

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

**Tuesday, May 4, 2004**

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, Hansen, McGowan, Sprague and Freeman (Chairman)

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 54957.6 adjourn to Closed Session to receive information from and provide instructions to the County's Chief Negotiator regarding negotiations with the Deputy Sheriff's Association.

Proceedings: a. The Chairman announced the aforesaid matter; and  
b. The Chairman advised there was no announcement from Closed Session.

Motion/Second: Chairman Direction

Order: Adjourn to Closed Session.

2. **Minutes**

Matter: Approve the Minutes of April 20, 2004.

Motion/Second: Supervisor Sprague/Supervisor Hansen

Order: Approve the aforesaid Minutes

Vote: Unanimous.

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 reviewed documents relating to Senate Bill 1905/which deletes the repeal date of laws that authorizes the Board of Supervisors of a County of inspecting or testing devices incurred by the County Sealer, and would repeal the maximum annual charges for devices at one location and maximum registration fees for weighting devices, motor truck scales, and livestock scales. Upon discussion it was the General Consensus that the Chairman execute a letter to be ratified at the next regular meeting.  
c. Supervisor Bungarz also reviewed Assembly Bill 2690 which allows citizens to volunteer and work in concert with workers paid prevailing wages for the ecological health of the State's watersheds and natural resources, and advised that Regional Council of Rural Counties supports this bill; whereupon Supervisor Bungarz advised he would write a letter of support for the Chairman to execute and ratify at the next regular meeting.  
d. Director of Finance Don Santoro advised that the online auction for defaulted properties will not take place, as the taxes were paid in full on all the properties.  
e. Golden State Risk Manager Scott Schimke submitted and reviewed a letter from CSAC Excess Insurance Authority regarding Workers Compensation Reform Summary (SB 899) dated April 26, 2004.

4. **Consent Calendar**

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

Proceedings: Supervisor Sprague requested item (b) pulled from the Consent Calendar and Supervisor Hansen requested item (g) pulled from the Consent Calendar for discussion

Motion/Second: Supervisor Bungarz/Supervisor McGowan

Order: Approve Consent Calendar set forth on Attachment "A" with the exception of items (b) and (g)

Vote: Unanimous.

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5. **Resolution – Glenn Medical Center**

Matter: Recommendation of County Counsel Belinda Blacketer, adopt Resolution 2004-39 *“Restating the Intent of the County in Subsidizing Glenn Medical Center’s Hospital Emergency Room Services and Hospital Operations”*.  
Proceedings: County Counsel reviewed the aforesaid Resolution  
Motion/Second: Supervisor Bungarz/Supervisor Sprague  
Order: Adopt Resolution 2004-39  
Vote: Unanimous.

6. **Contract – Human Resource Agency**

Matter: Recommendation of Human Resource Agency Director Kim Gaghagen, approve and authorize Mr. Gaghagen, or his designee, to execute *Amendment No. 8 to the Agreement Between the County of Glenn and Sinclair Heating & Air Conditioning*, which increases the not-to-exceed amount to \$30,000.00. (No general fund impact)  
Proceedings: Human Resource Agency Director Kim Gaghagen reviewed the aforesaid matter  
Motion/Second: Supervisor Hansen/Supervisor Bungarz  
Order: Approve the aforesaid matter  
Vote: Unanimous.

7. **Resolution Honoring Ernie L. Simpson**

Also Present: Ernie L. Simpson, Deputy Ag Commissioner  
Matter: Pursuant to the retirement of Mr. Simpson, adopt and present Resolution 2004-36 *“Honoring Ernie L. Simpson”*, as he retired from County service of 34 years, effective April 30, 2004.  
Proceedings: The Chairman read and presented the Resolution to Mr. Simpson  
Motion/Second: Supervisor Bungarz/Supervisor Hansen  
Order: Adopt Resolution 2004-36  
Vote: Unanimous.

8. **Public Health Program Coordinator Position**

Also Present: Mike Cassetta, Health Services Director  
Grinnell Norton, Public Health Program Manager  
Matter: Recommendation of Mr. Cassetta to approve a fourteen working day overlap of the Program Coordinator position to allow for training of new employee. (No General Fund Impact)  
Proceedings: Mr. Cassetta reviewed the aforesaid matter  
Motion/Second: Supervisor Bungarz/Supervisor Hansen  
Order: Approve the aforesaid matter  
Vote: Unanimous.

9. **Transfer of Realignment Funds**

Also Present: Mike Cassetta, Health Services Agency Director  
Cecilia Hutsell, Deputy Director of Health Services  
Matter: Recommendation of Mr. Cassetta to:  
a. Schedule Public Hearing for transfer of realignment funds from Public Health Realignment account to Mental Health Realignment account; and  
b. Approve Transfer of Funds from 01024010/67076/Inter Revenue - #497 to 01024012/03230/Professional Services for \$26,885.00 to appropriate unanticipated Public Health realignment revenue to cover Mental Health expenditures.  
(No General Fund Impact)  
Proceedings: a. Mr. Cassetta reviewed the aforesaid matter, and although a public hearing was not required, requested public input on this matter; whereupon County Counsel advised that this matter could be heard this date as a public hearing;  
b. The Chairman opened meeting for public comments; whereupon none being heard the Chairman closed hearing to public comments; and  
c. On motion of Supervisor McGowan, seconded by Supervisor Bungarz, it was unanimously ordered to conclude and decide matter, and approve as set forth in (a) and (b) above.

**10:02 a.m. – The Chairman called the Meeting In Recess  
Deputy Clerk Debbie Lambert Entered the Meeting  
Deputy Clerk Sandra Pergson Left the Meeting  
10:06 a.m. – The Chairman called the Meeting To Order**

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10. **Public Hearing – General Plan Amendment #2003-03 and Zone Change #2003-07**

Also Present: Daniel A. Obermeyer, Planning & Development Director  
Christy Leighton, Principal Planner

Matter: Pursuant to Affidavit of Publication on file in the Office of the County Clerk, hold Public Hearing to consider proposed General Plan Amendment and Zone Change from "Intensive Agriculture, forty-acre minimum parcel size" to "Rural Residential, five-acre minimum parcel size", located on the North and South sides of County Road 51, east of the Glenn-Colusa Irrigation District Canal, East of the City of Willows, and:

- a. Adopt Mitigated Negative Declaration with five (5) findings and four (4) Mitigation Measures, set forth therein;
- b. Adopt Resolution "*Making Determinations, Reasons, and Findings Amending the General Plan of Glenn County and Adopting General Plan Amendment #2003-03*"; and
- c. Adopt Ordinance "*Rezoning a Certain Portion of the County*". (Read title and waive further reading)

Proceedings:

- a. The Chairman opened the aforesaid matter for public hearing;
- b. Mr. Obermeyer reviewed the aforesaid matter, and advised that included in the backup material are several letters received from the public regarding the proposed zone change;
- c. Supervisor Hansen advised that if the zone change is approved, there is a potential of two homes per five acre parcel, a total of twenty two homes, which would create traffic problems, the possible need to construct three additional bridges for access to area, summer water seepage concerns and the need for ag buffers;
- d. Discussion was held regarding the need to address the matter in a more comprehensive method, the Urban Limit Line being beyond the canal, the proposed rezone bringing the current County General Plan and zoning in line with Cities General Plan for the area to be a suburban density area, and the possibility of the City annexing the area;
- e. The Chairman opened the hearing for public comment, whereupon the following spoke:
  - (1) Virgil Reed, who owns property south of the proposed zone change, expressed concerns with water seepage from the canal, septic tanks, wells, and ag planes flying early in the morning
  - (2) Land owner George Amaro advised that the zone change would split his property, and he opposes the zone change
  - (3) Alan Schauer advised that he objects to ag land being taken out of production and taxpayers having to pay for developer's roads and bridges
  - (4) Tom Knowles, applicant, advised that soil/percolation tests for drainage/septic were completed in November and the following September, that there was excellent percolation, that he intends to do a subdivision map if the zone change is approved, and that the five acres he owns will serve as an ag buffer
  - (5) John Amaro advised that the State stipulates in their Housing Mandates that five acre lots be part of the General Plan, which the General Plan needs to address
- f. The Chairman closed the hearing to public comments;
- g. Mr. Obermeyer advised that the deadline for a decision regarding the aforesaid matter is December 18, 2004;
- h. Discussion was held regarding the Negative Declaration, and the need to look at the cumulative impact of the zone change;
- i. On motion of Supervisor McGowan, seconded by Supervisor Sprague, it was unanimously ordered to conclude Public Hearing, take matter under submission, and refer matter to the Planning Department for more information on the cumulative impact of the proposed change; and
- j. Mr. Obermeyer advised that he would look to resolve or mitigate the following issues: impact on agriculture lands, drainage, cumulative impacts, circulation, relationship to the City's General Plan, Urban Limit Lines, provision of sewer vs. septic tanks, drainage, transportation, impact on infrastructure and the ability to implement and pay for facilities, and water.

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11. **Glenn County Solid Waste System**

Also Present: Tom Z. Varga, Public Works Assistant Director  
Matter: Recommendation of Director of Public Works Doug Holvik to:  
a. Recognize Resolutions of Consent from the Cities of Willows and Orland for the extension of service charges imposed in improved real property within the incorporated area for use and/or ability to use the Glenn County Solid Waste System; and  
b. Adopt Annual Resolution 2004-40 "*Extending Service Charges Imposed on Improved Real Property Within the County of Glenn for the Use and/or Ability to use the Glenn County Solid Waste System*".  
Proceedings: Mr. Varga reviewed the aforesaid matter  
Motion/Second: Supervisor Bungarz/Supervisor McGowan  
Order: Approve (a) above and adopt Resolution 2004-40  
Vote: Unanimous.

**11:30 a.m. – Supervisor McGowan Left the Meeting**

**11:32 a.m. – Supervisor McGowan Entered the Meeting**

12. **Resolution – Administrative Manual**

Matter: Recommendation of Assistant Clerk of the Board Sandy Kennedy to adopt Resolution 2004-41 "*Amending Title 2, "Rules and Regulations Governing Meetings of the Board of the Administrative Manual*".  
Proceedings: Administrative Representative Kim Gaghagen reviewed the aforesaid matter  
Motion/Second: Supervisor Bungarz/Supervisor Sprague  
Order: Adopt Resolution 2004-41  
Vote: Unanimous.

13. **Water Advisory Committee – Water Ordinances**

Matter: Recommendation of Supervisor Hansen to direct the Water Advisory Committee to:  
a. Consider Repealing Ordinance No. 672;  
b. Review and consider modifications to the definitions in Ordinance 1115; and  
c. Direct the Water Advisory Committee to make appropriate modifications and bring back to the Board for the appropriate action. (Ordinances as set forth in County Code Sections 20.03 & 20.04)  
Proceedings: Supervisor Hansen advised of inconsistencies between Ordinance 672 and 1115, and that definitions of certain vocabulary need to be verified/clarified.  
Motion/Second: Supervisor Bungarz/Supervisor Hansen  
Order: Approve the aforesaid matter  
Vote: Unanimous.

14. **Health Services Agency Public Health Waiting Room**

Matter: Recommendation of Mr. Cassetta to authorize the Health Services Agency Director, or his Designee, to purchase a Bead Maze Play Table for the Public Health waiting room, for \$399 plus shipping. (No General Fund Impact)  
Motion/Second: Supervisor Bungarz/Supervisor Hansen  
Order: Approve the aforesaid matter  
Vote: Unanimous.

15. **Glenn County Airport Advisory Committee Vacancy**

Matter: Notice of Unscheduled Vacancies being posted for the Glenn County Airport Advisory Committee, consider appointment of Pete Mann for a three year term to April 30, 2006, and no response being received thereto, consider appointment to fill the vacancy of Ernest Myers.  
Motion/Second: Supervisor McGowan/Supervisor Bungarz  
Order: Appoint Pete Mann for a three year term to April 30, 2006  
Vote: Unanimous.

16. **Glenn County Fair Parade**

Matter: Letter from the Orland Chamber of Commerce for participation of the Board of Supervisors in the Glenn County Fair Parade May 22, 2003, entry fee \$15.00. (Fee to be paid by Supervisors)  
Proceedings: It was the General Consensus to participate in the Glenn County Fair Parade with entry fee to be paid from personal funds.

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17. **California Red-legged Frog**  
Matter: Letter from the United States Fish and Wildlife Service requesting comments and data on the proposed designation of critical habitat for the threatened California Red-legged Frog, deadline for comments being May 28, 2004.  
Proceedings: No action was taken regarding the aforesaid matter.
18. **State-Imposed Child Support Penalties**  
Matter: Letter from California State Association of Counties regarding the impact of the County's share of state-imposed child support penalties, which total \$56,756.00 for Glenn County.  
Proceedings: It was the General Consensus to refer the aforesaid matter to Director of Finance Don Santoro for impacts to be developed, and that the Board execute a letter to the Governor regarding the impact to the County.
19. **Temporary Assistance for Needy Families Juvenile Probation Funding**  
Matter: Letter from California State Association of Counties regarding the impact of the Governor's proposal to eliminate the county's share of Temporary Assistance for Needy Families (TANF) Juvenile Probation Funding.  
Proceedings: The Chairman Directed that the aforesaid matter be forwarded to the Chief Probation Officer Linda Shelton for impacts at a local level, and that the Board execute a letter to the Governor regarding the impact to the County.
20. **Miscellaneous**  
Matter: Reviewed the following items with no action taken:  
(a) Mental Health, Alcohol and Drug Commission Annual Report.  
(b) Notice from Agricultural Commissioner Bill Duckworth, advising that the Water Advisory Committee Meeting scheduled May 11, 2004 has been cancelled.

**11:48a.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 1:38 p.m., with members as follows:

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

Also Present: Belinda Blacketer, County Counsel  
Sandra Pergson, Deputy Clerk

21. **Study Session**  
Also Present: Mike Cassetta, Health Services Agency Director  
Melissa Olivera, Administrative Assistant  
Cecilia Hutsell, Deputy Director Health Services  
Cindy Biddle, Health Services Program Manager  
Matter: Power Point presentation regarding the future of Drug Court in the next three fiscal years, as funding diminishes.  
Proceedings: a. Mr. Cassetta reviewed submitted information titled "*Substance Abuse Treatment Courts Glenn County 2004-2005*" and advised that although funding ends in 2006 the mandate for Drug Court continues. The funding pays for a ½ time Probation Officer which ends in June 2005;  
b. Ms. Biddle stated that 38 counties are funded under the grant and that the Department of Corrections is advocating for funding for their own treatment services in prisons, with a resident program the last six months of program. Some counties use fee collections to pay for funding source.

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22. **Closed Session**

Matter: Adjourn to Closed Session pursuant to Government Code Section 54957 to hold continued Public Employee Performance Evaluation for County Counsel Belinda Blacketer.

Proceedings: a. The Chairman announced the aforesaid matter;  
b. The Chairman advised there was no announcement from Closed Session.

Motion/Second: Chairman direction

Order: Adjourn to Closed Session.

23. The Chairman adjourned the meeting at 3:19 p.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 McGowan  
 Order: Approve Consent Calendar as set forth below  
 Vote: Unanimous by members present.

a. **Transfer of Funds**

Approved the following intradepartmental Transfer of Funds:

<b>Trans No.</b>	<b>Department</b>	<b>Description</b>	<b>Amount</b>
5259	Human Resource Agency/ Community Action Division	To appropriate unanticipated revenue for the Child Abuse Treatment Program. No general fund impact.	\$ 24,776.00
5260	Human Resource Agency/ Community Action Division	To appropriate unanticipated revenue for the California Child & Family Commission Program. No general fund impact.	\$ 5,000.10
5261	Human Resource Agency/ Community Action Division	To appropriate unanticipated revenue for the Child Abuse Treatment Program. No general fund impact.	\$ 4,000.00
5262	Human Resource Agency/ Community Action Division	To appropriate unanticipated revenue for the Community Development Block Grant (CDBG). No general fund impact.	\$ 1,000.00
5263	Human Resource Agency/ Community Action Division	To appropriate unanticipated revenue for the Community Development Block Grant (CDBG). No general fund impact.	\$ 1,000.00
5267	Agricultural Commissioner	To appropriate unanticipated Weed Management revenue to pay administrative fees to Ag Commissioner. General fund impact equal to revenue to general fund.	\$ 5,003.00
5269	Human Resource Agency/ Community Action Division	To appropriate unanticipated revenue for the Community Development Block Grant (CDBG) program. No general fund impact.	\$ 2,500.00
5270	Human Resource Agency/ Community Action Division	To appropriate unanticipated revenue for the Community Action Section 8 program. No general fund impact.	\$ 2,925.00
5274	In-House Projects #01011121	To transfer appropriations to cover Juvenile Hall electronic door locks and surveillance equipment. No general fund impact.	\$ 5,266.00
5276	Clerk-Recorder	To transfer general reserve from Vital & Statistics trust to Recorder to cover software upgrade. No general fund impact.	\$ 5,310.00

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b. **Resolution – Community Services Block Grant (CDBG)**

Upon the recommendation of Human Resource Agency Director Kim Gaghagen, adopted Resolution 2004-37 “Application for Community Services Block Grant Discretionary Funding From the California Department of Community Services and Development” and approved the following line item budget: (No general fund impact)

Department	Service Acct	Department Name	Budget Amount
Community Action	04999591	CSBG Discretionary 2004	\$108,000.00

c. **Proclamation – Older Americans Month**

Upon the recommendation of Supervisor McGowan, Proclaimed May as *Older Americans Month*.

d. **Resolution – Contract/Agricultural Commissioner**

Upon the recommendation of Agricultural Commissioner Bill Duckworth, adopted Resolution 2004-38 “To 1) Approve an Addendum to an Agreement Between County of Glenn and Eaton Drilling Co., Inc., and 2) Approval of a Redrafted MOU Between GCID and County of Glenn, Originally Approved on April 20, 2003”. (No general fund impact)

e. **Contract – Agricultural Commissioner**

Upon the recommendation of Agricultural Commissioner Bill Duckworth, approved and authorized Mr. Duckworth to execute contract with *Wood Rodgers Inc.* to examine the future of agricultural land and water use within the Orland area of Glenn County, paid for by the Great Valley Center LEGACI Grant of \$15,000.00.

f. **Human Resource Agency – Able-Bodied Adults Without Dependents**

Upon the recommendation of Human Resource Agency Director Kim Gaghagen, approved and authorized the Board of Supervisors Chairman and Human Resource Agency Director to execute letter to the Employment Programs Bureau requesting a waiver of the work requirement for Able-Bodied Adults without Dependents. Employment services can be provided through other programs that avoid additional County costs. (No general fund impact)

g. **Line Item Budget – Chico Research Foundation**

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	04999725	Chico Research Foundation	\$2,000.00

h. **Line Item Budget – Small County Initiative**

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	04999544	Small County Initiative	\$50,000.00

i. **Blue Claim, Payroll Authorization - Probation**

Upon the recommendation of Chief Probation Officer Linda Shelton, authorized Administrative Assistant Olivia Ramirez, Juvenile Hall Manager Rhonda Schuchart and Juvenile Supervising Probation Officer Brandon Thompson to execute blue claims and payroll.