

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

Tuesday, August 2, 2005

The Chairman of the Board of Supervisors of the County of Glenn, State of California, called the meeting to order at 8:30 a.m., with members as follows:

Present: Supervisors Bungarz, Freeman, Hansen, and Amaro (Chairman)
Absent: Supervisor McGowan
John Kenny, Interim County Counsel
Also Present: David Shoemaker, County Administrative Officer
Sandra Pergson, Deputy Clerk

THE PLEDGE OF ALLEGIANCE WAS RECITED

1. **Closed Session**

Matter: a. Continued Closed Session pursuant to Government Code Section 54957, to consider Public Employment for the position of Child Support Services Director.
b. Closed Session pursuant to Government Code Section 54957.6 to receive information from and provide instructions to the County's Chief Negotiator regarding negotiations with the Deputy Sheriff's Association.
Proceedings: a. The Chairman announced the aforesaid matters; and
b. Later this date, as a result of Closed Session, the Chairman made the following announcements:
(1) No action was taken on (b) above; and
(2) The Board of Supervisors Unanimously voted to hire Carroll Ragland for the Position of Child Support Services Director; whereby Ms. Ragland thanked the Board of Supervisors for her appointment.
Motion/Second: Chairman direction.
Order: Adjourn to Closed Session.

2. **Minutes**

Matter: Approve the Minutes of July 19, 2005.
Motion/Second: Supervisor Bungarz/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: Reports and issues were discussed by Supervisors.

John Kenny, Interim County Counsel Entered the Meeting

4. **Consent Calendar**

Matter: Review and take actions related to the Consent Calendar set forth on Attachment "A".
Motion/Second: Supervisor Freeman/Supervisor Bungarz
Order: Approve Consent Calendar as set for on Attachment "A".
Vote: Unanimous.

5. **Fund Transfer/Court Collections Costs**

Also Present: Don Santoro, Director of Finance
Matter: Recommendation of Mr. Santoro to approve Budget Transfer 5319 for \$955.00 from General Fund Contingency to Court Revenues 01012040/03280 Special Department Expense, to cover Court Collections Costs for fiscal year 2004/2005.
Motion/Second: Supervisor Bungarz/Supervisor Freeman
Order: Approve the aforesaid matter
Vote: Unanimous.

6. **German Cemetery District**

Also Present: Don Santoro, Director of Finance
Matter: Recommendation of Mr. Santoro to approve the request of the German Cemetery District to replace the annual audit with a five year audit, as allowed by Government Code Section 26909 (f).
Motion/Second: Supervisor Bungarz/Supervisor McGowan
Order: Approve the aforesaid matter
Vote: Unanimous.

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7. **Internal Audits**

Also Present: Don Santoro, Director of Finance
Frank Fields, Internal Auditor
Matter: Recommendation of Mr. Santoro to accept the results of audits conducted by the Internal Auditor for the fiscal year ended June 30, 2005, as set forth therein.
Motion/Second: Supervisor Freeman/Supervisor Bungarz
Order: Approve the aforesaid matter
Vote: Unanimous.

**9:42 a.m. – The Chairman Called the Meeting in Recess
9:48 a.m. – The Chairman Called the Meeting to Order
County Administrative Officer David Shoemaker was Absent**

8. **Transfer from Contingency**

Also Present: John Greco, Personnel Director
Matter: Recommendation of Mr. Greco to approve Transfer No. 5380 for \$1,359.22 from General Fund Contingency to Employee Benefits 01011170/03190 Medical & Lab Expense for fiscal year 2004/2005.

County Administrative Officer David Shoemaker Entered the Meeting

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

9. **Health Services Appointment**

Also Present: Cecilia Hutsell, Chief Deputy Director Health Services
Matter: Recommendation of Mrs. Hutsell to approve the appointment of Brooke Steyskal to Health Services Program Manager at Step D, Range 383.
Motion/Second: Supervisor Bungarz/Supervisor Freeman
Order: Approve the aforesaid matter
Vote: Unanimous.

10. **Memorandum of Understanding – Glenn County Mosquito and Vector Control District**

Also Present: Don Holm, Environmental Health Director
Matter: Recommendation of Mr. Holm to:
a. Approve and authorize the Chairman of the Board of Supervisors to execute *Agreement Between the County of Glenn and the Glenn County Mosquito and Vector Control District*, for providing mosquito control services in the parts of Glenn County that are not covered by the Mosquito Control District, total cost not to exceed \$100,000.00, term to June 30, 2006; and
b. Direct Golden State Risk Management to implement the provisions of the "hold harmless" provisions of the Agreement.
Motion/Second: Supervisor Bungarz/Supervisor McGowan
Order: Approve matters as set forth in (a) and (b) above
Vote: Unanimous.

**10:01 a.m. – Deputy Clerk Debbie Lambert Entered the Meeting
and Deputy Clerk Sandra Pergson Left the Meeting**

11. **Public Hearing**

Also Present: Daniel Obermeyer, Planning & Public Works Director
Nancy Sailsbery, Senior Planner
Matter: Pursuant to Affidavit of Publication on file in the office of the County Administrative Officer and Clerk of the Board, hold Public Hearing to consider the following:
a. Adopt Negative Declaration for General Plan Amendment 2004-04 and Zone Change 2004-07 for James Canfield, et al with seventeen findings as set forth therein;
b. Adopt Resolution "*Making Determinations Reasons and Findings Amending the General Plan (Policy Plan (Volume 1) and Land Use Element) of Glenn County and Adopting General Plan Amendment #2004-04 for James C. Canfield, et al*": and

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- Proceedings:
- c. Adopt Ordinance "Rezoning a Certain Portion of the County For James C. Canfield, et al."
 - a. The Chairman opened the aforesaid matter for Public Hearing;
 - b. Mr. Obermeyer reviewed the aforesaid matter;
 - c. Impact fees were discussed, and it was stated that impact fees cover capital costs only, not operational costs;
 - d. The Chairman opened the hearing for public comments, whereupon the following persons spoke:
 - (1) Orland City Manager Joe Riker spoke regarding concerns about not doing an environmental assessment, cumulative and significant impacts, and cumulative actions taken.
 - (2) Donnan Arbuckle spoke in opposition of the matter.
 - (3) James Canfield spoke in support of the matter.
 - e. The Chairman closed the hearing for public comments;
 - f. Mr. Obermeyer responded to Mr. Riker's concerns;
 - g. On motion of Supervisor Bungarz, seconded by Supervisor McGowan, the order to approve the aforesaid matter was denied by the following roll call vote:
 - (1) Supervisor Bungarz: Aye
 - (2) Supervisor Freeman: No
 - (3) Supervisor Hansen: No
 - (4) Supervisor McGowan: Aye
 - (5) Supervisor Amaro: No

**10:55 a.m. – The Chairman Called the Meeting in Recess
11:02 a.m. – The Chairman Called the Meeting to Order**

12. Public Hearing

- Also Present: Daniel Obermeyer, Planning & Public Works Director
Nancy Sailsbery, Senior Planner
- Matter: Pursuant to Affidavit of Publication on file in the office of the County Administrative Officer and Clerk of the Board, hold Public Hearing to consider the following:
- a. Adopt Negative Declaration for General Plan Amendment 2005-01 and Zone Change 2005-01 for Edward Gill with seventeen findings as set forth therein;
 - b. Adopt Resolution "Making Determinations, Reasons and Findings Amending the General Plan of Glenn County and Adopting General Plan Amendment #2005-01 for Edward J. Gill"; and
 - c. Adopt Ordinance "Rezoning a Certain Portion of the County for Edward J. Gill."
- Proceedings:
- a. The Chairman opened the aforesaid matter for Public Hearing;
 - b. Mr. Obermeyer reviewed the aforesaid matter;
 - c. The Chairman opened the hearing for public comments, whereupon none having been heard the Chairman closed the matter to public comment;
 - d. On motion of Supervisor Bungarz, seconded by Supervisor Hansen, the order to approve the aforesaid matter was denied by the following roll call vote:
 - (1) Supervisor Bungarz: Aye
 - (2) Supervisor Freeman: No
 - (3) Supervisor Hansen: No
 - (4) Supervisor McGowan: No
 - (5) Supervisor Amaro: No

13. Transfer of Funds

Matter: Approve the following intradepartmental Transfer of Funds, 4/5 vote required, for fiscal year 2004/2005: (No general fund impact)

Trans No.	Department/Budget	Description	Amount
5313	Infant Car Seat Loan Program	To transfer general reserve funds from the Infant Car Seat Loan Program to cover Interfund expenses to Health Services.	\$ 5,000.00
5314	Bio-Terrorism	To appropriate unanticipated Interfund revenue to cover professional services in the Bio-Terrorism grant.	\$ 2,000.00

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Trans No.	Department/Budget	Description	Amount
5315	Maternal and Child Health	Year end adjustments from estimates to actual.	\$ 7,500.00
5318	Court Trust	To appropriate unanticipated Court fines and fees revenue to cover fine distribution to Cities, County and State.	\$ 117,000.00
5326	Human Resource Agency/Community Action Division	To appropriate unanticipated revenue to cover services & supplies expenses in the Community Action Section 8 program.	\$ 23,936.00
5327	Human Resource Agency/Community Action Division	To appropriate unanticipated revenue to cover services & supplies expenses in the Community Action Domestic Violence program.	\$ 757.05
5328	Human Resource Agency/Community Action Division	To transfer Community Action general reserve funds to cover fuel expenses in the Community Action Division vehicle department.	\$ 1,094.55
5329	Clerk-Recorder	To transfer general reserve funds from the Recorder's Modernization fund and transfer to the Recorders budget to cover health insurance expenses.	\$ 70.00
5330	Employee Benefits	To appropriate unanticipated revenue to cover pre-employment physical expenses in the Employee Benefits budget unit.	\$ 264.00
5348	Human Resource Agency/Community Action Division	To appropriate unanticipated revenue to cover services & supplies expenses in the Community Action United Way program.	\$ 20.88
5365	Human Resource Agency/Community Action Division	To appropriate unanticipated revenue to cover services & supplies expenses in the Community Action Community Services Block Grant program.	\$ 168.41
5368	Mental Health User Group	To appropriate unanticipated revenue to cover professional services expenses in the Mental Health User's Group program.	\$ 43,426.93
5372	California Children's Services	To appropriate unanticipated revenue to cover services & supplies expenses in the California Children's Services program.	\$ 2,000.00
5375	Human Resource Agency/Community Action Division	To appropriate unanticipated revenue to cover services & supplies expenses in the Community Action Victim Witness program.	\$ 6,800.00

Motion/Second: Supervisor McGowan/Supervisor Bungarz
Order: Approve the aforesaid Transfer of Funds
Vote: Unanimous.

14. **Glenn-Colusa Irrigation District Board of Directors – Resolution for Appointment**

Matter: Recommendation of the Glenn-Colusa Irrigation District Board of Directors to adopt Resolution 2005-62 "Appointing Donald R. Bransford, G. Bruce Rolon to the Glenn-Colusa Irrigation District Board of Directors as Unopposed Candidates" for a term of four years.

Motion/Second: Supervisor Hansen/Supervisor McGowan
Order: Adopt Resolution 2005-62
Vote: Unanimous.

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15. **German Cemetery District - Appointment**

Matter: a. Accept the resignation of Myrna Lohse from the German Cemetery District, effective date August 30, 2005; and
b. Pursuant to Notice of Unscheduled Vacancy having been posted, consider application of Sylvia Hoenike to serve on the German Cemetery District, for a term effective August 30, 2005 to August 30, 2009.

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

16. **Marvin Chapel Cemetery District - Appointment**

Matter: Pursuant to Notice of Unscheduled Vacancy having been posted, consider application of Kathleen Ludy for reappointment to the Marvin Chapel Cemetery District, for a term to July 17, 2009.

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

17. **Air Pollution Control District Hearing Board**

Matter: Pursuant to Notice of Unscheduled Vacancy having been posted, consider application of George Toney for reappointment to the Air Pollution Control District Hearing Board, for a term to June 30, 2008.

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

18. **Glenn County Treasury Oversight Committee - Appointment**

Matter: Pursuant to Notice of Unscheduled Vacancy having been posted, consider application of Timothy Michael Uptgrove to serve on the Glenn County Treasury Oversight Committee, representing Superintendent of Schools or Designee for expired term to December 31, 2007.

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

19. **Glenn County In-Home Supportive Services Advisory Committee - Appointment**

Matter: Pursuant to Notice of Unscheduled Vacancy been posted, consider applications of Jay Harris, Sue Good, and Mary Durand for reappointment to the Glenn County In-Home Supportive Services Advisory Committee, for a two year term ending January 1, 2007.

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

20. **West Nile Virus Surveillance Site**

Matter: Notice from Health Services Agency Chief Deputy Director Cecilia Hutsell advising that Glenn County has been selected by the State Department of Health Services to be a West Nile Virus Surveillance Site.

Proceedings: Reviewed the following item with no action taken.

**11:20 a.m. – The Chairman Called the Meeting in Recess
11:30 a.m. – The Chairman Called the Meeting to Order**

21. **Public Hearing**

Also Present: Daniel Obermeyer, Planning & Public Works Director
Mardy Thomas, Associate Planner

Matter: Pursuant to Affidavit of Publication on file in the office of the County Administrative Officer and Clerk of the Board, hold Public Hearing to consider the following:

a. Adopt Negative Declaration for Zone Change 2005-03 Baldwin Contracting Company, Inc., with seventeen findings as set forth therein; and
b. Adopt Ordinance 1178 "Rezoning a Certain Portion of the County for Baldwin Contracting Company, Inc."

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- Proceedings: a. The Chairman opened the aforesaid matter for public hearing;
 b. Supervisor McGowan excused himself from the aforesaid matter due to
 owning property adjacent to the area being considered;

11:31 a.m. – Supervisor McGowan Left the Meeting

- c. Mr. Obermeyer reviewed the aforesaid matter;
d. The Chairman opened the hearing for public comments, whereupon
 none having been heard the Chairman closed the matter to public
 comment;
e. On motion of Supervisor Bungarz, seconded by Supervisor Hansen, it
 was ordered to adopt Negative Declaration for Zone Change 2005-03
 Baldwin Contracting Company, Inc., and having read title of Ordinance
 and waived further reading, adopt Ordinance 1178 by the following vote:
 Ayes: Supervisors Bungarz, Freeman, Hansen, and Amaro
 Absent: Supervisor McGowan

22. Closed Session

- Matter: a. Adjourn to Closed Session pursuant to Government Code Section
 54956.9(c) - Conference with Legal Counsel, to hold discussion and
 possible decision based on existing facts and circumstances, whether to
 initiate litigation – one case.
 b. Adjourn to Closed Session pursuant to Government Code Section
 54956.9(b)(3)(E) for conference with Legal Counsel – threat of litigation
 – one case.
- Proceedings: County Administrative Officer David Shoemaker advised of a threat of
 litigation, and requested that the matter be added to the agenda for Closed
 Session as an urgency item, whereby on motion of Supervisor Freeman,
 seconded by Supervisor Bungarz, it was ordered to add item to the Agenda in
 matter above by the following vote:
 Ayes: Supervisors Bungarz, Freeman, Hansen, and Amaro
 Absent: Supervisor McGowan
- Motion/Second: Chairman Direction
Order: Adjourn to Closed Session.

The Chairman Adjourned Meeting 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 2:12 p.m., with 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

23. The Chairman advised that there was no announcement for Closed Session items (a) and (b).
24. The Chairman adjourned the meeting at 2:15 p.m.

JOHN AMARO, Chairman

ATTEST:

David Shoemaker, County Administrative Officer
And Clerk of the Board of Supervisors

BY: _____
Debbie Lambert, 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 Freeman /Supervisor Bungarz
Order: Approve Consent Calendar as set forth below
Vote: Unanimous by members present.

a. **Transfer of Funds**

Approved the following intradepartmental Transfer of Funds;
(No general fund impact)

Trans No.	Department / Budget	Description	Amount
5317	Probation	To transfer appropriations from Support & Care of Persons to cover services & supplies expenses in the Probation Department.	\$ 15,000.00
5373	County Counsel	To transfer appropriations from County Counsel professional services to cover settlement in the County of Glenn vs. Crews lawsuit.	\$ 35,008.39

b. **Resolution – Section 8 Housing Assistance Program Amendment**

Upon the recommendation of Human Resource Agency Director Kim Gaghagen, adopted Resolution 2005-60 “*Authorizing Execution of an Agreement Amendment with the State of California Department of Housing and Community Development, Section 8 Housing Assistance program (HAP)*” which provides an additional \$15,090.00 to the Tri-County Community Action Partnership and extends the term to September 30, 2005. (Contingent upon County Counsel review and approval to form)

c. **Resolution – Section 8 Assistance Program (HAP)**

Upon the recommendation of Human Resource Agency Director Kim Gaghagen, adopted Resolution 2000-61 “*Authorizing Execution of an Agreement with the State of California Department of Housing and Community Development for a Section 8 Assistance Program (HAP) and any Amendments Thereto*” which provides \$301,806 for the Tri-County Community Action Partnership for term of October 1, 2005 through September 30, 2010. (Contingent upon County Counsel review and approval to form)

d. **Mental Health Rate**

Upon the recommendation of Chief Deputy Director Cecilia Hutsell, approved proposed Mental Health rate changes as projected per last years Cost Report.

e. **Payment of Late Claim**

Upon the recommendation of Director of Finance Don Santoro, authorized payment of invoice over one year old to Glenn Medical Center for Child Support, for \$37.50.