

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

Tuesday, August 30, 2005

The Chairman of the Board of Supervisors of the County of Glenn, State of California, called the meeting to order at 8:31 a.m., with members as follows:

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

THE PLEDGE OF ALLEGIANCE WAS RECITED

1. **Closed Session**

Matter: Adjourn to Closed Session pursuant to Government Code Section 54957 to consider Public Employment for the position of County Counsel.
Proceedings: a. The Chairman announced the aforesaid matter;
b. As a result of Closed Session, the Chairman announced that the Board of Supervisors voted unanimously to hire Thomas Agin as County Counsel and adopted Resolution 2005-71 "Appointing Thomas Agin as County Counsel of Glenn County for a Four-Year Term Commencing September 12, 2005".
Motion/Second: Chairman Direction
Order: Adjourn to Closed Session

2. **Minutes**

Matter: Approve the Minutes of August 16, 2005.
Motion/Second: Supervisor Freeman/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 Freeman advised that at the September 6, 2005 California State Association of Counties (CSAC) Board Meeting discussion will be held to determine CSAC's position on the ballot propositions, and requested that this matter be put on the September 7, 2005 Board Agenda to discuss Glenn County's position.
c. Congressman Herger's Field Representative Gary Story introduced himself as the new representative for Butte, Glenn and Colusa Counties.

4. **Consent Calendar**

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

5. **Grindstone Rancheria/Proposed Casino Project**

Also Present: Kenneth Swearinger, Chairman Grindstone Indian Tribe
David Rapport, Tribal Lawyer
Dee Swearinger, Councilmember
Matter: a. Continued presentation from the Grindstone Indian Council on conceptual idea of a proposed commercial development in Glenn County;
b. Public comments regarding this proposed development; and
c. Consider adopting Resolution "Supporting Indian Rancheria Casino Project".
Proceedings: a. Mr. Rapport requested that language within the Resolution be changed to~~the Board of Supervisors supports the exploration of the development of the Grindstone Indian Rancheria casino project based on foregoing facts and information currently available.....~~;

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- b. Mr. Swearinger advised that the tribe's budget was not approved when the Elk Creek Fire Department requested financial support, and that he called the Bureau of Indian Affairs regarding the issue and was approved to make a contribution of up to \$10,000 to the Elk Creek Fire Department;
- c. Mr. Shoemaker reviewed the process the Tribe would be required to complete to develop the casino, and the mitigation and compacts required which would cover impacts on the county;
- d. The following individuals spoke in opposition of the proposed Casino:
Neil Scott Thomas Maybille Peggy Bishop
Juananas O'Dell Bob Bishop Heather Baker
Joan Thodas
- e. The following individuals spoke in favor of the proposed Casino:
Dan Schuller Jim Yoder Barbara Hale
- f. Discussion was held regarding National Indian Gaming Regulatory Act guidelines; and
- g. On motion of Supervisor Bungarz, seconded by Supervisor McGowan, the order to adopt Resolution set forth in matter (c) above with the change in the language in proceeding (a) above 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

**10:35 a.m. – The Chairman Called the Meeting to Recess
Deputy Clerk Sandra Pergson Entered the Meeting and
Deputy Clerk Debbie Lambert Left the Meeting
10:45 a.m. – The Chairman Called the Meeting to Order**

6. **Public Hearing/Budget**

- Also Present: Don Santoro, Director of Finance
David Shoemaker, County Administrative Officer, Clerk of the Board
- Matter: Pursuant to Affidavit of Publication on file in the office of the County Administrative Office/Clerk of the Board, hold Public Hearing for:
- a. Review and approve list of changes to the 2005/2006 Proposed Budget;
 - b. Adopt Resolution 2005-78 "Adopting 2005-2006 Final Budget, and
- Proceedings:
- a. The Chairman opened the Public Hearing;
 - b. Mr. Santoro reviewed the budget process;
 - c. Mr. Shoemaker submitted handout and gave power point presentation of the Glenn County 2005/2006 Fiscal Year Budget;
 - d. Supervisor Bungarz spoke regarding Drug Court funding and stated that the Courts could be coming to the Board in the future for additional money;
 - e. Mike Cassetta stated that funding for Drug Court ends in one year, and that the Juvenile Drug Court only helps those with drug problems combined with mental illness;
 - f. The Chairman opened Hearing to public comments; whereby the following persons spoke:
 - (1) Don Hampton, City of Willows Librarian, thanked the Board for additional money allocated in the budget.
 - (2) Jose Puente, General Manager of the Hamilton City Community Services District stated he was pleased to see money for Code Enforcement and additional Deputies for the Sheriff's Department, and also thanked the Board for additional funding for the Hamilton City Library.
 - g. The Chairman closed hearing to public comments; and
 - h. On motion of Supervisor Freeman, seconded by Supervisor McGowan, it was unanimously ordered to close hearing, and adopt Resolution 2005-78.

The Chairman Adjourned to the Glenn County Air Pollution Control District

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7. Public Hearing/Glenn County Air Pollution Control District Budget

- Also Present: Don Santoro, Director of Finance
 Matter: Adopt Resolution 2005-01 "Adopting the 2005-2006 Air Pollution Control District Budget".
 Proceedings:
- a. The Chairman opened the Public Hearing;
 - b. Candy Woods, Administrative Services Officer, advised that there is an additional \$200,000 for the Carl Moyer Program, which falls into this fiscal year budget, with no County match;
 - c. Mark Black, Air Pollution Control Officer, reviewed matter;
 - d. Director of Finance Don Santoro stated that current year revenue went to Reserves;
 - e. On motion of Supervisor Bungarz, seconded by Supervisor McGowan, it was unanimously ordered to close hearing and adopt Air Pollution Control Resolution 2005-01.

The Chairman Adjourned to the Glenn County Board of Supervisors

8. Transfer of Funds

Matter: Approve the following intradepartmental Transfer of Funds for fiscal year 2005/2006 budget, 4/5 vote required: (No general fund impact)

Trans No.	Department/Budget	Description	Amount
5010	Human Resource Agency/Community Action Division	To appropriate unanticipated revenue to cover services & supplies expenses in the Community Action Child Abuse Program.	\$ 9,076.00
5011	Human Resource Agency/Community Action Division	To appropriate unanticipated revenue to cover services & supplies expenses in the Community Action RHA Energy Partner Program.	\$ 93,680.00

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

9. Petroleum Violation Escrow Account WX Program & Line Item Budget/Human Resource Agency

- Matter: Recommendation of Human Resource Agency Director Kim Gaghagen to:
- a. Adopt Resolution 2005-79 "Authorizing Execution of an Agreement with the State of California Department of Community Services Development for a Petroleum Violation Escrow Account WX Program (PVEA) and any Amendments Thereto" which will provide Weatherization assistance for eligible residents of Colusa, Glenn, Trinity Counties for a term of August 1, 2005 through December 31, 2006; and
 - b. Approve the following Line Item Budget:

Department	Service Account	Department Name	Budget Amount
Human Resource Agency	04999662	PVEA	\$13,091.00

Motion/Second: Supervisor Freeman/Supervisor McGowan
 Order: Adopt Resolution 2005-79 and approve (b) as set forth above
 Vote: Unanimous.

10. Grand Jury Member Training

Matter: Recommendation of County Administrative Officer David Shoemaker to approve and authorize the Chairman of the Board of Supervisors to execute Agreement between the County of Glenn and Patricia J. Faver for the purpose of providing training for 2005/2006 Grand Jury members at \$25.00 per hour, not to exceed \$500.00.

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

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11. **Road Oil Bid/Public Works & Planning Department**
Matter: Recommendation of Planning & Public Works Director Dan Obermeyer to award road oil bid to *Western Oil and Spreading* of Sacramento as the lowest responsible bidder, utilizing Proposition 42 monies in the Road Fund, not to exceed \$75,000.
Motion/Second: Supervisor Hansen/Supervisor Bungarz
Order: Approve the aforesaid matter
Vote: Unanimous.
12. **Blue Claim/Sheriff-Coroner**
Matter: Recommendation of Sheriff-Coroner Larry Jones authorize the Department of Finance to process Blue Claims to Power Pak Systems, Inc., and the California Department of Motor Vehicles for payment of Repeater Trailer purchase, for \$15,350.00. (Proposed budgeted appropriation)
Motion/Second: Supervisor Bungarz/Supervisor Freeman
Order: Approve the aforesaid matter
Vote: Unanimous.
13. **Secretarial Disaster Designation/Agricultural Losses**
Matter: Letter from the Governor's Office of Emergency Services advising that the U.S. Department of Agriculture (USDA) granted a Secretarial disaster designation for the county of Tehama and the contiguous counties of Butte, Glenn, Mendocino, Plumas, Shasta and Trinity due to agriculture losses caused by hot, dry, windy weather from March 1-15, 2005, a severe hail storm that occurred on March 23, 2005, and rain and unusually cool temperatures from May 1-31, 2005.
Proceedings: This matter was reviewed with no action taken.
14. The Chairman adjourned the meeting at 11:45 a.m.

JOHN AMARO, Chairman

ATTEST:

David Shoemaker, County Administrative Officer
And Clerk of the 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 Freeman /Supervisor Hansen

Order: Approve Consent Calendar as set forth below

Vote: Unanimous by members present.

a. **Resolution – Fixing Tax Rates**

Upon the recommendation of Director of Finance Don Santoro, adopted Resolution 2005-72 *“Fixing Tax Rates for 2005-2006 Fiscal Year”*.

b. **Resolution – Appropriation Limits**

Upon the recommendation of Director of Finance Don Santoro, adopted Resolutions for the 2005-06 Appropriations Limits per Prop 4 & 111 Legislation for the following entities:

- (1) Resolution 2005-73 *“Establishing the Appropriations Limit for the County of Glenn for the Fiscal Year Beginning July 1, 2005 and Ending June 30, 2006”*;
- (2) Resolution 2005-74 *“Establishing the Appropriations Limit for the Storm Drain Maintenance District #3 for the Fiscal Year Beginning July 1, 2005 and Ending June 30, 2006”* and
- (3) Resolution 2005-75 *“Establishing the Appropriations Limit for the North Willows County Service Area for the Fiscal Year Beginning July 1, 2005 and Ending June 30, 2006”*.

c. **Legislation – ACA 22 and SCA 15**

Upon the recommendation of Supervisor Hansen, adopted Resolution 2005-76 *“In Support of Assembly Constitutional Amendment (ACA) 22 and Senate Constitutional Amendment (CSA) 15 Measure known as the ‘Homeowners and Property Protection Act’”*, which pertains to eminent domain: condemnation proceedings.

d. **Home Investment Partnerships Program**

Upon the recommendation of Human Resource Agency Director Kim Gaghagen, adopted Resolution 2005-77 *“Authorizing Submittal of an Application to the California State Department of Housing and Community Development for Funding Under the Home Investment Partnerships Program; and if Selected, the Execution of a Standard Agreement, any Amendments Thereto, and of any Related Documents Necessary to Participate in the Home Investment Partnerships Program”*.

e. **Children’s Medical Services Plan**

Upon the recommendation of Chief Deputy Director of Health Services Administration Cecilia Hutsell, approved and authorized the Chairman of the Board of Supervisors to execute Certification Statement to the Children’s Medical Services Plan for fiscal year 2005/2006. (County Contract 1013)

f. **Invoice Over One Year Old**

Upon the recommendation of Director of Finance Don Santoro, authorized payment of invoice over one year old, Youth for Change in the amount of \$3,488.30, for the Health Services Agency Department.