

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

Tuesday, May 17, 2005

Chairman Amaro called a duly noticed informal meeting of the Board of Supervisors and Department Heads to order at 8:20 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: David Shoemaker, County Administrative Officer
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. County Administrative Officer (CAO) David Shoemaker gave an overview of the recent meeting regarding the Governor's May Revise and advised that the Local Law Enforcement Funding of \$500,000 has been placed back in the budget.
 - b. Finance Director Don Santoro advised that the Libraries have not yet met their Board Directed reduction; whereby discussion was held regarding County funding for the Libraries.
 - c. CAO Shoemaker also advised that with other funding having been placed back into the Governor's budget, including half of the Vehicle License Fee funding, Glenn County has currently met it's shortfall;
 - d. Supervisor Freeman gave a brief report on a recent Transportation Commission meeting held with the City of Orland.
 - e. Further discussion was held pertaining to Library funding; whereby County Counsel Belinda Blacketer advised that the Libraries are not County Departments and that she will be preparing an opinion on this matter.
 - f. Planning and Public Works Agency Director Dan Obermeyer advised he will be bringing a list of projects to the Board, which will be funded by Prop. 42 funding.
 - g. Olivia Ramirez of Probation advised that their department will be losing two probation officers and one technician position due to loss of grant funding.
 - h. Dan Berry of Golden State Risk Management Authority advised that there are 60 Glenn County employees that will be attending the Gordon Graham seminar in Colusa on May 20, 2005.
 - i. Health Services Agency Director Mike Cassetta spoke regarding the 51/50 (Mental Health patients) program and various funded programs that are in the Governor's May Revise.
 - j. Human Resource Agency Director Kim Gaghagen advised of an upcoming meeting in Hamilton City which will promote family and the diversity of Glenn County.
 - k. County Counsel Belinda Blacketer advised that the Department of Conservation has withdrew from the appeal pertaining to the Planning Commission's decision in the matter of Orland Sand and Gravel.
 - l. The Chairman adjourned the meeting at 9:00 a.m.

The Chairman of the Board of Supervisors of the County of Glenn, State of California, called the meeting to order at 9:05 a.m., with members as follows:

Present: Supervisors Bungarz, Freeman, Hansen, McGowan, and Amaro (Chairman)

Also Present: David Shoemaker, County Administrative Officer
Sandra Pergson, Deputy Clerk

Absent: Belinda Blacketer, County Counsel

THE PLEDGE OF ALLEGIANCE WAS RECITED

1. **Minutes**

Matter: Approve the Minutes of May 3, 2005.

Motion/Second: Supervisor Freeman/Supervisor Hansen

Order: Approve the aforesaid Minutes

Vote: Unanimous.

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

Tuesday, May 17, 2005

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. Paul Erlendson, Owner, The Inkwell Stationary Store, requested that item 3 (f) be pulled from the Consent Calendar for discussion, whereupon the Chairman stated that they would pull that matter when the Consent Calendar was considered for approval;
 - c. Dan Obermeyer, Planning & Public Works Director, spoke regarding the stop signs in Hamilton City, and advised that Planning & Public Works would bring this matter back to the Board in June, the bumps will be delayed so that the emergency services agencies can take a closer look at the effects on emergency vehicles, that Prop 116 funds may be available for sidewalks along 4th Street in Hamilton City, and that the Levee Committee is gathering petitions for formation of a district, Mr. Obermeyer is hoping to have this matter on the June 7th Board agenda, although it may be necessary to hold a special meeting on the 31st, which will be determined by the week of May 23, 2005.

9:12 a.m. – Belinda Blacketer, County Counsel entered the Meeting

- d. David Shoemaker, County Administrative Officer advised that the May Revise looks positive at this stage.
- e. Supervisor Bungarz suggested County Administrative Officer David Shoemaker send a thank you letter to Planning & Public Works Department for their work on the Dias in the Board Chambers; whereupon the Chairman so ordered.
- f. Don Santoro, Director of Finance, gave a budget update and advised that the Budget Committee will meet after May 20, 2005.

3. **Consent Calendar**

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

Proceedings: The Chairman pulled item (f) from the Consent Calendar for discussion

Motion/Second: Supervisor Freeman/Supervisor Hansen

Order: Approve Consent Calendar

Vote: Unanimous.

4. **Contract – Human Resource Agency**

Also Present: Paul Erlendson, Owner of The Inkwell

Matter: Request of Human Resource Agency Director Kim Gaghagen, approve the following:

- (1) Approve Office Depot as the successful bidder in the Request for Bid process for office supplies;
- (2) Approve Agreement with *Office Depot* for purchase and delivery of office supplies for Human Resource Agency;
- (3) Authorize the Director, or his designee, to execute the Agreement; and
- (4) Authorize the Director, or his designee, to modify or amend the Agreement, contingent upon review and approval of County Administrative Officer. (No general fund impact)

Proceedings: a. Mr. Erlendson objected to approving the aforesaid agreement, as he received his objection letter this morning, and would like more time to review the letter;

- b. Kim Gaghagen, Human Resource Agency Director, reviewed matter and stated Mr. Erlendson had sufficient time for review, and that all procedures were followed in bid process, and after comparison there was an 18% difference in bids including the 5% differential.

Motion/Second: Supervisor Hansen/Supervisor Bungarz

Order: Approve the aforesaid matter

Vote: Unanimous.

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

Tuesday, May 17, 2005

5. **Environmental Health Staff Introduction**

Also Present: Don Holm, Environmental Health Scientist
Kevin Backus, Environmental Health Specialist
Matter: Introduction of Kevin Backus to the Board of Supervisors, who was hired to fill the vacancy left by Greg Lindholm retirement.
Proceedings: Mr. Holm introduced and welcomed Kevin Backus to Environmental Health.

6. **Resolution Honoring Milton E. Walker/Historical Records Commission Trust**

Also Present: Historical Records Commission Members
Matter: Recommendation of the Historical Records Commission to:
a. Adopt and present Resolution 2005-37 "Honoring Milton E. "Gene" Walker"; and
b. Accept donations received from the Historical Records Commission Law Book Sale in the amount of \$350.00 and authorize deposit into Trust Fund set up for the purpose of preservation and restoration of the remaining County Historical Records.
Proceedings: a. The Chairman read and presented Resolution 2005-37 to Mr. Walker's wife Marylou, and daughter, Becky Taylor.
b. Joanne Overton and Marilyn Rehse spoke on behalf of the Historical Records Commission and advised they would co-chair the Commission and continue the work of preserving historical county records.
Motion/Second: Supervisor Bungarz/Supervisor McGowan
Order: Adopt Resolution 2005-37 and approve (b) in matter above
Vote: Unanimous.

7. **Northern Sacramento Valley Regional Drinking Water**

Also Present: Lester Messina, Water Resource Coordinator
Robert Vince, Camp, Dresser & McKee
Matter: Presentation by Mr. Vince updating on the Northern Sacramento Valley Regional Water Quality Management Project.
Proceedings: a. Mr. Messina reviewed the aforesaid matter; and
b. Mr. Vince reviewed and presented a slide presentation.

8. **Notice: Continued Public Hearing**

Matter: The owner of Orland Sand and Gravel Corporation, Doc Bogart, has filed a Writ of Mandate challenging the right of the Board of Supervisors to hear an appeal from the County Planning Commission under SMARA.

The Writ of Mandate was filed in Glenn County Superior Court on April 13, 2005. No summons has been issued. County Counsel recommends that the Public Hearing be continued to June 21, 2005. It is likely the Public Hearing on the Appeal will be continued at that time to a later date. The appellant, Department of Conservation, has agreed to the continuance of the appeal. (See Attachment to AIT)

Recommended Action: Continue the Public Hearing on the Appeal to June 21, 2005, 11:00 a.m.

Proceedings: Pursuant to Letter dated May 16, 2005, from the Department of Conservation, the appeal filed will be withdrawn and not placed on any future agenda.

**10:27 a.m. -- Deputy Clerk Debbie Lambert Entered the Meeting and
Deputy Clerk Sandra Pergson Left the Meeting**

9. **Olive Pest Management**

Also Present: Dan Obermeyer, Planning & Public Works Director
Mark Black, Agricultural Commissioner
Bob Johnson, Operations Superintendent
Glenn County Olive Pest Management District Representative
Matter: Recommendation of Mr. Obermeyer to give direction to the affected agencies for proceeding with the request to remove Olive trees from the County right-of-way and on County owned land to combat the Olive Fruit Fly infestation.
Proceedings: a. Mr. Obermeyer reviewed the aforesaid matter, and discussion was held regarding notifying homeowners of the removal of Olive trees from the County right-of-ways, and advising that if the homeowners desire to replace the trees that they be planted on their property outside of the County right-of-way; whereby County Counsel Belinda Blacketer

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

Tuesday, May 17, 2005

recommended adopting an Ordinance to prohibit planting trees in the County right-of-ways;

- b. Mr. Black advised that the City of Orland has volunteered to remove Olive Trees on their property at no cost to the Olive Pest Management District;
- c. Discussion was held regarding possible funding from Golden State Risk Management Loss Control Subsidy Fund, due to the possible liability of tree stumps;
- d. County Administrative Officer David Shoemaker advised that a list of sources for tree replacement be added to the letter for those affected by the tree removal; and

10:42 a.m. – Supervisor Freeman Left the Meeting

10:43 a.m. – Supervisor Freeman Entered the Meeting

- e. Olive Pest Management District Representative Ernie Simpson advised that some Olive trees in the County right-of-way are being treated and harvested, and requested that trees which are being maintained not be removed.

10. 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
5174	Public Health	To appropriate unanticipated revenue to cover services & supplies expenses in the Public Health program.	\$ 39,123.76
5180	Office of Education-Admin Building Construction Project 01761000	To transfer construction project contingency funds to cover contract change orders for the Office of Education Administration Building. No general fund impact	\$ 23,214.00
5181	Office of Education-Admin Building Construction Project 01761000	To transfer appropriations from buildings & improvements and return to construction project contingency account due to contract change order for Office of Education Administration building project. No general fund impact	\$ 1,662.50
5182	Office of Education-Admin Building Construction Project 01761000	To transfer construction project contingency funds to cover contract change orders for the Office of Education Administration Building. No general fund impact.	\$ 13,977.63
5183	Office of Education-Admin Building Construction Project 01761000	To transfer construction project contingency funds to cover contract change orders for the Office of Education Administration Building. No general fund impact	\$ 11,241.60
5184	Office of Education-Admin Building Construction Project 01761000	To transfer construction project contingency funds to cover contract change orders for the Office of Education Administration Building. No general fund impact.	\$ 7,658.18
5185	Planning & Public Works Agency – Facilities Division (01011120)	To appropriate unanticipated revenue to cover services & supplies expenses in the Facilities Maintenance Division.	\$ 1,363.00
5186	Human Resource Agency/ Community Action Division	To appropriate unanticipated revenue to cover professional services expenses in the Community Development Block Grant program.	\$ 1,500.00

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

Tuesday, May 17, 2005

5189	Human Resource Agency/Community Action Division	To appropriate unanticipated revenue to cover services & supplies expenses in the Community Action CalWorks Job Development Program.	\$ 45,000.00
5190	Human Resource Agency/Community Action Division	To appropriate unanticipated revenue to cover services & supplies expenses in the Community Action CalWorks Employment & Training Program.	\$ 41,000.00
5191	Human Resource Agency/Community Action Division	To appropriate unanticipated revenue to cover services & supplies expenses in the Community Action CalWorks Section 8 Program.	\$ 14,800.00

Motion/Second: Supervisor Freeman/Supervisor McGowan
Order: Approve the aforesaid transfers
Vote: Unanimous.

11. Surface Water Stewardship Tour Expenses

Matter: Recommendation of Agricultural Commissioner Mark Black to approve payment to vendors for t-shirts and mugs given out on the Surface Water Stewardship tour that was held on April 20, 2005. (Grant funded, no general fund impact)

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

12. Legal Advertising Bids

Matter: Recommendation of Clerk of the Board David Shoemaker to:

- a. Accept bids for legal advertising from The Sacramento Valley Mirror and Tri Counties Newspapers; and
- b. Approve Tri Counties Newspapers as the successful bidder in the Request for Bid process for legal advertising;
- c. Approve and authorize the Chairman of the Board of Supervisors to execute Agreement with *Tri Counties Newspapers* for the purpose of providing legal advertising for all Glenn County Departments, for fiscal year 2005/2006, costs set forth therein.

Proceedings:

- a. On motion of Supervisor Bungarz, seconded by Supervisor Hansen, it was unanimously ordered to approve the aforesaid matter;
- b. Upon discussion, the above motion was amended by Supervisor Bungarz, with Supervisor Hansen concurring, to change within the Contract "Tri Counties" Newspapers to the correct business name of "Tri County" Newspapers, throughout the agreement.

13. Contract - Health Services Agency

Matter: Recommendation of Health Services Director Mike Cassetta to authorize Health Services Director, or his designee to execute Agreement with Auburn Counseling Services Inc., d.b.a. Communicare, contingent upon review and approval of County Counsel for after hours crisis telephone services commencing June 1, 2005, and any future amendments to this agreement, contingent upon review and approval of County Administrative Officer. (No general fund impact)

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

14. Contract – Health Services Agency

Matter: Recommendation of Health Services Director Mike Cassetta to authorize the Board of Supervisors to execute Amendment to Agreement with California Department of Health Services for HIV Prevention Program for fiscal years 2004/2007 with Amendment effective date of July 1, 2005 for a total amount of \$88,278.00. (County Contract 1759) (No general fund impact)

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

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

Tuesday, May 17, 2005

15. **Far Northern Coordinating Council - Appointment**

Matter: Notice of Vacancy being posted, consider reappointment of Marcus Stuart to the Far Northern Coordinating Council on Developmental Disabilities for new term from July 1, 2005 to June 30, 2007.
Motion/Second: Supervisor Hansen/Supervisor Bungarz
Order: Approve the aforesaid matter
Vote: Unanimous.

16. **Local Child Care Planning Council – Priorities Report Form**

Matter: Upon the request of Local Child Care Planning Council Coordinator Laura Van Dervoort, approve and authorize the Chairman of the Board of Supervisors to execute *Local Planning Council (PC) County Priorities Report Form*, for child care expansion funds.
Motion/Second: Supervisor Bungarz/Supervisor Hansen
Order: Approve the aforesaid matter
Vote: Unanimous.

17. **Miscellaneous**

Matter: Reviewed the following items with no action taken:

- a. Notice from Agricultural Commissioner Mark Black advising that the Technical Advisory Committee (for the Water Advisory Committee) meeting scheduled for May 24, 2005 has been cancelled.
- b. Notice from Agricultural Commissioner Mark Black advising that the next Water Advisory Committee meeting will be held June 14, 2005, 1:30 p.m., at the Glenn Colusa Irrigation District office.
- c. Letter from the United States Forest Service advising that the Mendocino National Forest is requesting comments regarding a request for State Off-Highway Vehicle (OHV) grant funding for the 2005-2006 cooperative agreement cycle, for the following four proposed projects, comments to be received no later than June 5, 2005:
 - (1) Facility Operations and Maintenance
 - (2) Trail Maintenance and Conservation
 - (3) Law Enforcement
 - (4) Restoration
- d. Pre-notice from Human Resource Agency Director Kim Gaghagen regarding the submittal of a Dos Rios Continuum of Care Application for Homeless Management Information System purposes.
- e. Statistical Reports for various Human Resource Agency Programs, for the period ending March 31, 2005.
- f. *Auditors Cash Report*, for the month of April 30, 2005.
- g. *Statement of Assets in the County Treasury*, in accordance to Government Code Sections 26920-26923 of the State of California.

18. **Fish and Game Wildlife Conservation Board**

Matter: Letter from California Department of Fish and Game Wildlife Conservation Board (WCB), advising that the WCB will consider the acquisition of approximately 247 acres of wildlife habitat located in both Colusa and Glenn Counties, of which 23 acres is located in Glenn County.

Proceedings:

- a. Discussion was held regarding the Wildlife Conservation Board owing \$172,000 in Payment in lieu of Taxes (PILT) going back to 2002/2003, and suggested writing a letter opposing any land acquisitions until Fish and Game pays the delinquent tax;
- b. County Administrative Officer David Shoemaker advised writing to the legislature to urge an appropriation in the State Budget to pay for the PILT;
- c. Supervisor Bungarz advised that the Sacramento River Conservation Area Forum and California Bay-Delta Public Advisory Committee have been working toward resolving the non-payment of PILT and issues regarding the acquisition of land;
- d. On motion of Supervisor Hansen, seconded by Supervisor Freeman, it was unanimously ordered to write a letter to Wildlife Conservation Board opposing the land acquisition until the County has been compensated for the late taxes, with copies to Regional Council of Rural Counties and California State Association of Counties;
- e. Discussion was held regarding sending the letter to State Representatives and the Governor, and Director of Finance Don Santoro advised that he has treated PILT as unpaid taxes with late fees

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

Tuesday, May 17, 2005

and letters, and requested that he be included in the composition of the letter;

- f. The motion in (d) above was amended by Supervisor Hansen, with Supervisor Freeman concurring, to direct that Mr. Shoemaker and Mr. Santoro work together to compose the letter.

**11:13 a.m. -- The Chairman Called the Meeting in Recess
Assistant Clerk of the Board Sandy Soeth Entered the Meeting and
Deputy Clerk Debbie Lambert Left the Meeting
The Chairman Called the Meeting to Order**

19. **Closed Session**

- Matter:
- a. Conference with Legal Counsel – Existing Litigation - Government Code § 54956.9(a) - Timothy F. Crews v. Board of Supervisors, et al. (Case # 04CD00223)
 - b. Conference with Legal Counsel - Threat of litigation pursuant to Government Code § 54956.9(b)(3)(D) - Orland Sand and Gravel Corp. v. County of Glenn, et al. (Case No. 05CV00269)
 - c. Conference with Legal Counsel – Discussion of possible initiation of litigation pursuant to Government Code § 54956(c) – (1 case)
 - d. Adjourn to Closed Session pursuant to the Personnel Exception Government Code Section 54957.1 - Governing Board Determination of Industrial Disability of Employee Pursuant to Government Code Section 21156
 - e. Adjourn to Closed Session pursuant to Government Code Section 54957 to hold Public Employee Performance Evaluation for County Administrative Officer David Shoemaker.
- Proceedings:
- a. The Chairman announced the aforesaid matter
 - b. As a result of Closed Session, the Chairman made the following announcements:
 - (1) The Board gave direction to County Counsel for matters (a) and (b) above;
 - (2) The Board gave direction to the County Administrative Officer and County Counsel for matter (c) above;
 - (3) The Board unanimously adopted Resolution 2005-40 "Determination of Industrial Disability of Employee Pursuant to Government Code Section 21156"; and
 - (4) Matter (e) above was cancelled on the advise of County Counsel, whereby no action was taken.

20. The Chairman adjourned the meeting at 12:22 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	

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

Tuesday, May 17, 2005

ATTACHMENT "A"

3. **Consent Calendar**

Matter: Review and take actions related to the Consent Calendar.
 Motion/Second: Supervisor Freeman /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
5187	County Administrative Officer	Transfer appropriations from services & supplies to cover salary & benefits and moving expenses. No general fund impact.	\$ 25,600.00

b. **Resolution – Local Government Used Oil Grants**

Upon the recommendation of Planning & Public Works Director Dan Obermeyer, adopted Resolution 2005-38 “*Authorizing Local Government Used Oil Grants*”, which authorizes continued participation.

c. **Resolution – Classification Specification/Child Support Services Agency**

Upon the recommendation of Personnel Director John Greco, adopted Resolution 2005-39 “*To Convert the Classification Specification of the Assistant Director, Child Support Services Agency from a Merit Systems Classification to a Glenn County Classification*”.

d. **Proclamation – Human Resource Agency**

Upon the recommendation of Human Resource Agency Director Kim Gaghagen, Proclaimed *May 2005 as National Community Action Month*.

e. **Proclamation – Human Resource Agency**

Upon the request of Human Resource Agency Director Kim Gaghagen, Proclaimed *May 2005 as Recognizing Foster Care Month*.

f. **Contract – Health Services Agency**

Upon the recommendation of Health Services Director Mike Cassetta, approved agreement, and authorized the Board of Supervisors to execute Agreement with the California State Department of Health Services for the Childhood Lead Poisoning Prevention Program, commencing July 1, 2005 to June 30, 2008 for \$40,500.00. (County Contract 1012) (No general fund impact)

g. **Contract – Health Services Agency**

Upon the recommendation of Health Services Agency Director Mike Cassetta, approved and authorized the Chairman of the Board to execute Standard Agreement Amendment with the California State Department of Alcohol and Drug Programs, which increases the funds the County receives to \$681,265.00 for fiscal year 2004/2005. (County Contract 537) (No general fund impact)

h. **Line Item Budget – Human Resource Agency**

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	04999726	Chico Research Foundation	\$2,000.00

i. **Line Item Budget – Human Resource Agency**

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

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

Tuesday, May 17, 2005

Department	Service Acct	Department Name	Budget Amount
Community Action	04999727	ULTS Program	\$5,850.00

- j. **990 Hour Rule – Health Services Agency**
Upon the recommendation of Health Services Agency Director Mike Cassetta, approved waiving the 990 hour rule for Public Service Employee III Cheryl Berge, to allow for an additional 260 hours for special training she received. (Pursuant to Glenn County Administrative Manual Section 10.09.12(A))