



BOARD OF SUPERVISORS

MINUTES

JANUARY 28, 2025

1. CALL TO ORDER

Pledge of Allegiance

Action Requested -

Observation of a Moment of Silence

Action Requested -

2. INTRODUCTORY ITEMS

Rules of Decorum

Action Requested -

2.1. Corrections and/or Changes to the Agenda

Action Requested -

Item 3.2.a - The January 14th meeting Minutes state that Consent Agenda Item 3.10.c was pulled from the agenda, and it should read Item "3.10.b"

Item 3.2.b - Designated authorized representative in resolution should read "Emergency Manager".

Item 4.9 - Action requested should include the language "and authorized the Chair to sign".

Item 4.11 - Action requested should state there are (2) resolutions for adoption.

2.2. Announcement(s) of Recusal

Action Requested -

Supervisor Durfee recused himself from item 4.9.

3. CONSENT AGENDA

The following members of the public submitted Public Comment: John Stonebraker on item 3.2.a and 3.4.a (electronically).

Action: ADOPT THE CONSENT AGENDA.

Motion: Supervisor Durfee

Second: Supervisor Ritter

Motion passed with a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly) with corrections made to 3.2.a and 3.2.b.

3.1. Assessor's Office

Action Requested -

3.1.a. Resolution Recognizing Blake Bailey Upon His Retirement from the Assessor's Office

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.2. County Administration

Action Requested -

3.2.a. Approval of Board of Supervisors Meeting Minutes

Action Requested - Approve the January 14, 2025 Board of Supervisors meeting minutes.

3.2.b. Resolution Ratifying Local Disaster Proclamation

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.3. Department of Employment & Social Services

Action Requested -

3.3.a. Appointment to Partnership HealthPlan of California (PHC) Board of Commissioners

Action Requested - Appoint Tiffany Rowe to the PHC Commission as recommended to serve a four year term.

3.4. Department of General Services

Action Requested -

3.4.a. Budget Amendment for Maintenance Projects for Fiscal Year 2024-25

Action Requested - APPROVE BUDGET AMENDMENT (4/5 VOTE REQUIRED).

3.4.b. Ratification of Change Orders 1 through 3 and Approval of Change Orders 4 and 5 for Oroville Veterans Memorial Park (OVMP) with Rock Creek Construction, Inc.

Action Requested - 1) Ratify change orders 1 through 3; and 2) Approve change orders 4 and 5 and authorize the Chair to sign.

3.4.c. Notice of Completion for Job Order Contract with Mesa Energy Systems Inc. dba Emcor Services Mesa Energy (Emcor) for Domestic Hot Water Boilers and Water Heaters serving 3, 5 and 7 Gillick Way, Oroville for the Butte County Sheriff's Office

Action Requested - 1) Ratify Contract change orders 1 and 2; 2) Accept the contract work as complete; and 3) Authorize the Chair to sign the Notice of Completion.

3.5. Department of Human Resources

Action Requested -

3.5.a. Adoption of the Salary Ordinance

Action Requested - Adopt the Salary Ordinance and Authorize the Chair to Sign.

3.6. Department of Information Systems

Action Requested -

3.6.a. Resolution in Recognition of George Benton Upon His Retirement from the Department of Information Systems

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

3.7. Department of Water & Resource Conservation

Action Requested -

3.7.a. Contract Amendment with West Yost & Associates Inc. (West Yost) for the District No. 6 Palermo Master Drainage Plan Project

Action Requested - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN.

3.8. Fire Department

Action Requested -

- 3.8.a. Budget Amendment and Capital Asset Purchase to Replace a Type III Fire Engine Destroyed in North Complex Fire**
Action Requested - 1) Approve capital asset purchase; and 2) Approve budget amendment (4/5 Vote Required).
- 3.8.b. Budget Amendment and Capital Asset Purchase**
Action Requested - 1) Authorize Capital Asset Purchase; and 2) Approve Budget Amendment (4/5 Vote Required).
- 3.9. Probation Department**
Action Requested -
- 3.9.a. Contract Amendment with Boys and Girls Club of the North Valley (BGC)**
Action Requested - Approve the attached amendment and authorize the Chair to sign.
- 3.10. Department of Public Works**
Action Requested -
- 3.10.a. Amendment to Department of Public Works Purchasing and Procurement Policy**
Action Requested - Approve amendment and authorize the Chair to sign.
- 3.10.b. Resolutions Recognizing Geraldine Lynch and Matthew Muir as Recipients of 2024 County Engineers Association of California Memorial Scholarships**
Action Requested - Adopt the Resolutions (2) and authorize the Chair to sign.
- 3.10.c. Contract Amendment with Consor North America, Inc. for On-Call Engineering Services**
Action Requested - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN.
- 3.11. Other**
Action Requested -
- 3.11.a. Certification of the Butte County Local Planning Council (LPC) Membership and Receive Amended By-Laws**
Action Requested - 1) Certify the LPC Composition Statement and authorize the Chair to sign; and 2) Receive the amended LPC by-laws.

4. REGULAR AGENDA

- 4.1. Board Member/Committee Reports and Board Member Comment**
Action Requested -
 - Supervisor Connelly** - Absent
 - Supervisor Durfee** - Thanked Director Pack regarding flooding issues in North Butte County
 - Supervisor Ritter** - Attended Behavioral Health Advisory Board meeting, Diversability Action Network meeting, Martin Luther King jr. event at St. John's Episcopal Church, First 5 Executive Meeting as they welcomed a new director to DESS, Restorative Justice sub-Committee Meeting, Holocaust and Genocide lecture series, Master Plan on Aging meeting, and met with the new Medical Director of Public Health.
 - Supervisor Kimmelshue** - Attended Vina GSA meeting, working with entities to maintain sustainable groundwater supply.
 - Supervisor Teeter** - Attended Cohasset meeting with multiple agencies.

4.2. Public Comment

Comments to the Board on issues and items not listed on the agenda. Pursuant to California State law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda. Please note that Public Comment is in two separate sections. One, at the beginning of the regular agenda, which will last a maximum of 15 minutes, with another to follow as the last item on the regular agenda with no time limits.

Action Requested -

The following members of the public submitted Public Comment: Diana Dreiss (electronically and in person), The Cameraman.

4.3. Appointments to the Butte County Water Commission (Commission)

Action Requested - Reappoint Donna Bayles (Dist. 1), Fred Montgomery (Dist. 4) and Mauny Roethler (Dist. 5) to the Butte County Water Commission to each serve a 4 year term ending January 1, 2029.

Melissa Kitts, Assistant Clerk of the Board, presented this item to the Board.

No public comment was received for this item.

Action Requested - REAPPOINT DONNA BAYLES (DIST. 1), FRED MONTGOMERY (DIST. 4) AND MAUNY ROETHLER (DIST. 5) TO THE BUTTE COUNTY WATER COMMISSION TO EACH SERVE A 4 YEAR TERM ENDING JANUARY 1, 2029.

Motion: Supervisor Ritter

Second: Supervisor Durfee

Motion passed with a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

4.4. Appointment to the Butte County Resource Conservation District

Action Requested - Appoint Dave Lee (Dist. 1), Jeff Carter (Dist. 4), and Allen Harthorn (Dist. 5) to the Butte County Resource Conservation District to serve a term ending January 1, 2029.

Melissa Kitts, Assistant Clerk of the Board, presented this item to the Board.

No public comment was received for this item.

Action Requested - APPOINT DAVE LEE (DIST. 1) TO THE BUTTE COUNTY RESOURCE CONSERVATION DISTRICT TO SERVE A TERM ENDING JANUARY 1, 2029.

Motion: Supervisor Durfee

Second: Supervisor Teeter

Motion passed with a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Action Requested - APPOINT JEFF CARTER (DIST. 4) TO THE BUTTE COUNTY RESOURCE CONSERVATION DISTRICT TO SERVE A TERM ENDING JANUARY 1, 2029.

Motion: Supervisor Durfee

Second: Supervisor Teeter

Motion passed with a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Action Requested - APPOINT ALLEN HARTHORN (DIST. 5) TO THE BUTTE COUNTY RESOURCE CONSERVATION DISTRICT TO SERVE A TERM ENDING JANUARY 1, 2029.

Motion: Supervisor Teeter
Second: Supervisor Ritter

Motion passed with a 3-1-1 Vote (Ayes: Supervisors Ritter, Teeter and Chair Kimmelshue; Nays: Supervisor Durfee; Absent: Supervisor Connelly).

4.5. Butte County Leadership Academy 2024 Program Summary

Action Requested - Accept for information

Sheri Waters, Director of Human Resources, presented this item to the Board.

Comments received by staff including Cristi Roach, Sam Thomas, and Brandon McKay.

No public comment was received for this item.

Action Requested - ACCEPT FOR INFORMATION.

4.6. Prohousing Designation Program Application

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Paula Daneluk, Director of Development Services, presented this item to the Board.

No public comment was received for this item.

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Durfee
Second: Supervisor Teeter

Motion passed with a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

4.7. Request for Building Permit Fee Waiver from the Golden Empire Council Boy Scouts of America

Action Requested - 1) Authorize the Department to process a refund of building permit fees in the amount of \$9,387.93; and 2) Waive the refund processing fee of \$155.00

Paula Daneluk, Director of Development Services, presented this item to the Board.

The following members of the public submitted Public Comment: Jim Thorup

Action Requested - 1) AUTHORIZE THE DEPARTMENT TO PROCESS A REFUND OF BUILDING PERMIT FEES IN THE AMOUNT OF \$9,387.93; AND 2) WAIVE THE REFUND PROCESSING FEE OF \$155.00.

Motion: Supervisor Teeter
Second: Supervisor Durfee

Motion passed with a 3-1-1 Vote (Ayes: Supervisors Durfee, Teeter and Chair Kimmelshue; Nays: Supervisor Ritter; Absent: Supervisor Connelly).

4.8. Summary of the Five-Mile Basin and Big Chico Creek Sediment Analysis and Post-Park Fire Report

Action Requested - Provide direction to staff.

Joshua Pack, Director of Public Works, presented this item to the Board.

The following members of the public submitted Public Comments: Robin McCollum, Tom Van

Overbeek and John Stonebraker.

Action Requested - PROVIDE DIRECTION TO STAFF.

Supervisor Durfee made a motion to move forward with the CEQA process and simultaneously explore other funding sources. Further, the Board requested letters be sent to legislators requesting state and federal assistance.

Second: Supervisor Ritter

Motion passed with a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter, and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

4.9. Resolution of Intent to Amend the Assessments for County Service Area (CSA) 172 and Conduct a Protest Hearing

Action Requested - 1) Adopt a Resolution of Intent to amend the assessments for County Service Area (CSA) 172; and 2) Set a Protest Hearing for March 25, 2025, at 10:00 AM.

Supervisor Durfee recused himself and left the room at 12:11 pm.

Joshua Pack, Director of Public Works, presented this item to the Board.

No public comment was received for this item.

Action Requested - 1) ADOPT A RESOLUTION OF INTENT TO AMEND THE ASSESSMENTS FOR COUNTY SERVICE AREA (CSA) 172; AND 2) SET A PROTEST HEARING FOR MARCH 25, 2025, AT 10:00 AM.

Motion: Supervisor Ritter

Second: Supervisor Teeter

Motion passed with a 3-0-2 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisors Connelly and Durfee).

Supervisor Durfee returned to the Session and is seated at 12:12 pm.

4.10. Update on the Incompetent to Stand Trial (IST) Mental Health Rehabilitation Center (MHRC) Request for Proposals (RFPs)

Action Requested - Provide Direction to Staff.

Scott Kennelly, Director of Behavioral Health, presented this item to the Board.

Comments received by staff including Kory Honea, Sheriff, and Mike Ramsey, District Attorney.

No public comment was received for this item.

Action Requested - PROVIDE DIRECTION TO STAFF.

The Board directed Staff to explore a supervised unlocked facility to house prescreened, low level IST individuals and restore them to competency, and Alternate Custody Supervision (ACS) Participants.

4.11. Resolutions Authorizing Temporary Deputy Probation Officer Longevity and Hiring Bonus Programs

Action Requested - Adopt Resolution and authorize the Chair to sign.

Sheri Waters, Director of Human Resources, presented this item to the Board.

No public comment was received for this item.

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Ritter

Second: Supervisor Durfee

Motion passed with a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

4.12. Update of Budget, Legislative, and other Current Issues by the Chief Administrative Officer

Action Requested -

4.13. Board of Supervisors Public Comment (Continuation as needed)

Action Requested -

The following members of the public submitted Public Comment: John Stonebraker.

4.14. Items Removed from the Consent Agenda for Board Consideration and Action

Action Requested -

5. PUBLIC HEARINGS AND TIMED ITEMS

5.1. 10:00 am - Timed Item - Introduction of an Ordinance to Amend Article XXIII to Chapter 2 of the Butte County Code Implementing a Community Choice Aggregation Program with Pioneer Energy (Pioneer)

Action Requested - Waive the first reading of the Ordinance.

Joshua Pack, Director of Public Works, presented this item to the Board.

Comments received by Pioneer Representative: Lisa DeLaby

The following members of the public submitted Public Comment: John Stonebraker.

Action Requested - WAIVE THE FIRST READING OF THE ORDINANCE.

Motion: Supervisor Ritter

Second: Supervisor Durfee

Motion passed with a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

5.2. 11:00 am - Timed Item - 2025 State and Federal Legislative Platform Discussion

Action Requested - APPROVE 2025 STATE AND FEDERAL LEGISLATIVE PLATFORMS OR PROVIDE DIRECTION TO STAFF.

LeAnne Hancock, Management Analyst I, Paul Yoder, Shaw Yoder Antwih Schmelzer and Lange & Kristi Moore, Ferguson Group, presented this item to the Board.

The following members of the public submitted Public Comment: John Stonebraker.

Action Requested - APPROVE 2025 STATE AND FEDERAL LEGISLATIVE PLATFORMS OR PROVIDE DIRECTION TO STAFF.

The Board directed Staff to include items to the County's federal and state platforms and bring back for approval.

5.3. 12:00 pm - Public Hearing - Tuscan Water District Electoral Divisions

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Tovey Giezentanner, General Manager, Tuscan Water District, presented this item to the Board.

The following members of the public submitted Public Comment: John Stonebraker

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Durfee

Second: Supervisor Teeter

Motion passed with a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

6. BOARD OF SUPERVISORS CLOSED SESSION

6.1. Public Employee Employment, Appointment, Recruitment, Performance Evaluations, Including Goals, Discipline/Dismissal/Release, pursuant to Government code Section 54957

Action Requested -

6.2. Conference with Labor Negotiators pursuant to Government code section 54957.6

Action Requested -

6.3. Actual litigation pursuant to Gov. Code sec. 54956.9(d)(1) - one case:

Action Requested -

6.4. Closed Session Public Comment

Action Requested -

There being no further business before the Board, the meeting adjourned. The Butte County Board of Supervisors will reconvene at the next regular meeting, scheduled for XXXXX DD, 20YY.

ATTEST:

Andy Pickett, Chief Administrative Officer and
Clerk of the Board

Tod Kimmelshue, Chair
Butte County Board of Supervisors

Deputy
Assistant Clerk of the Board