

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

Tuesday, June 1, 2004

The Chairman of the Board of Supervisors of the County of Glenn, State of California, called the meeting to order at 8:36 a.m., with members as follows:

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

Also Present: Debbie Lambert, Deputy Clerk

Absent: Belinda Blacketer, County Counsel

THE PLEDGE OF ALLEGIANCE WAS RECITED

1. **Closed Session**

Matter: Hold Closed Session pursuant to Government Code Section 54957.6 to receive information from and provide instructions the County's Chief Negotiator regarding negotiations with the Deputy Sheriff's Association, Glenn County Mid Management Association, the General Unit (UPEC Local 792), and the Peace Officers 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.

County Counsel Belinda Blacketer Entered the Meeting During Closed Session

8:57 a.m. -- The Chairman Called the Meeting in Recess

9:02 a.m. -- The Chairman Called the Meeting to Order

2. **Minutes**

Matter: Approve the Minutes of May 18, 2004.

Motion/Second: Supervisor Hansen/Supervisor Sprague

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 Sprague advised that Supervisor Charles Willard of Tehama County had an aneurysm, and it was the general consensus to send him a card.
c. Discussion was held regarding a letter County Counsel Belinda Blacketer sent to Enloe advising that they are in violation of their contract with the County due to their refusal to supply information for an audit to Glenn Medical Center.
d. Director of Finance Don Santoro advised that the 2004/2005 budget is \$278,000 out of balance, that the State will provide some relief, and that the Budget Tabulation will be presented at the next Board Meeting.
e. Sheriff-Coroner Bob Shadley announced that he will retire December 2004, ending a 37 year law enforcement career, and thanked the voters of Glenn County, men and women in the Sheriffs Department, and the Administration; whereby, the Board expressed their appreciation of his service to the County and his teamwork efforts, and discussion was held regarding the process of replacing the Sheriff when he retires and County Counsel Belinda Blacketer advised that she would submit an Opinion advising of the options.

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

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 matters set forth on Attachment "A"

Vote: Unanimous.

9:40 a.m. – County Counsel Belinda Blacketer Entered the Meeting

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5. **Employee Benefits Evaluations Committee**

Also Present: John Greco, Personnel Director
Matter: Recommendation of Mr. Greco to appoint members to the Employee Benefits Committee and request that the Deputy Sheriff's Association, Glenn County Mid Managers Association, the General Unit (UPEC Local 792), and the Peace Officers Association each appoint an employee representative.
Proceedings: a. Mr. Greco advised that there may be changes in Health Insurance delivery, and options need to be examined to determine what is best for the employees;
b. On motion of Supervisor Bungarz, seconded by Supervisor Hansen, it was unanimously ordered to appoint Chief Probation Officer Linda Shelton as the appointed Department Head representative, ask Assessor/Clerk-Recorder Vince Minto if he would represent Elected Employees and appoint if he agrees, and direct the Bargaining Units to appoint representatives to the Committee; and
c. Upon discussion, the aforesaid motion was amended by Supervisor Bungarz, with Supervisor Hansen concurring, to include that the Personnel Director John Greco seek and include representatives from the Retirees, Mid Managers Association, and non-represented employees.

6. **Layoff Notices**

Also Present: John Greco, Personnel Director
Matter: Recommendation of Mr. Greco to adopt the following as policy:
a. Layoff notices must be reviewed by the Personnel Director and County Counsel prior to being given to an employee; and
b. Personnel Department shall create a rehire list of laid off employees for new recruitments from which Department Heads shall consider qualified candidates prior to selecting from other recruitment lists.
Proceedings: Mr. Greco reviewed the aforesaid matter.
Motion/Second: Supervisor Hansen/Supervisor Bungarz
Order: Approve the aforesaid matter
Vote: Unanimous.

7. **CSAC-EIA Employee Assistance Program (EAP)**

Also Present: John Greco, Personnel Director
Matter: Recommendation of Mr. Greco to authorize the Director to continue the Employee Assistance Program (EAP) under the CSAC-EIA contract and execute any required plan documents.
Proceedings: Mr. Greco advised that the cost will be reduced by \$.21 per employee per month.
Motion/Second: Supervisor Bungarz/Supervisor Sprague
Order: Approve the aforesaid matter
Vote: Unanimous.

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

8. **Equalization, Board of**

Matter: Recommendation of Assessor Vince Minto to accept the withdrawal of Assessment Appeal Application #2002-01 for Dynegy Connect.
Motion/Second: Supervisor Bungarz/Supervisor Hansen
Order: Accept the aforesaid withdrawal
Vote: Unanimous.

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

9. **Resolution – Position Allocation/Department of Finance**

Matter: Recommendation of Director of Finance Don Santoro to adopt Resolution 2004-51 "Amending the Position Allocation List for the Department of Finance", which eliminates one Account Clerk position in the Treasurer-Tax Collector Division.
Motion/Second: Supervisor McGowan/Supervisor Hansen
Order: Adopt Resolution 2004-51
Vote: Unanimous.

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10. **Resolution – Position Allocation/Health Services Agency**
Matter: Recommendation of Health Services Agency Director Mike Cassetta to adopt Resolution 2004-52 “*Amending the Position Allocation List for the Health Services Agency*”, which eliminates one Case Manger position.
Motion/Second: Supervisor Hansen/Supervisor Bungarz
Order: Adopt Resolution 2004-52
Vote: Unanimous.
11. **Resolution – Grant Funding/District Attorney**
Matter: Recommendation of District Attorney Bob Holzapfel to adopt Resolution 2004-53 “*For Authorization to Apply for Grant Funding from the State of California Through the Governor’s Office of Emergency Services, Criminal Justice Programs Division*” for investigation and vertical prosecution of statutory rape, elder abuse and major narcotics vendors. (No general fund impact)
Motion/Second: Supervisor Sprague/Supervisor Hansen
Order: Adopt Resolution 2004-53
Vote: Unanimous.
12. **Resolution – Administrative Manual/Boards, Committees, Commissions and Districts**
Matter: Recommendation of Assistant Clerk of the Board Sandy Kennedy to adopt Resolution 2004-54 “*Adding Chapter 16 – Boards, Committees, Commissions and Districts, to the Administrative Manual*”.
Motion/Second: Supervisor Bungarz/Supervisor Sprague
Order: Adopt Resolution 2004-54
Vote: Unanimous.
13. **General Fund Contingency/Willows Airport Aeronautics Grant**
Matter: Recommendation of Public Works Director Doug Holvik to approve Transfer No. 5333 from General Fund Contingency to cover remainder of grant match for the Willows Airport Aeronautics Grant for runway and taxiway improvements, for \$297.85. (Previously approved per Minute Order 10 of April 1, 2003 and Minute Order 18 of November 21, 2000) (Requires 4/5th vote)
Motion/Second: Supervisor Bungarz/Supervisor McGowan
Order: Approve Transfer No. 5333
Vote: Unanimous.
14. **Family Resource Center – Hamilton City**
Matter: Recommendation of Human Resource Agency Director Kim Gaghagen to:
a. Approve and authorize the Director, or his designee, to execute a purchase agreement for the purchase of a modular building for the Family Resource Center in Hamilton City, amount not-to-exceed \$53,000.00;
b. Authorize the Director, or his designee, to enter into any sub-agreements necessary to complete the purchase and installation of the modular building, contingent upon County Counsel review and approval; and
c. Authorize the Director, or his designee, to amend the agreement contingent upon the County Counsel review and approval as to form.
(No general fund impact)
Proceedings: a. On motion of Supervisor McGowan, seconded by Supervisor Hansen, it was unanimously ordered to approve the aforesaid matter; and
b. Upon discussion, the aforesaid motion was amended by Supervisor McGowan, with Supervisor Hansen concurring, to include that the Community Development Block Grant (CDBG) Reuse Committee approved transferring \$10,000 from Fund No. 342.
15. **State Contract – Department of Alcohol and Drug Programs/Health Services Agency**
Matter: Recommendation of Health Services Agency Director Mike Cassetta to approve and authorize the Board of Supervisor’s Chairman to execute State Contract with the *Department of Alcohol and Drug Programs*, for alcohol and drug service and perinatal treatment expansion programs, County to receive \$2,041,911 for fiscal years 2004 through 2008. (No general fund impact) (County Contract 537)
Motion/Second: Supervisor Hansen/Supervisor Bungarz
Order: Approve the aforesaid matter
Vote: Unanimous.

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**10:00 a.m. -- Deputy Clerk Sandra Pergson Entered the Meeting and
Deputy Clerk Debbie Lambert Left the Meeting**

16. **Budget – Animal Control**

Also Present: Ray Cavier, Animal Control Officer
Matter: Recommendation of Mr. Cavier to approve one of the following:
a. Approve Transfer No. 5334 from Contingency for \$3,800.00, which would cover vehicle costs through the end of fiscal year 2003-2004 and leave the position allocation list as approved on May 18, 2004 (Requires 4/5ths vote); or
b. Adopt Resolution "Amending the Position Allocation List for the Animal Control Department" which would lay-off the entire staff effective June 8, 2004.
Proceedings: Mr. Cavier reviewed the aforesaid matter
Motion/Second: Supervisor Bungarz/Supervisor Hansen
Order: Approve Transfer of Funds No. 5334 as set forth in (a) above
Vote: Unanimous.

17. **Board of Supervisors Meeting**

Matter: Hold discussion and determine whether to hold the third regularly scheduled Board of Supervisors meeting on June 29, 2004.
Proceedings: Discussion was held on the aforesaid matter
Motion/Second: Supervisor Sprague/Supervisor Hansen
Order: Hold June 29, 2004 regular meeting of the Board of Supervisors, and have staff recommend if July 6, 2004 regular meeting is needed
Vote: Ayes: Supervisors Sprague, Hansen, McGowan, and Bungarz
Noes: Supervisor Freeman.

18. **Miscellaneous**

Matter: Reviewed the following items with no action taken:
a. Investment Information Portfolio Report for the quarter ending March 31, 2004.
b. Notice advising that the next Water Advisory Committee meeting will be held June 8, 2004, 5:30 p.m., at the Glenn Colusa Irrigation District Office.

**10:13 a.m. – The Chairman Called the Meeting in Recess
10:18 a.m. – The Chairman Called the Meeting to Order
with Supervisor McGowan and County Counsel Absent**

19. **Kanawha Fire Protection District Audit Report**

Also Present: Chris Johnson, Representing Kanawha Fire Protection District
Matter: a. Pursuant to Minute Order 12 of December 2, 2003, Mr. Johnson will present quarterly update regarding compliance with audit recommendations by the Audit Committee to the District; and
b. Consider date for next update regarding audit recommendations.
Proceedings: a. Mr. Johnson advised that District is complying with recommendations from the Audit Committee, and will be submitting a budget for next fiscal year which may include an increase for audit updates;

**10:19 a.m. – Supervisor McGowan Entered the Meeting
10:24 a.m. – County Counsel entered the Meeting and then Left the Meeting**

b. Discussion being held, and on consensus of the Board of Supervisors, it was determined that the District need not come back for updates unless there is a particular need.

20. **Transfer of Funds – Agricultural Commissioner**

Also Present: Bill Duckworth, Agricultural Commissioner
Debra Hubbard, Administrative Services Officer
Matter: Recommendation of Mr. Duckworth to approve Transfer of Funds No. 5337 for \$45,107.00, to appropriate additional unclaimed gas tax revenue to cover building improvements and payroll expenses and approve encumbrance of the remaining funds to be used in fiscal year 2004/05. (No general fund impact)

10:28 a.m. – County Counsel Entered the Meeting and then Left the Meeting

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

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21. **CALFED Bay Delta Program Request for Proposal**

Also Present: Lester Messina, Environmental Biologist I
Matter: Recommendation of Agricultural Commissioner Bill Duckworth to authorize the Commissioner to solicit request for qualifications and submit the CALFED Bay Delta Program *Request for Proposal* for Development of Regional Drinking Water Quality Management Plans.

10:32 a.m. – County Counsel Entered the Meeting

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

22. **Tobacco Grant**

Also Present: Marilyn Baker, Health Services Program Coordinator
Matter: Presentation by Ms. Baker regarding the status of the local tobacco retail licensing effort, the smoke-free bar enforcement, and local activities that may be included in the next three year grant cycle of funding from the Tobacco Control Section of the California Department of Health Services.
Proceedings: Ms. Baker presented an update of laws pertaining to tobacco products, and advised of a proposed licensing which would require retailers to obtain a tobacco license to sell tobacco products. No action was taken on this matter.

23. **2004 State Fair & Capital Exhibits**

Also Present: Tom Varga, Public Works Assistant Director
Daniel A. Obermeyer, Planning & Development Director
Matter: Recommendation of Supervisor Freeman to hold discussion and consider the following:
a. Recognize and thank Mrs. Bjorklund and staff for their efforts on the 2004 State Fair Exhibit and California State Capital Display;
b. Approve and authorize the Board of Supervisor's Chairman to execute *California State Fair 2004 Counties Exhibits Entry Form* and *Professional Design Services Agreement Between the County of Glenn and Beth Bjorklund* for construction of the Glenn County Exhibit for \$6,000.00 plus the prize money (budgeted expense) and construction of the California State Capital Display Exhibit for cost of materials up to \$700.00;
c. Approve the use of Market Development Funds for the State Capital Display Exhibit; and
d. Adopt Resolution 2004-55 "*Supporting County Employees Participation in the Glenn County Exhibit at California State Fair and Steering Committee*".
Proceedings: Mr. Varga reviewed the aforesaid matter, and advised that funds will come from the Recycling Market Development Zone Funds (RMDZ) and private sector contributions for the State Fair Booth
Motion/Second: Supervisor Sprague/Supervisor Bungarz
Order: Approve (a), (b), and (c) as set forth above, identify revenues for next year's fair booth, and adopt Resolution 2004-55
Vote: Ayes: Supervisors Sprague, Bungarz, McGowan, and Freeman
Noes: Supervisor Hansen.

24. **Rotary Club of Orland/Orland Memorial Hall**

Also Present: Dan Gardner, Building Services Department Director
Mark Hendry, Rotary Centennial Program Manager
Matter: Recommendation of Mr. Gardner to commend the Rotary Club of Orland for requesting to refurbish the monument and cannon area at Orland Memorial Hall.
Proceedings: Mr. Gardner and Mr. Hendry reviewed the aforesaid matter, advised that a new monument will be done with a brass plaque, and restoration for the cannon, with the advisement of the VFW and Dr. Russell for correctness
Motion/Second: Supervisor Bungarz/Supervisor McGowan
Order: Authorize the Chairman of the Board of Supervisors to execute an appreciation letter to the Rotary Club, and recommended the Rotary Club to work with the Building Services Department on this project
Vote: Unanimous.

**11:08 a.m. – The Chairman Called the Meeting in Recess
11:15 a.m. – The Chairman Called the Meeting to Order**

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25. **Projects Identified To Use Prop 40 Per Capita Grant Funding**

Also Present: Dan Gardner, Building Services Department Director
Jackie Billings, Administrative Services Officer

Matter: Recommendation of Mr. Gardner to approve proceeding with Prop 40 projects that were approved per Minute Order 11 of September 2, 2003, so that the County may begin the process of obtaining plans and specifications to be used for seeking approval by the State, followed by solicitation for bidders.

Proceedings: Mr. Gardner thanked Jackie Billings for all her work on this project, and advised of the benefit both to the county and two Cities for the existing buildings, and that all projects will be in compliance with American Disabilities Act (ADA)

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

26. **Closed Session**

Matter: Hold Closed Session pursuant to Government Code Section 54956.9 to hold discussion and determine course of action regarding State Constitutional mandate which requires that the County collect the parcel tax imposed by California Department of Forestry, which is the subject of existing litigation 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; and
- b. As a result of Closed Session the following announcement was made by Administrative Representative Kim Gaghagen:
*"Although the Glenn County Board of Supervisors has adamantly expressed support for the California Farm Bureau Federation lawsuit against the California Department of Forestry and fifty six counties, the County is compelled to collect this new fire protection parcel fee tax until such time as the Court rules in favor of the lawsuit and sets this tax aside.
The Glenn County Director of Finance and County Counsel have advised the Board of Supervisors that the State Constitution allows no choice under current state law".*

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

27. The Chairman adjourned the meeting at 11:41 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 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
5289	Drug Court	To appropriate unanticipated revenue for Health Services Drug Court program. No general fund impact.	\$ 1,750.00
5290	WIC	To appropriate unanticipated revenue for Health Services Women, Infants, and Children (WIC) program. No general fund impact.	\$ 20,000.00
5291	Prop 36	To appropriate unanticipated revenue for Health Services Prop 36 program. No general fund impact	\$ 4,500.00
5292	Alcohol & Drug	To appropriate unanticipated revenue for Health Services Alcohol & Drug program. No general fund impact.	\$ 12,500.00
5304	Bio-Terrorism	To allocate additional revenues and bring budgets in line with expenditures. No general fund impact.	\$ 5,899.00
5311	Assessor	To transfer Property Admin grant funds into the Assessor budget to cover gas well appraisal contract. No general fund impact.	\$ 10,400.00
5318	Human Resource Agency/Community Action Division	To appropriate additional interest revenue and adjust appropriations to cover grant closure. No general fund impact.	\$ 124.83
5319	Human Resource Agency/Community Action Division	To appropriate additional interest revenue and adjust appropriations to cover grant closure. No general fund impact.	\$ 15.76
5320	Human Resource Agency/Community Action Division	To appropriate additional interest revenue and adjust appropriations to cover grant closure. No general fund impact.	\$ 260.15
5321	Human Resource Agency/Community Action Division	To appropriate interest into the line item budget and adjust appropriations to cover grant closure. No general fund impact.	\$ 34.36
5325	Court Trust	To appropriate additional Court fine revenues and apportion to State, Cities, and County according to fine distribution tables. No general fund impact.	\$ 620,000.00
5335	Public Works Department	To transfer appropriations from salaries & wages to cover expenses in professional services. No general fund impact.	\$ 25,000.00

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Trans No.	Department/ Budget	Description	Amount
5336	Mental Health	To appropriate additional managed care revenue to cover Mental Health expenditures. No general fund impact.	\$ 146,875.00

- b. **Notice of Completion - Public Works**
Upon the recommendation of Public Works Director Doug Holvik, adopted Resolution 2004-50 "Authorizing Notice of Completion" with Bugler Construction of Freemont, California for Seismic Retrofit of Stony Creek Bridge at Soeth Road (11C-0018) and Stony Creek Bridge at County Road 200A (11C-0245) with final cost at \$348,437.75.
- c. **Contract - Family Resource Center/Orland**
Upon the recommendation of Human Resource Agency Director Kim Gaghagen, approved the following:
- (1) Approved and authorized the Director, or his designee, to execute *Amendment No. 8 to the Lease Agreement with Steven Kodad for Office Space in Orland*, for the Family Resource Center located in Orland, for \$725.00 per month, contingent upon County Counsel review and approval as to form; and
 - (2) Authorized the Director, or his designee, to modify the agreement contingent upon County Counsel review and approval as to form.
- (No general fund impact)
- d. **Contract - Family Resource Center/Hamilton City**
Upon the recommendation of Human Resource Agency Director Kim Gaghagen, approved the following:
- (1) Approved and authorized the Director, or his designee, to execute *Lease with Hamilton Union Elementary School District*, for the Family Resource Center located in Hamilton City, for \$1 per month, term for forty years, contingent upon County Counsel review and approval as to form; and
 - (2) Authorized the Director, or his designee, to modify the agreement contingent upon County Counsel review and approval as to form.
- (No general fund impact)
- e. **Contract - Human Resource Agency**
Upon the recommendation of Human Resource Agency Director Kim Gaghagen, approved and authorized the Director, or his designee, to execute *Amendment No. 5 to the Agreement with Chico Electric* which amends the not-to-exceed amount to \$30,000.00 for fiscal year 2003/2004, contingent upon County Counsel review and approval as to form. (No general fund impact)
- f. **Contract - Human Resource Agency**
Upon the recommendation of Human Resource Agency Director Kim Gaghagen, approved and authorized the Director, or his designee, to execute *Amendment No. 5 to the Agreement with Office Depot for the Purchase and Installation of Ergonomic Office Furniture*, which amends the not-to-exceed amount to \$25,000.00 for fiscal year 2003/2004, contingent upon County Counsel review and approval as to form. (No general fund impact)

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g. **Contract – Human Resource Agency**

Upon the recommendation of Human Resource Agency Director Kim Gaghagen, approved the following:

- (1) Approved and authorized the Director, or his designee, to execute *Memorandum of Understanding Between the Glenn County Human Resource Agency and the Glenn County Department of Health Services for a Registered or Clinical Nurse in Adult Services*; and
- (2) Authorized the Director, or his designee, to modify the Memorandum of Understanding contingent upon County Counsel review and approval as to form.

(No general fund impact)

h. **Contract – Human Resource Agency**

Upon the recommendation of Human Resource Agency Director Kim Gaghagen, approved the following:

- (1) Approved and authorized the Director, or his designee, to execute *Memorandum of Understanding Between the Glenn County Human Resource Agency, Social Services Division, and the Glenn County Probation Department for Domestic Violence Services*; and
- (2) Authorized the Director, or his designee, to modify the Memorandum of Understanding contingent upon County Counsel review and approval as to form.

(No general fund impact)

i. **Contract – Human Resource Agency**

Upon the recommendation of Human Resource Agency Director Kim Gaghagen, approved the following:

- (1) Approved and authorized the Director, or his designee, to execute *Memorandum of Understanding Between the Glenn County Human Resource Agency with the Glenn County Probation Department and the Glenn County Department of Health Services for Child Health and Disability Prevention Public Health Nurses*; and
- (2) Authorized the Director, or his designee, to modify the Memorandum of Understanding contingent upon County Counsel review and approval as to form.

(No general fund impact)