MINUTES
BOARD OF SUPERVISORS
GLENN COUNTY, CALIFORNIA

Tuesday, April 6, 2010

The Chairman of the Board of Supervisors of the County of Glenn, State of California, called the meeting to order at 9:00 a.m., with members as follows:

Present: Supervisors McDaniel, Quarme, and Sooth (Chairman)
Absent: Supervisors Murray and Viegas
Also Present: Carlyle Huston, County Counsel
Sandra Ferguson, Deputy Clerk

THE PLEDGE OF ALLEGIANCE WAS RECITED

1. Minutes
Motion/Second: Supervisor Quarme/Supervisor McDaniel
Order: Approve the Minutes of March 30, 2010.
Vote: Unanimous by members present.

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. Supervisors reported on meeting attendance and various matters.

9:08 a.m. – Supervisors Murray and Viegas Entered the Meeting

b. Byron Denton, Orland resident, expressed his concerns with having the upcoming Joint City/County Meeting at Thunderhill Raceway due to the distance.
c. Human Resource Agency Director Scott Gruendl advised of the upcoming Child & Family Fair on April 10th from 10:00 a.m. to 2:00 p.m.

3. Consent Calendar
Matter: Review and take actions related to the Consent Calendar as follows:

a. Budget Changes
Approve the following 2009/10 Budget changes: (No general fund impact)

<table>
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<tr>
<th>Trans No.</th>
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<tbody>
<tr>
<td>5150</td>
<td>Alcohol &amp; Drug</td>
<td>To transfer Alcohol &amp; Drug Abuse program professional services appropriations to increase interfund appropriations to Probation.</td>
<td>$10,800.00</td>
</tr>
</tbody>
</table>

b. Proclamation – Child Abuse Prevention Awareness Month
Upon the recommendation of Human Resource Agency Director Scott Gruendl, authorize the Chairman of the Board of Supervisors to execute and Proclaim April 2010 as “Child Abuse Prevention Awareness Month”.

c. Proclamation – Safety Seat Checkup Week
Upon the recommendation of the Clerk of the Board’s Office, on behalf of SafetySeatSafe U.S.A., authorize the Chairman of the Board of Supervisors to execute Proclamation “Safety Seat Checkup Week April 11 – 17, 2010”.

d. Proclamation – National Telecommunicators Week
Upon the recommendation of Sheriff Larry Jones, authorize the Chairman of the Board of Supervisors to execute Proclamation and proclaim the week of April 11 – 17, 2010 as “National Telecommunicators Week” in Glenn County to honor the vital role Glenn County’s Emergency Dispatchers play in the protection of life and property in Glenn County.

Proceedings: a. Supervisor McDaniel requested pulling items (a) and (c) from the Consent Calendar for discussion;
b. On motion of Supervisor McDaniel, seconded by Supervisor Murray, it was unanimously ordered to approve (b) and (d) of the Consent Calendar;
c. Supervisor McDaniel questioned the vote requirement on (a); whereby Director of Finance Don Santoro stated the transfer was based on a previous action; Supervisor McDaniel expressed his concerns with the Seatbelt Proclamation being more advertising than a Proclamation;
d. On motion of Supervisor Quame, seconded by Supervisor Viegas, it was unanimously ordered to approve (a) of the Consent Calendar:

- Ayes: Supervisors Quame, Murray, Viegas, and Soeth
- Noes: Supervisor McDaniel.

4. **Interim Urgency Ordinance – To Define Marijuana Dispensary/ Prohibit Cultivation of Marijuana**

Also Present: John Viegas, Vice Chairman, Board of Supervisors
Huston T. Caryle, Jr., County Counsel

Matter: Recommendation of Supervisor Viegas to adopt Interim Urgency Ordinance 1219 pursuant to California Government Code Section 65868, effective immediately “To Define Marijuana Dispensary, Collective, and Cooperative, and to Temporarily Prohibit the Establishment of Marijuana Dispensaries, Collectives and/or Cooperatives, and to Temporarily Prohibit the Cultivation of Marijuana Except for the Specific Limited Purpose of One’s Own Use for Personal Medical Purposes, Within the County of Glenn”. (4/5 vote required)

Proceedings:

a. Mr. Caryle submitted the following documents for the record:

   1. Newspaper Article from the San Francisco Daily Journal dated March 31, 2010 titled “Medical Marijuana a Frequent Target for Criminals”
   2. Article from the LA Times.com regarding “Anaheim case may play key role in regulating medical marijuana”
   3. “Interim Urgency Ordinance of the Board of Supervisors of the County of Butte Enacting a Moratorium on the Establishment or Operation of Marijuana Dispensaries”
   4. An Ordinance of the Board of Supervisors of the County of Butte Extending Ordinance Number 4013 to Temporarily Prohibit the Establishment or Operation of Marijuana Dispensaries
   5. Mariposa County Ordinance No. 1067; and

b. Kevin Flannery, Willows resident, stated his objection to Ordinance;

c. Byron Denton, Orland resident, stated that the City of Orland has an Ordinance in place.

d. Supervisor McDaniel having read title of Ordinance and waived further reading of Ordinance, on motion of Supervisor McDaniel, seconded by Supervisor Quame, it was unanimously ordered to adopt Ordinance 1219 as presented.

5. **California Mental Health Services Authority**

Also Present: Scott Gruendl, Interim Health Services Agency Director

Matter: Recommendation of Mr. Gruendl to adopt Resolution 2010-19 “Authorization to Participate in the California Mental Health Services Authority, Via a Joint Exercise of Powers Agreement”.

Proceedings:

Mr. Gruendl reviewed the aforesaid matter
Motion/Second: Supervisor Murray/Supervisor McDaniel
Order: Adopt Resolution 2010-19
Vote: Unanimous.

6. **Public Hearing – Master Fee Schedule**

Also Present: Don Santoro, Director of Finance

Matter: Pursuant to Affidavit of Publication on file in the Office of the Clerk of the Board, hold Public Hearing to consider adopting Resolution 2010-20 “Amending Appendix A to Chapter 5.23 of the Glenn County Administrative Manual Amending the Master Fee Schedule” which adjusts fees for the Clerk-Recorder’s Office that are based on statutory requirements which took effect January 1, 2010.

Proceedings:

a. The Chairman opened the Public Hearing;

b. Mr. Santoro reviewed the aforesaid matter;

c. The Chairman opened the Hearing to public comments;

d. Byron Denton, Orland resident spoke on the matter;

e. The Chairman closed the Hearing to public comments;

f. The Chairman called for exhibits; whereby the Clerk advised there were none;
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9. On motion of Supervisor McDaniel, seconded by Supervisor Viegas, it was ordered by the following vote to adopt Resolution 2010-20.
   Ayes: Supervisors Murray, McDaniel, Viegas, and Soeth
   Noes: Supervisor Quarme.

7. Contingency Transfer – Sheriff’s Coroner Division
   Also Present: Sheriff-Coroner Larry Jones
   Matter: Recommendation of Sheriff Jones to approve Transfer of Funds No. 5149 for $30,000.00 from General Fund Contingency to increase professional services appropriations in the Coroner’s budget to cover vendor claims directly related to 2009/2010 death investigations. (4/5 vote required)
   Proceedings: a. Sheriff Jones reviewed the aforesaid matter;
   Motion/Second: Supervisor Murray/Supervisor Viegas
   Order: Approve the aforesaid matter
   Vote: Unanimous.

8. Resolution – Probation Departments Position Allocation
   Also Present: Brandon Thompson, Chief Probation Officer
   Matter: Recommendation of Mr. Thompson to adopt Resolution 2010-21 “Amending the Position Allocation List for the Probation Department by Adding 1.00 FTE Deputy Probation Officer I under the Justice Assistance Grant-Offender Treatment Program (JAG-OTP)” and approve Transfer of Funds No. 5153, which appropriates revenue to establish Justice Assistance Grant-Offender Treatment Program (JAG-OTP), for $28,500.00.
   Proceedings: Mr. Thompson reviewed the aforesaid matter
   Motion/Second: Supervisor McDaniel/Supervisor Quarme
   Order: Adopt Resolution 2010-21
   Vote: Unanimous.

9. Resolution – Pierce’s Disease and Other Pests and Diseases
   Also Present: Jean Miller, Assistant Agricultural Commissioner
   Matter: Recommendation of Agricultural Commissioner Mark Black to adopt Resolution 2010-22 “Designating the Glenn County Agriculture Department as the Local Public Entity Pursuant to Food and Agricultural Code Section 6046 (f) and Authorizing Said Entity to Receive Funds” for local assistance in regard to Pierce’s Disease and other designated pests and diseases.
   Proceedings: a. Ms. Miller reviewed the aforesaid matter;
   b. Agricultural Commissioner Mark Black spoke regarding additional pests attacking grapes in the county.
   Motion/Second: Supervisor Viegas/Supervisor Quarme
   Order: Adopt Resolution 2010-22
   Vote: Unanimous.

THE CHAIRMAN ADJOURNED TO THE GLENN COUNTY BOARD OF EQUALIZATION

10. Assessment Appeal Applications
    Motion/Second: Supervisor McDaniel/Supervisor Soeth
    Order: Approve the aforesaid matter
    Vote: Unanimous.

THE CHAIRMAN ADJOURNED TO THE GLENN COUNTY BOARD OF SUPERVISORS

11. Budget Changes
    Matter: Approve the following 2009/10 Budget changes, 4/5 vote required: (No general fund impact)

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<tbody>
<tr>
<td>5151</td>
<td>Health Services Agency</td>
<td>To appropriate new revenue to establish salaries &amp; benefits, services &amp; supplies and interfund appropriations in the Health Services CalEMA Offender Treatment Program</td>
<td>$ 45,132.00</td>
</tr>
</tbody>
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Motion/Second: Supervisor Murray/Supervisor Viegas
Order: Approve the aforesaid matter
Vote: Unanimous.

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12. **Resolution – Election/Polling Places**
   Matter: Recommendation of Assistant County Clerk – Elections Division Susan Alves to adopt Resolution 2010-23 “Approving the Standard Agreement Between the California Secretary of State and County of Glenn for Funding Under the Help America Vote Act Under Section 261, HAVA Polling Place Accessibility Training Program”; funds to be used to train county employees to correctly survey polling places, pay for staff salaries to survey polling places and purchase needed equipment to make polling places more accessible to individuals with disabilities, Agreement amount not to exceed $5,000.00. (Federally Funded)
   Motion/Second: Supervisor McDaniel/Supervisor Vigeas
   Order: Adopt Resolution 2010-23
   Vote: Unanimous.

13. **Resolution – Election/Polling Places**
   Matter: Recommendation of Assistant County Clerk – Elections Division Susan Alves to adopt Resolution 2010-24 “Amending the Standards Agreement Between the California Secretary of State and County of Glenn for Funding Under the Help America Vote Act of 2002, Section 303, Known as the ʻVoteCal Statewide Voter Registration System Projectʻ which will implement a single, centralized statewide voter registration system. (Federally Funded)
   Motion/Second: Supervisor McDaniel/Supervisor Vigeas
   Order: Adopt Resolution 2010-24
   Vote: Unanimous.

14. **Resolution – Administrative Manual Chapter 9.02**
   Matter: Recommendation of Director of Finance Don Santoro to adopt Resolution 2010-25 “Amending Chapter 9.02 of the Glenn County Administrative Manual Contract Requirements”, to clarify conflicting language.
   Motion/Second: Supervisor McDaniel/Supervisor Quarme
   Order: Adopt Resolution 2010-25
   Vote: Unanimous.

15. **Library Funding**
   Matter: Recommendation of Supervisor Murray to identify funding source to restore Library funding to 2009/2009 level.
   Proceedings:
   a. Supervisor Murray reviewed the aforesaid matter;
   b. Discussion was held on this matter; whereby it was discussed to pay the libraries and add to the upcoming year shortfall;
   c. Byron Denton, Orland resident, spoke in support of funding libraries and later stated that fund raisers can also help support the libraries;
   d. Human Resource Agency Director Scott Grunwald advised they are still working with the District Attorney on this funding;
   e. Director of Finance Don Santoro stated that the funding will come from the budget that is in place;
   f. Motion made by Supervisor Quarme to support this matter died for lack of a second;
   g. Upon further discussion and on the consensus of the Board to reinstate funding for libraries to the 2008/2009 funding level.

16. **Proclamation – National County Government Month**
   Also Present: Elizabeth Howard, California State Association of Counties Legislative Representative
   Matter: Recommendation of the Clerk of the Board office, on behalf of California State Association of Counties (CSAC) to hear presentation regarding budget, County Government Month and new communication tools to be utilized by CSAC, and execute Proclamation “Proclaiming April as National County Government Month”.
   Proceedings:
   a. Ms. Howard submitted a packet of information and presented a power point presentation;
   b. Byron Denton, Orland resident, spoke in support of Supervisors attendance at California State Association of Counties (CSAC) meetings and that CSAC could hold meetings in Northern California at some future date.
   Motion/Second: Supervisor Vigeas/Supervisor Murray
   Order: Approve Proclamation
   Vote: Unanimous.

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17. **Proclamation – Sexual Assault Awareness Month**
   Also Present: Virginia Scarborough, Outreach/Counselor, Rape Crisis Intervention
   Matter: Recommendation of the Clerk of the Board Office, on behalf of Rape Crisis Intervention and Prevention, to authorize the Chairman of the Board of Supervisors to execute Proclamation “Proclaiming April 2010 as Sexual Assault Awareness Month”.
   Proceedings: 
   a. Ms. Scarborough reviewed the aforesaid matter, and advised of the Shine The Light on Sexual Violence Friday, April 30, 2010 at 2888 Cohasset Road, Suite 2, from 6:00 p.m. to 9:00 p.m. with Light shining at 8:00 p.m., and desserts served from 6:00 p.m. to 9:00 p.m.
   b. Ms. Scarborough submitted flyers, buttons etc... to help bring attention to this matter.
   Motion/Second: Supervisor Viegas/Supervisor Murray
   Order: Approve Proclamation
   Vote: Unanimous.

18. **Resolution – California Energy Commission**
   Also Present: John Linhart, Planning & Public Works Agency Director
   Annette Chavez, Planning & Public Works Agency Deputy Director
   Matter: Recommendation of Mr. Linhart to adopt Resolution “Approving the Application for Funding and the Execution of a Loan Agreement and Any Amendments Thereto from the American Recovery and Reinvestment Act (ARRA) Low Interest (3%) Loan Financing for Energy Efficiency and Energy Generation Projects Program” for the replacement of high-efficiency Heating, Ventilation, and Air Conditioning (HVAC) systems at three County buildings, authorizing the Planning & Public Works Agency Director to accept a loan award up to the amount of $190,000.00.
   Proceedings: 
   a. Ms. Chavez and Mr. Linhart reviewed the aforesaid matter;
   b. Director of Finance Don Santoro spoke of his concerns with the estimates that are presented;
   c. Byron Denton, Orland resident spoke on this matter.
   Motion/Second: Supervisor McDaniel/ Supervisor Viegas
   Order: Continue this matter to have department come back with a new Resolution for only the loan application and no further steps, and to investigate further an alternate source to validate the current numbers with other agencies, including local companies.
   Vote: Unanimous.

19. **Contract – Landfill Water Monitoring**
   Matter: Recommendation of Planning & Public Works Agency Director John Linhart to authorize the Director to execute a contract amendment with Haling & Associates, extending the term for three years (through June 30, 2013) and increasing the not-to-exceed amount by $243,000.00.
   Motion/Second: Supervisor Quaner/Supervisor Viegas
   Order: Approve the aforesaid matter
   Vote: Unanimous.

20. **2010 Single Family Allocation**
   Matter: Recommendation of Supervisor South to authorize the Chairman to execute CHF (formerly the California Rural Home Mortgage Finance Authority or CalRural) Consent/Assignment Letter, allowing CHF to pool into a large housing bond which funds the “First House Program” (first-time homebuyer program) that can be used in Glenn County.
   Motion/Second: Supervisor McDaniel/Supervisor Murray
   Order: Approve the aforesaid matter
   Vote: Unanimous.

21. **Safe Harbor Agreement**
   Matter: Recommendation of Supervisor McDaniel to hold discussion and authorize the Chairman of the Board of Supervisors to execute a letter of opposition to the Safe Harbor Agreement proposed by the Sacramento River Conservation Area Forum (SRCAF), and authorize County Counsel to assist the Glenn County elected member to the SRCAF in obtaining budgetary and financial statements.
   Motion/Second: Supervisor Murray/ Supervisor Viegas
   Order: Approve the aforesaid matter
   Vote: Unanimous.
22. **Glenn County Mental Health Alcohol & Drug Commission - Appointment**
   
   **Matter:** Pursuant to Notice of Vacancy having been posted, and recommendation of Health Services Agency, appoint Brice Del Faro to the Glenn County Mental Health Alcohol & Drug Commission for a three year term beginning January 1, 2010.
   
   **Motion/Second:** Supervisor Murray/Supervisor Quarme
   
   **Order:** Appoint Brice Del Faro as set forth above
   
   **Vote:** Unanimous.

   THE CHAIRMAN ADJOURNED TO CLOSED SESSION AND DEPUTY CLERK SANDRA PERGSON LEFT THE MEETING

23. **Closed Session**
   
   **Matter:** Adjourn to Closed Session pursuant to Government Code Section 54956.9 (a) Conference with Legal Counsel – Existing Litigation:
   
   
   b. Case No. 09CV00676 Glenn County vs. Patrick Foley, et al.
   
   **Proceedings:**
   
   a. The Chairman asked if anyone would like to speak on the Closed Session matters; whereby no comments were heard;
   
   b. Later this date, the Chairman announced there was no report from Closed Session.

24. **Closed Session**
   
   **Matter:** Adjourn to Closed Session pursuant to Government Code Section 54956.9(b) – Conference with Legal Counsel – Significant Exposure to Litigation – one case.
   
   **Proceedings:**
   
   a. The Chairman asked if anyone would like to speak on the Closed Session matters; whereby no comments were heard;
   
   b. Later this date, the Chairman announced there was no report from Closed Session.

25. **Closed Session**
   
   **Matter:** Adjourn to Closed Session pursuant to Government Code Section 54957 to hold Public Employee Performance Evaluation for Agricultural Commissioner/Air Pollution Officer Mark Black. (Annual – Board discussion only)
   
   **Proceedings:**
   
   a. The Chairman asked if anyone would like to speak on the Closed Session matters; whereby no comments were heard;
   
   b. Later this date, the Chairman announced there was no report from Closed Session.

THE CHAIRMAN ADJOURNED TO REGULAR SESSION WITH DEPUTY CLERK SANDRA PERGSON PRESENT

26. The Chairman adjourned the meeting at 1:00 p.m.

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STEVE SOETH, Chairman

ATTEST:

Sandy Soeth, Clerk of the Board of Supervisors

BY: [Signature]

Sandra Pergson, Deputy Clerk

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