no Mitigation Measures;
b. Ordinance 1166 “Rezoning a Certain Portion of the County to ‘Agricultural Preserve’ and ‘Farmland Security’ to Conform to Williamson Act and Farmland Security Contracts (ZC #2004-01)”. (Read title and waive further reading of Ordinance)
Proceedings: a. The Chairman opened Public Hearing;
b. Mr. Obermeyer reviewed the aforesaid matter;
c. The Chairman opened hearing to public comments; whereupon, John Brooks requested a copy of the maps attached in the backup material;
d. The Chairman closed hearing to public comments;
e. On motion of Supervisor Sprague, seconded by Supervisor McGowan, it was ordered by members present to conclude hearing, and decide matter; and
f. On motion of Supervisor Sprague, seconded by Supervisor Bungarz, it was ordered by members present to:
(1) Adopt Negative Declaration as set forth above; and
(2) Supervisor Sprague having read title of Ordinance, and waived further reading, and adopted Ordinance 1166.

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17. **Miscellaneous**

Matter:

Reviewed the following items with no action taken:

- a. Report from Director of Finance Don Santoro in accordance with California Government Code Sections 26920 through 26923, the quarterly *Treasurer's Report of Cash and Investments* for the period ending February 10, 2004.
- b. Notice from Agricultural Commissioner Bill Duckworth advising that the March Technical Advisory Committee (for Water Advisory Committee) Meeting has been cancelled.
- c. Notice from Planning & Development Director Daniel Obermeyer advising of the following meetings to be held at the Board of Supervisors Chambers:
 - (1) Technical Advisory Committee Meeting to be held March 18, 2004 and April 1, 2004, 9:00 a.m.; and
 - (2) Planning Commission Meeting to be held March 17, 2004, 9:00 a.m.
- d. Proposition 65 Notification from Health Services Agency Director Mike Cassetta, required of the California Health and Safety Code Section 25180.7, reporting that an unknown quantity of petroleum products and motor vehicle fluid and solvents were observed at 4071 County Road N, Orland, on February 26, 2004.
- e. Proposition 65 Notification from Health Services Agency Director Mike Cassetta, required of the California Health and Safety Code Section 25180.7, reporting that hazardous/toxic chemical substances associated with illegal methamphetamine drug production were transferred, stored or disposed of on the property at 329 N. Sacramento St., Willows, CA on February 6, 2004.

**10:11 a.m. – Deputy Clerk Debbie Lambert Entered the Meeting and
Deputy Clerk Sandra Pergson Left the Meeting**

18. **Contract for County Audit - Macias, Gini, and Company**

Also Present: Don Santoro, Director of Finance

Matter: Recommendation of Mr. Santoro to authorize the Chairman of the Board of Supervisors to execute Agreement with Macias, Gini and Company to audit fiscal records of the County for fiscal years ending June 30, 2004, 2005, and 2006 based on report from the Director of Finance stating agreement to be in the public's interest. (County Contract 1660)

Proceedings: Mr. Santoro reviewed the aforesaid matter

Motion/Second: Supervisor Bungarz/Supervisor Sprague

Order: Approve the aforesaid matter

Vote: Unanimous by members present.

19. **General Assistance Benefits**

Also Present: Kim Gaghagen, Human Resource Agency Director
Robin Krause, Chief Deputy Director for Social Services

Matter: Recommendation of Mr. Gaghagen to:

- a. Adopt Resolution 2004-20 "Amending the Glenn County Human Resource Agency Manual for the Administration of General Assistance"; and
- b. Approve the proposed General Assistance Standards of Assistance effective April 1, 2004.

Proceedings: Mr. Gaghagen submitted "General Assistance Aid Payment Comparisons March 2004", and advised that approximately \$3,100 will be saved and added to the General Fund

Motion/Second: Supervisor Bungarz/Supervisor McGowan

Order: Adopt Resolution 2004-20 and approve (b) above

Vote: Unanimous by members present.

**10:20 a.m. -- The Chairman Called the Meeting in Recess
10:32 a.m. -- The Chairman Called the Meeting to Order**

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20. **Public Hearing – Venoco Franchise**

- Also Present: Doug Holvik, Public Works Director
Matter: Pursuant to Affidavit of Publication on file in the Office of the County Clerk, hold Public Hearing to consider the following:
- a. Adopt Ordinance 1166 “*Granting to Venoco, Incorporated a Non Exclusive Franchise to Operate and Maintain a Certain Pipeline and Appurtenances for the Transportation of Substances in the County of Glenn*”, which amends Franchise Agreement 2000-04 expanding the project area as described in Exhibit A and shown on Exhibit B, set forth therein (Read title and waive further reading of Ordinance); and
 - b. Adopt Resolution 2004-21 “*Assigning a Non-Exclusive Franchise to Operate and Maintain Certain Pipelines and Appurtenances for the Transportation of Substances in the County of Glenn*” which assigns Franchise Agreements known as 2000-01 (Ordinance 1121) and 2000-04 to Royale Energy Company conditioned on Royale Energy meeting all of the requirements of said agreements within 30 days of Board approval, and merges said agreements into one single agreement to be known as Franchise Pipeline Agreement 2000-04.
- Proceedings:
- a. The Chairman opened the aforesaid matter for Public Hearing;
 - b. Mr. Holvik advised that Mr. Phil Nichol from Royale was in the audience to answer any questions, reviewed the aforesaid matter, and advised that the Franchise Fees collected are the Initial Filing Fee and Annual Fee thereafter, which is based on PUC regulations;
 - c. Supervisor Freeman questioned if the County received any fees based on the Company’s revenue, whereby Mr. Holvik advised that those fees are handled by the Department of Finance and deposited into the General Fund;
 - d. The Chairman directed that the Finance Director Don Santoro bring to the Board a report detailing what the County is receiving from Franchise/Right of Way revenues;
 - e. The Chairman opened the hearing for public comments; whereupon none having been heard, the Chairman closed the hearing to public comments;
 - f. The Chairman called for exhibits, whereupon the Clerk advised that no exhibits were submitted;
 - g. On motion of Supervisor Sprague, seconded by Supervisor Bungarz, it was unanimously ordered by members present to conclude hearing, decide matter, and having read title of Ordinance set forth above, waive further reading and adopt Ordinance 1166 and Resolution 2004-21.

21. **Public Meeting - Revising Public Health Immunization Fees**

- Also Present: Mike Cassetta, Health Services Director
Grinnell Norton, Health Services Program Manager
Matter: Recommendation of Health Services Director Mike Cassetta to adopt Resolution 2004-22 “*Authorizing the Glenn County Public Health Department to Set Fees for Immunization Program*”.
- Proceedings: Ms. Norton advised that the charges are to recover costs and that no child will be turned away for inability to pay
- Motion/Second: Supervisor Bungarz/Supervisor McGowan
Order: Adopt Resolution 2004-22
Vote: Unanimous by members present.

22. **Vehicle Purchase – Mental Health**

- Also Present: Rick Nunes, Fleet Operations Manager
Doug Holvik, Public Works Director
Matter: Recommendation of Public Works Director Doug Holvik to authorize the Fleet Manager to award bid to State of California for two (2) full size eight passenger Vans for a total of \$36,500.00, for Mental Health, with Federal SAMHSA System of Care funding. (No General Fund Impact)
- Proceedings: Mr. Nunes reviewed the aforesaid matter
Motion/Second: Supervisor Bungarz/Supervisor McGowan
Order: Approve the aforesaid matter
Vote: Unanimous by members present.

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23. **Vehicle Purchase – Fleet Replacement Vehicles**

- Also Present: Rick Nunes, Fleet Operations Manager
Doug Holvik, Public Works Director
- Matter: Recommendation of Public Works Director Doug Holvik to authorize the Fleet Manager to award bids and purchase vehicles for cost of \$149,000.00 as follows: (No General Fund Impact)
- a. Four (4) Police Interceptors (Patrol cars) from Hoblit Motors
 - b. One (1) Compact Pickup Extra-Cab from State of California
 - c. One (1) Full-size Short Bed Pickup from State of California
 - d. One (1) Full-size Utility four wheel drive from State of California.
- Proceedings:
- a. Mr. Nunes reviewed the aforesaid matter, and advised that the SUV will be assigned to a Sergeant for patrolling US Forest Service lands, which the County is under contract for, that it will have the ability to transport four people and lock up the gear inside, will be a caged unit for arrests, and will enhance officer safety due to damage incurred on patrol cars in the hills;
 - b. Supervisor Freeman questioned the cost effectiveness and necessity of a SUV, advised that driving habits should be improved, and that he was concerned with the public perception of the County owning a SUV, and that perception is reality;
 - c. On motion of Supervisor Bungarz, seconded by Supervisor McGowan, it was ordered to approve the aforesaid matter by the following vote:
Ayes: Supervisors Bungarz, McGowan, and Sprague
Noes: Supervisor Freeman
Absent: Supervisor Hansen
 - d. The Chairman directed the Sheriff's Office to submit a report on the Forest Service Contract costs to the County, the number of arrests and transports from/to the forest, and the funds the County receives from the Contract.

24. **Closed Session**

- Matter: Adjourn to Closed Session pursuant to Government Code Section 54957 to hold Public Employee Performance Evaluation for Child Support Agency Director Mike Murray.
- Proceedings: The Chairman announced the aforesaid matter
- Motion/Second: Chairman Direction
- Order: Adjourn to Closed Session.

25. The Chairman adjourned the meeting at 11:30 a.m.

GARY FREEMAN, 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 Sprague
 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	Description	Amount
5197	Vertical Prosecution Program	To appropriate unanticipated revenue to establish District Attorney Vertical Prosecution Program. (No General Fund Impact)	\$ 53,149.00
5207	Bio-Terrorism	To appropriate unanticipated revenue for creation of a Health Services Bio-terrorism website. (No General Fund Impact)	\$ 50,000.00
5205	Probation	To appropriate unanticipated grant revenue for the Probation Prop 36 Program. (No General Fund Impact)	\$ 18,886.00
5206	Probation	To appropriate unanticipated grant revenue for the Probation Partnership Grant. (No General Fund Impact)	\$ 20,700.00

b. **Agreement – Eaton Drilling Col, Inc. and Lely’s Pump**

Upon the recommendation of Agricultural Commissioner Bill Duckworth, approved and authorized Mr. Duckworth to execute the following:

- (1) *Agreement Between the County of Glenn and Eaton Drilling Col, Inc* .to install the wells required for the upcoming Aquifer Performance Tests cost not to exceed \$237,960; and
- (2) *Agreement Between the County of Glenn and Lely’s Pump*, to provide pumping and site work necessary to complete the County’s proposed Aquifer Performance Tests, cost not to exceed \$50,000, term to June 30, 2006.
(Contingent upon County Counsel review and approval as to form) (No General Fund Impact)

c. **Health Services Agency – Waving the 990 Hour Rule**

Upon the recommendation of Health Services Agency Director Mike Cassetta, approved waiving the 990 hour rule for Public Service Employee (PSE) III employee Vita Jameson for the purpose of providing necessary program support for Mental Health through July 31, 2004.
(No General Fund Impact)

d. **Line Item Budget – WIA-Business Services**

Upon the recommendation of Human Resource Agency Director Kim Gaghagen, approved the following line item budget: (No General fund Impact)

Department	Service Acct	Department Name	Budget Amount
Community Action	04999261	WIA – Business Services	\$20,000.00

e. **State Criminal Alien Assistance Program (CSAAP)**

Ratified letter to Senator Boxer, Senator Feinstein and Congressman Herger, requesting that State Criminal Alien Assistance Program (SCAAP) funding be reinstated.