

## Board of Supervisors

Kim Dolbow Vann, District I,  
Chairman  
Thomas A. Indrieri, District II  
Mark D. Marshall, District III  
Gary J. Evans, District IV,  
Denise J. Carter, District V



## COUNTY OF COLUSA

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### Minutes

November 9, 2010

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 9<sup>th</sup> day of November 2010 at the hour of 8:00 a.m., with Closed Session scheduled for 8:05 a.m. Present: Supervisors Kim Dolbow Vann, Chairman, Denise J. Carter, Thomas A. Indrieri, Mark D. Marshall and Gary J. Evans. Absent: None.

Present: Thomas R. Parker, Marge Kemp-Williams, County Counsel's Office.  
Cindy Lovelace, Interim Personnel Director.  
Tim Taylor, Stoel Rives, LLC.  
Yolanda Tirado, Ann Nordyke, Board Clerks.

Chairman Vann calls to order the Regular meeting of November 9, 2010 at 8:05 a.m.

8:06 a.m. Mr. Parker announces the Board will consider the following Closed Session items:

- A. Under the Provisions of Government Code Section 54956.9c, County Counsel and the Board shall meet in the possible initiation of Litigation in (1) case.
- B. Under the Provisions of Government Code Section 54957, a Public Employee Performance Evaluation (Nine Month) will be conducted for the Director of Public Works.
- C. Under the Provisions of Government Code Section 54957, the Interim Personnel Director will update the Board on the appointment of the Personnel Director.
- D. Under the Provisions of Government Code Section 54956.9c, the Board will consider initiation of Litigation in (1) case.
- E. Under the Provisions of Government Code Section 54956.9(a) the Board will meet with County Counsel to discuss pending case Gerald B. DeLucchi as Trustee of the Gerald B. DeLucchi Living Trust Plaintiff, vs. County of Colusa et al., Defendants, Colusa County

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Superior Court, Case No.CV23754.

Chairman Vann declares a recess at 8:05 a.m. to convene in Closed Session and reconvenes in Regular Session at 9: 07 a.m., with all Supervisors present.

Present: Thomas R. Parker, County Counsel.  
Elizabeth Kelly, Interim Director, Health & Human Services.  
William Cornelius, Michael Laffin, Behavioral Health Services.  
Cindy Lovelace, Interim Personnel Director.  
Steve Hackney, Director, Planning & Building Department.  
Scott Marshall, Russ Jones, Shane Maxey, Sheriff's Office.  
Tim Taylor, Stole Rives, LLC.  
John Poyner, Peggy Mitchell, Dave Markss, District Attorney's Office.  
Jim Bell, Mike Acevedo, Jon Wrynski, Public Works.  
Mary Winters, Maria Boyes, Kim Davis, Jennifer Vennery, Richard Marvel, Len Bolen, Colusa citizens.  
Mary Wells, Maxwell citizen.  
Ron Simmons, Jean Terkildsen, WCCA.  
Donna Critchfield, City of Colusa.  
Jon Richter, Ag Department.  
Ashley Indrieri, Family Water Alliance.  
Peggy Scroggins, Auditor-Controller.  
Yolanda Tirado, Ann Nordyke, Board Clerks.

Prayer by Chairman Vann. Pledge of Allegiance.

ADMINISTRATION/MINUTES: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve the Minutes of the October 19, 2010 Regular Session. Motion carried: All yes. Absent: None.

Chairman Vann declares time for a period of public comment. Hearing none, Chairman Vann closes the period of public comment.

Mr. Parker announces the Board met in Closed Session and considered the following matters noting items "A" and "D" will be heard later this day:

Under the Provisions of Government Code Section 54957, a Public Employee Performance Evaluation (Nine Month) was conducted for the Director of Public Works.

Under the Provisions of Government Code Section 54957, the Interim Personnel Director updated the Board on the status of the appointment of a Personnel Director.

Under the Provisions of Government Code Section 54956.9(a) the Board met with County Counsel to discuss pending case Gerald B. DeLucchi as Trustee of the Gerald B. DeLucchi Living Trust Plaintiff, vs. County of Colusa et al., Defendants, Colusa County Superior Court, Case No.CV23754 and gave legal strategy and direction to staff.

9:10 a.m. (9:05 a.m. item on Agenda) STAFF REPORTS

Mr. Bell updates the Board on items that pertain to his Department.

Mr. Poyner introduces Ms. Peggy Mitchell a new employee to DA Investigations.

Ms. Scroggins distributes document titled "County Of Colusa 2009-10 Over-Expended Budgets" and speaks to the primary reason for excessive expenditures within each Department. Brief discussion is held.

Sheriff Marshall states this information was sent out to all the Departments listed about 11 minutes prior to today's Board meeting.

9:16 a.m. (9:10 a.m. item on Agenda) PERSONNEL/HEALTH AND HUMAN SERVICES – HEALTH – 4012: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve filling the following flexibly staffed position of PHN I/II/III – PF Range 35/39/43, \$3,613.00 - \$4,392.00/\$3,984.00 - \$4,843.00/\$4,392.00 – \$5,339.00 per month, effective November 10, 2010, originally budgeted to fill January 1, 2011. Motion carried: All yes. Absent:

9:18 a.m. (9:15 a.m. item on Agenda) APPOINTMENTS/SACRAMENTO RIVER FIRE PROTECTION DISTRICT: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to re-appoint Don Litchfield to the Sacramento River Fire Protection District, effective November 17, 2010 through November 18, 2014. Motion carried: All yes. Absent: None.

Supervisor Evans states an item arose after the posting of the November 9, 2010 Regular Agenda regarding Prop 40, Notice of Exemption filing fees and requests the item be brought on for discussion.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Indrieri that a matter arose after the posting of the November 9, 2010 Regular Agenda regarding Prop 40, Notice of Exemption filing fees. Further, this item will be heard under Administration as item "C". Motion carried: All yes. Absent: None.

APPOINTMENT/MENTAL HEALTH BOARD: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to re-appoint Amber Kesterson to the Colusa County Mental Health Board, effective October 30, 2010 through October 29, 2013. Motion carried: All yes. Absent: None.

9:20 a.m. AG COMMISSIONER: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to accept a \$1,000.00 gift card from Sears/Kmart from a consumer protection action decision. Further, approve use of settlement monies for purchase of equipment/supplies for weights/measures investigations and approval to place these funds into the Ag Commissioner Budget. Motion carried: All yes. Absent: None.

Present: Gerald Polk, Auditor-Controller's office.

AG COMMISSIONER/AIRPORT SPECIAL/RESOLUTION: It is moved by supervisor Carter, seconded by Supervisor Indrieri to adopt **Resolution No. 10-055**, a Resolution of the Colusa County Board of Supervisors Authorizing the Submittal of an

Application, Acceptance of an Allocation of Funds and Execution of a Grant Agreement with the California Department of Transportation, for an Acquisition and Development Grant and Certifying the Availability of the County's Share of Matching Funds and authorize the Chairman to sign the Resolution. Further, approve Acquisition and Development Grant Application, in the amount of \$50,000.00 (Applicant's funds \$5,000.00 and CAAP Funds \$45,000.00) for the ALUCP-Airport Land Use Compatibility Plan Update and authorize the Director of Airport Operations to sign the Grant Application on behalf of the Board of Supervisors. Resolution passed and adopted by the following vote:

AYES: Supervisors Carter, Indrieri, Marshall, Evans, and Vann.

NOES: None.

ABSENT: None.

9:25 a.m. COUNTY LIBRARY: It is moved by Supervisor Carter, seconded by Supervisor Marshall to accept a grant award in the amount of \$2,000.00 from Colusa Community Development Program, Colusa Casino Resort, to provide continued support and expansion of the ImagiBus Early Literacy Mobile Book Give Away Program. Motion carried: All yes. Absent: None.

**C10-280** COUNTY LIBRARY: It is moved by Supervisor Marshall, seconded by Supervisor Carter to approve lease agreement between the County of Colusa and **McNaughton Book Service** for books, effective November 1, 2010, with terms and conditions as set forth in the lease agreement and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

CONSENT AGENDA: It is moved by Supervisor Indrieri, seconded by Supervisor Marshall to approve Consent Agenda Item Nos. 1 through 8 as follows:

1. COLUSA COUNTY UNREPRESENTED EMPLOYEES: Designate December 23, 2010 as Colusa County Unrepresented Employees floating holiday.

**C10-281** 2. SHERIFF/CITY OF COLUSA: Approve Modification to Agreement C09-203 between the County of Colusa Sheriff's Department for animal control services to the **City of Colusa**, with terms and conditions as stated in the Modification, and all other terms and conditions to remain in full force and effect and authorize Chairman to sign.

**C10-282** 3. SHERIFF/CITY OF WILLIAMS: Approve Modification to Agreement C10-078 between the County of Colusa Sheriff's Department and the **City of Williams**, modifying "FEES" as stated in the Modification, for fiscal year 2010/2011, (July 1, 2010-June 30, 2011) and fiscal year 2011/2012 (July 1, 2011-June 30, 2012) and all other terms and conditions to remain in full force and effect and authorize the Chairman to sign.

4. PUBLIC WORKS/NOTICE OF COMPLETION: Accept, as complete, the Norman Road Driver Speed Feedback Sign and HMA Concrete Overlay project, approve Notice of Completion, and authorize the Director of Public Works to sign and direct the Clerk to record.

**C10-283** 5. PUBLIC WORKS: Ratify an agreement between the County of Colusa Public Works Department and **Nitta Erosion Control** to provide application of Hydroseeding material, effective October 13, 2010 through October 29, 2010, in an amount not to exceed \$2,000.00, with a fifteen (15) day written termination clause by either party and signed by the Public Works Director on behalf of the Board of Supervisors.

**C10-284** 6. BEHAVIORAL HEALTH: Approve Modification to Agreement C08-222, between the County of Colusa Behavioral Health Services and **Sail House**, providing mental health services to adult residents of Colusa County who have a mental illness and who are in need of long-term supportive treatment in addition to basic care and supervision, **and** modifying the contractor name from Sail House to **The Sail House, Inc.**, effective November 9, 2010, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign.

**C10-285** 7. BEHAVIORAL HEALTH/COLUSA COUNTY ONE STOP PARTNERSHIP: Approve agreement for professional services between the County of Colusa Behavioral Health Services and **Colusa County One Stop Partnership**, for the Mental Health Services Act Innovation Community Program Planning, effective November 10, 2010 through November 10, 2011, in an amount not to exceed \$25,000.00, with a thirty (30) day written termination clause by either party and authorize the Chairman to sign.

8. STATE FAIR BOOTH EXHIBIT/COLUSA COUNTY OFFICE OF EDUCATION: Ratify/approve the 2011 Counties Exhibit Authorization and Appointment Form for the California State Fair and authorize the Chairman to sign. **Consent motion carried: All yes. Absent: None.**

#### SUPERVISOR REPORTS OR COMMENTS

##### Supervisor Carter

Website meeting.  
Trindell Board meeting.  
Walnut Ranch pre-annexation discussions.  
RCD meeting.  
LAFCo meeting.  
Joint Cities & County meeting.  
Film Commission meeting.  
County Counsel Open House meeting.

##### Supervisor Indrieri

Joint Cities & County meeting.

##### Supervisor Marshall

Joint Cities & County meeting.  
Met with County Counsel and Public Works.  
Met with Supervisor Carter re: JPA/bylaws Trindel.

##### Supervisor Evans

Joint Cities & County meeting.  
Met with Chairman Vann.  
Sites JPA/GCID meeting.

Supervisor Vann

Joint Cities &amp; County meeting.

9:30 a.m. Chairman Vann makes time for a Public Hearing to consider adoption of Appropriation Limits pursuant to Article XIII B of the California Constitution (Proposition 4) and Section 76910 of the Government Code as follows:

Colusa County General Fund	\$24,010.990.
Walnut Ranch Street Lighting #1	\$ 13,344.
Maintenance Area #1	\$ 394,681.

9:31 a.m. Chairman Vann calls for public comment. Hearing none, Chairman Vann closes the public hearing.

AUDITOR-CONTROLLER/RESOLUTION: It is moved by Supervisor Indrieri, seconded by Supervisor Evans to adopt **Resolution No. 10-056** a Resolution of the County Board of Supervisors Adopting General Fund, Walnut Ranch, and Maintenance Area #1 Expenditure Levels for Fiscal Year 2010-2011 and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

AYES: Supervisors Carter, Indrieri, Marshall, Evans, and Vann.

NOES: None.

ABSENT: None.

9:32 a.m. Chairman Vann declares time for a Public Hearing to consider a proposed Ordinance of the County of Colusa Repealing and Enacting Section 2-100 of the Colusa County Code Regarding Conflicts of Interest and Fair Political Practices Commission Disclosure by County Employees and Officials.

Mr. Parker states there is an additional category for Appendix "A" to the Colusa County Code Section 2-100 and reads the following into the record:

"All county employees given designated authority to sign acquisition documents on behalf of the department head at any given time."

which pertain to categories 1, 2, and 6, noting those designated persons may change from time to time.

9:35 a.m. Chairman Vann calls for public comment. Hearing none, Chairman Vann closes the Public Hearing.

CLERK-COUNTY COUNSEL/ORDINANCE: It is moved by Supervisor Marshall, seconded by Supervisor Vann to approve second reading, by title only, and adopt **Ordinance No. 739**, an Ordinance of the County of Colusa Repealing and Enacting Section 2-100 of the Colusa County Code Regarding Conflicts of Interest and Fair Political Practices Commission Disclosure by County Employees and Officials and authorize the Chairman to sign. Ordinance passed and adopted by the following vote:

AYES: Supervisors Carter, Indrieri, Marshall, Evans, and Vann.

NOES: None.

ABSENT: None.

9:37 a.m. (9:35 a.m. item on Agenda) HEALTH AND HUMAN SERVICES: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve payment of fees related to Colusa Independence Transitional Housing Project and authorize the Interim Director of Health and Human Services to pay fees using Emergency Housing Assistance Program (EHAP-CD) and/or Community Development Block Grant (CDBG) funds up to \$110,000.00. Motion carried: All yes. Absent: None.

**C10-286** HEALTH AND HUMAN SERVICES: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve an agreement between the County of Colusa Health and Human Services and **Jeff Herboldshimer of Associated Inspection Services** to provide quality control inspection services, to review the general contract work, assist in approving any change orders, ensure the completion of change orders and provide reports indicating the progress of the housing project as well as quality of work performed, effective October 18, 2010, with terms and conditions as set forth in the agreement and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

Chairman Vann makes time to consider an amendment to Agreement C08-467 with INDIGO/Hammond and Playle Architects, LLP for architectural services for the transitional housing facility.

Chairman Vann expresses concern regarding the approval of amendments, noting during negotiations she was adamant about not having any change orders.

Ms. Kelly states the amendment is due to changes the City of Colusa has requested and printing cost for bidder's packages.

Mr. Hammond states the City of Colusa changed portions of the project and requirements regarding streets therefore the engineers had to do a new set of drawings.

Lengthy Discussion is held regarding the City of Colusa's request for changes and the County being invoiced for same.

HEALTH AND HUMAN SERVICES: It is moved by Supervisor Carter, seconded by Supervisor Marshall to approve Amendment #3 to Agreement C08-467 between the County of Colusa Health and Human Services and INDIGO/Hammond and Playle Architects, LLP, for architectural services for the transitional housing facility, effective November 1, 2010 and modifying "Compensation" as set forth in the Modification, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign. Motion fails by the following vote:

AYES: Supervisors Carter and Marshall.

NOES: Supervisors Indrieri, Evans, and Vann

ABSENT: None.

**C10-287** HEALTH AND HUMAN SERVICES: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to approve agreement for professional services between the County of Colusa Health and Human Services and **Eileen Stern** to provide fiscal analysis, training and projections for the Social Services Division, effective through June 30, 2011, with terms and conditions as set forth in the agreement and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

**C10-288** 9:58 a.m. (9:45 a.m. item on Agenda) CENTRAL SERVICES/HEALTH AND HUMAN SERVICES/ENVIRONMENTAL HEALTH SERVICES: It is moved by Supervisor Evans, seconded by Supervisor Marshall to approve amendment to C06-276 Lease Agreement between the County of Colusa Central Services/Health and Human Services/Environmental Health Services and **Advanced Document Concepts** to upgrade and renew the Environmental Health Department's equipment and add to the equipment and maintenance services agreement, effective November 9, 2010, with terms and conditions as set forth in the amendment and with all other terms and conditions to remain in full force and effect and authorize Chairman to sign. Motion carried: All yes. Absent: None.

**C10-289** 9:59 a.m. (9:50 a.m. item on Agenda) SHERIFF: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve Standard Agreement No. 10-204-760, Boating Safety and Enforcement Grant Equipment and Operation Contract, between the County of Colusa Sheriff's Department and the **State of California Department of Boating and Waterways** for purchase of miscellaneous equipment (2 cameras, rigid top for boat, rub rails, repaint 2 vessels and green jacket PFD's), effective September 1, 2010, with terms and conditions as set forth in the Agreement and authorize the Sheriff to sign on behalf of the Board of Supervisors. Motion carried: All yes. Absent: None.

SHERIFF: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to accept the 2010 COPS Grant Number 2010UMWX0026 for the Sheriff's Department, to hire two (2) Deputy Sheriffs, in the amount of \$506,680.00, with terms and conditions as set forth in the Grant and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

SHERIFF/REQUEST FOR PROPOSALS: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to approve Request For Proposal (RFP) for procurement and installation of diesel powered emergency backup generator at the Lodoga Radio Site, authorize the Chairman to sign the RFP and direct the Clerk to publish and post same. Further, set December 3, 2010 at 3:00 p.m., to receive and open RFPs and December 14, 2010 to accept and award same. Motion carried: All yes. Absent: None.

Present: Steve Bordin, Chief Probation officer.

SHERIFF/NOTICE TO BIDDERS: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve Notice to Bidders for the purchase of 2 Livescan machines complete with software and cabinets, authorize the Chairman to sign the Notice to Bidders and direct the Clerk to publish and post same. Further, set December 3, 2010 at 3:00 p.m., to receive and open sealed bids and December 14, 2010 to accept and award same. Motion carried: All yes. Absent: None.



**C10-290** 10:08 a.m. (10:00 a.m. item on Agenda) BEHAVIORAL HEALTH: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve Modification to MOU C09-209 between the County of Colusa Behavioral Health Department/Sheriff's Department and **California Forensic Medical Group** to determine and provide appropriate levels of care and treatment for all mentally disordered person who are incarcerated in the Colusa County Jail, modifying Exhibit B at paragraph 5, changing the amount from \$1000.00 per month to \$625.00 per month, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

**C10-291** BEHAVIORAL HEALTH: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve amendment to contract C09-038, between the County of Colusa Behavioral Health Services and **California Mental Health Services Authority Joint Exercise of Powers Agreement** to jointly develop, and fund mental health services and education Programs as determined on a regional, statewide or other basis, effective July 1, 2009, modifying terms and conditions as set forth in the Amendment, with all other terms and conditions to remain in full force and effect and authorize the Interim Director of Behavioral Health Services to sign on behalf of the Board of Supervisors. Motion carried: All yes. Absent: None.

BEHAVIORAL HEALTH/FIXED ASSETS: It is moved by Supervisor Marshall, seconded by Supervisor Carter that the Board finds that it is in the best interest of the public to waive the County's formal bid process and authorize the purchase of budgeted fixed assets for the Behavioral Health Department from Netsmart as follows:

35 SignatureGem Backlit LCD pads

In the total amount of \$13,825.00, to be purchased with MHSA IT money, at no cost to the County. Motion carried: All yes. Absent: None.

**C10-292** BEHAVIORAL HEALTH: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to approve "Info Scriber End-User License Agreement" between the County of Colusa Behavioral Services and **Netsmart Technologies, Inc.**, to access and use Netsmart's InfoScriber medication management, online storage facility, electronic medical records and associated healthcare information software, effective December 1, 2010, with terms and conditions as set forth in the License Agreement and authorize the Interim Director of Behavioral Health Services to sign all documents on behalf of the Board of Supervisors. Motion carried: All yes. Absent: None.

Present: Fred Doege, Colusa citizen.

10:19 a.m. (10:10 a.m. item on the Agenda) PUBLIC WORKS/FIXED ASSETS: It is moved by Supervisor Carter, seconded by Supervisor Marshall to approve the purchase of unbudgeted fixed assets of a Swing Coupler for Case Backhoe, for the Road Department, in the amount of \$3,368.38, to be funded from Road Fund 00110-3010-57064 Miscellaneous Equipment. Motion carried: All yes. Absent: None.

**C10-293** PUBLIC WORKS: It is moved by Supervisor Evans, seconded by Supervisor Marshall to approve an agreement between the County of Colusa Public Works Department and **Arrow Fence Company** to provide installation of a chain link security fence at the Evans Road Landfill, effective October 29, 2010 through December 31,

2010, in an amount not to exceed \$80,000.00, with a fifteen (15) day written termination clause by either party and authorize the Chairman to sign. Motion carried: All yes.  
Absent: None.

**C10-294**     PUBLIC WORKS: It is moved by Supervisor Marshall, seconded by Supervisor Evans to approve an Easement Agreement between the County of Colusa Public Works Department and **UT 1994 Srimi, Vason Pichuraman Revocable Trust** dated October 31, 1994 for that portion of the south half of the northeast quarter of Section 15, Township 14 North, Range 3 West, Mount Diablo Base and Meridian, situated in the County of Colusa, State of California, being the non-active Colusa County Evans Road Landfill, with terms and conditions as set forth in the Easement Agreement and authorize the Chairman to sign and the Clerk to record same. Motion carried: All yes.  
Absent: None.

Chairman Vann makes time to consider a Resolution setting January 25, 2011 at 9:30 a.m. for a public hearing to consider the Board's Intention to Vacate Purported Public Rights-of-Way Within a Portion of the Sacramento Valley Irrigation Company's Maxwell Unit.

Mr. Winberry states he is representing approximately 36 land owners in this lawsuit and presents the Board of Supervisors with a letter dated November 8, 2010, addressed to the Honorable Board of Supervisors, regarding Consideration of Vacation of Purported Rights-of-Ways Within a Portion of the SVI Irrigation Company's Maxwell Unit and speaks to same.

Mr. Morris states he attended the October 19, 2010 Board meeting and complements the Board members for postponing the Board's Intention to Vacate Purported Public Rights-of-Ways, noting he had presented a letter dated October 18, 2010 at the last meeting and the letter speaks for itself.

Mr. Yerxa states he represents approximately 10 clients of Mr. Winberry's to avoid any conflicts and states it is very important to have a public hearing, noting there are concerns of having unlimited access through citizens private property.

PUBLIC WORKS/RESOLUTION/PUBLIC HEARING: It is moved by Supervisor Marshall, seconded by Supervisor Evans to adopt **Resolution No. 10-057**, a Resolution setting January 25, 2011 at 9:30 a.m., for a public hearing to consider the Board's Intention to Vacate Purported Public Rights-of-Way Within a Portion of the Sacramento Valley Irrigation Company's Maxwell Unit, authorize the Chairman to sign the Resolution and direct the Clerk to publish and post Notice of Public Hearing. Resolution passed and adopted by the following vote:

AYES:           Supervisors Cater, Indrieri, Marshall, Evans, and Vann.

NOES:           None.

ABSENT:        None.

10:33 a.m. (10:20 a.m. item on Agenda) Chairman Vann makes time to consider providing direction to the Chief Probation Officer regarding SB 81 Juvenile Hall Construction Funding.

Mr. Bordin informs the Board members the State has released extra funds for SB 81 Juvenile Hall Construction, noting the Board of Corrections will be meeting to decide what to do with this money. He further states potentially the proposals that were not funded will be resubmitted and potentially funded.

Discussion is held regarding Colusa County's standing in regards to being awarded the funds and the possibility of a regional project with Glenn County and their interest, if any, in a regional project.

Following discussion, it is the consensus of the Board members that Mr. Bordin, Chief Probation Officer move forward in the potential acquisition of SB 81 Juvenile Hall Construction funds.

**C10-295** PROBATION It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to approve Maxine Singer Youth Guidance Center Ward Housing Agreement between the County of Colusa Probation Department and **Yuba-Sutter Bi-County Juvenile Hall** to provide appropriate facilities for the housing of wards of the juvenile court, effective November 1, 2010, with terms and conditions as set forth in the Agreement and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

Chairman Vann declares a recess at 10:41 a.m. and reconvenes at 10:54 a.m. with all Supervisors and County Counsel present.

Present: Peggy Scroggins, Auditor-Controller.  
 Mike Azevedo, Public Works.  
 Craig Ericson, Director, Environmental Health.  
 Yolanda Tirado, Ann Nordyke, Board Clerks.

Continued Staff Reports

Mr. Azevedo distributes a flyer titled "Colusa County Public Health Community Flu Clinics" and speaks to same, noting the Sharps Program will have disposal sites available at upcoming Flu Clinics within the County.

10:55 a.m. (10:45 a.m. item on Agenda) AUDITOR-CONTROLLER: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to approve Intra-Budget Transfer Number 11001 through 11002. Motion carried: All yes. Absent: None.

AUDITOR-CONTROLLER: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve changes in Revenue and Appropriations as follows:

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
To Increase (Decrease) Appropriations:				
LEA	02825	002825	59452	(\$200.00)
Total				(\$200.00)
Environmental Health	00108	4019	479910	(\$200.00)
Total				(\$200.00)

Realignment-Health	02811	002811	59452	\$3,850.00
Realignment-Health	02811	002811	59452	(\$1.00)
Total				\$3849.00
Health	00108	4012	479910	\$3,850.00
Total				\$3,850.00
Welfare	00108	5011	479910	\$933,471.
Welfare	00108	5011	479910	(\$1,199,413.)
Total				(\$265,942.)
Med Asst Admin Trust	02813	002813	59452	(\$1,199,413.)
Med Asst Admin Trust	02813	002813	59452	\$933,471.
Total				(\$265,942.)
Medical Asst Admin Trust	02813	002813	453260	(\$265,942.)
Total				(\$265,942.)
AFDC-FC (109-520)	00109	5020	55273	\$500.00
Total				\$500.00
Welfare Admin	02827	002827	59452	\$25,000.00
Total				\$25,000.00

Motion carried: All yes. Absent: None.

Present: Steve Hackney, Director, Planning & Building.

10:59 a.m. (10:50 a.m. item on Agenda) PLANNING & BUILDING/RESOLUTION: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to adopt **Resolution No. 10-058**, a Resolution of Acceptance of Program Income Waiver Request in Accordance with the CDBG Program Income Reuse Plan for a Public Facility Project for the Williams Veterans Hall and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

AYES: Supervisors Carter, Indrieri, Marshall, Evans, and Vann.

NOES: None.

ABSENT: None.

Present: Gary Teragawa, Colusa citizen.

PLANNING & BUILDING/RESOLUTION: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to adopt **Resolution No. 10-059**, a Resolution to Encumber Existing CDBG Program Income Reuse Funds for a Public Facilities Project for the Williams Veterans Hall and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

AYES: Supervisors Carter, Indrieri, Marshall, Evans, and Vann.

NOES: None.

ABSENT: None.

Chairman Vann makes time for discussion/direction regarding deferring the Building Permit Fees and Development Impact Fees for the permit on the Health and Human Services project for transitional housing.

Mr. Hackney states the fees are not being waived. He states the request is to defer the impact fees until grant monies are received. Discussion is held.

PLANNING & BUILDING: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve deferring the Building Permit Fees and Development Impact Fees for the permit on the Health and Human Services project for transitional housing until grant funds are received. Motion carried: All yes. Absent: None.

11:00 a.m. COUNTY COUNSEL/ORDINANCE/PUBLIC HEARING: It is moved by Supervisor Marshall, seconded by Supervisor Evans to approve introduction, first reading, by title only, of a proposed Ordinance of the County of Colusa to Revise the Current Chapter 2, Article I of the Colusa County Code and to Repeal Chapter 11 of the Colusa County Code; Specifically Repealing §§ 2-1, 2-1.1, 2-2, 2-3, 2-3.1, 2-3.2, 2-3.4, 2-11 and 2-16.3 of Chapter 2, Article I, Chapter 11, and adding new sections 2-1, 2-2, 2-3, 2-3.1, 2-3.2, 2-3.3, 2-3.4, and 2-11, New Chapter 11 of the Colusa County Code. Further, set December 7, 2010 at 9:30 a.m. for Public Hearing and adoption and direct the Clerk to publish and post Notice of Hearing. Motion carried: All yes. Absent: None.

COUNTY COUNSEL/RESOLUTION/PUBLIC HEARING: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to set a Public Hearing on December 7, 2010 at 9:30 a.m. to consider a proposed Resolution of the Colusa County Board of Supervisors to Increase the Number of Members of the Governing Board of Trustees of the Williams Cemetery District from Three Members to Five Members pursuant to Government Code Section 9025 and direct the Clerk to publish and post notice for same. Motion carried: All yes. Absent: None.

COUNTY COUNSEL: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to authorize the Auditor-Controller to release recorded liens against property of Richard Bailey and Tri-Star Brick and Block, Inc., pursuant to Government Code Sections 25257-25259. Motion carried: All yes. Absent: None.

Chairman Vann makes time for discussion/direction regarding possible initiation and preparation of designation of Walnut Ranch annexation area as a special tax (2/3 or more voter approval) area; said special tax would be used to pay for pre-annexation and infrastructure improvement costs.

Mr. Parker states this proposal is set forth in his memo and requests direction in regards to the initiation of Walnut Ranch area special tax and pre-annexation infrastructure improvement funding. Noting he has been working with Ms. Moran, Clerk/Recorder-Elections for same and Ms. Moran has inquired as to whether the Board is going to give direction that an election be set and if they do that it be set after the New Year.

Supervisor Indrieri states the proposal is the County authorize a ballot measure for a special tax (requiring a minimum two-thirds vote of approval by registered voter) in the Walnut Ranch area, that the proposed special tax proceeds, if approved, would be dedicated to costs of preparing the Walnut Ranch Area for annexation to the City, water services infrastructure improvements and Local Agency Formation Commission (LAFCo) annexation processing costs of annexation. He further states the County would provide the funds for annexation preparation funding on behalf of the Walnut Ranch Area residents upon approval of the special tax ballot measure. Noting should the voters not approve the special tax ballot measure, the County would not be obligated to provide any funding to the Walnut Ranch Area residents.

Lengthy discussion is held regarding responsibility for the cost of the Election, administrative fees, the possibility of home owners not being registered voters, sending a letter notifying land owners of the impending special election, and length of time for repayment.

Chairman Vann adamantly states funds will not be expended until the election is completed and approved by the Walnut Ranch land owners.

ADIMINSTRATION: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to direct County Counsel to move forward with initiation and preparation of designation of Walnut Ranch annexation area as a special tax (2/3 or more voter approval) area. Motion carried: All yes. Absent: None.

Chairman Vann declares a recess at 11:34 a.m. to convene in Closed Session and reconvenes in Regular Session at 12:00 p.m., with all Supervisors and County Counsel present.

Present: Yolanda Tirado, Ann Nordyke, Board Clerks.

Mr. Parker announces the Board met in Closed Session under the Provisions of Government Code Section 54956.9c, to discuss the possible initiation of Litigation in (1) case.

Chairman Vann declares a recess at 12:05 p.m., stating the Board will recess to the Steelhead Lodge Bar and Grill at Colusa Landing located at 3249 Butte Slough Road and reconvenes at 1:34 p.m. in Regular Session, with all Supervisors and County Counsel present.

Present: Yolanda Tirado, Ann Nordyke, Board Clerks.

1:34 p.m. Chairman Vann makes time for discussion/action regarding the Sacramento River Conservation Area Forum on Federal Taxation issues.

Lengthy discussion is held regarding pulling out of the Sacramento River Conservation Area Forum and the potential risks of doing so, benefits of staying in, litigation, budgets, and Mr. Parker attending the next meeting with Supervisor Evans.

Following discussion, it is the consensus of the Board members that Mr. Parker, County Counsel and Supervisor Evans will attend the next Conservation Area Forum meeting to obtain further information.

**C10-296** 1:40 p.m. (11:00 a.m. item D on Agenda) COUNTY COUNSEL: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to approve an agreement between the County of Colusa and **John E. B. Myers** for representation of minor in Welfare and Institutions Code Section 300 Cases, effective November 9, 2010 through November 30, 2013, with terms and conditions as set forth in the agreement and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

COUNTY COUNSEL/RESOLUTION: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to adopt **Resolution No. 10-060**, a Resolution of the Colusa County Board of Supervisors Declaring APN 005-092-015 to be Surplus County Real Property and authorize the Chairman to sign the Resolution, Grant Deed granting said real property to the Williams Rural Fire Protection District and Certificate of Acceptance and direct the Clerk to record the Grant Deed. Resolution passed and adopted by the following vote:

AYES: Supervisors Indrieri, Marshall, Evans and Vann.

NOES: Supervisor Carter.

ABSENT: None.

Chairman Vann makes time for discussion/action regarding Prop 40 Colusa Bike Path project.

Supervisor Indrieri states the State is requesting changes to the JPA regarding the proposed bike path and speaks to same. Discussion is held regarding changes to the JPA and payment of invoices by the Auditor's office regarding this project.

Following discussion, the Board authorizes Supervisor Indrieri, Mr. Polk and Mr. Parker to move forward with the changes within the JPA and further authorize the Auditor-Controller to pay any invoices for same.

Chairman Vann makes time for an item that arose after the posting of the November 9, 2010 Regular Agenda regarding Prop 40, Notice of Exemption filing fees.

Supervisor Evans expresses concern regarding being charged for the Prop 40, Notice of Exemption fillings and questions why in the past the fees were waived and now are being charged. Discussion is held, with no action taken.

ADMINISTRATION/BOARD CLERKS: It is moved by Supervisor Marshall, seconded by Supervisor Evans to approve payment of CCBSA 2010 Membership fees January 1, 2011 through December 31, 2011, in the amount of \$200.00 and direct Clerk to submit Claim for payment. Motion carried: All yes. Absent: All yes.

AUDITOR: It is moved by Supervisor Marshall, seconded by Supervisor Carter to approve Claim Register Sheets for the period of October 19, 2010 through November 8, 2010. Motion carried: All yes. Absent: None.

AUDITOR: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to approve Special Claims as follows:

<u>Fund/Department</u>	<u>Vendor</u>	<u>Amount</u>
Public Defender	Ed Martinez	\$660.00
Probation	Trinity County Probation	\$7,540.38
Central Services	Chevron Texaco Business Card	\$501.28
Behavioral Health	Heritage Oaks	\$3,320.00
Road	I-5 Rentals	\$3,368.38
Public Defender	Mehr & Mehr	\$300.60
Solid Waste	Nitta Erosion Contral	\$1,944.00
Behavioral Health	American River Residential Svc	\$961.00
District Attorney	Valley Clinical & Consulting	\$450.00
DHHS	C & L Pest Control	\$90.00
Behavioral Health	Ca Regional Mental Hlth Coalition	\$20,854.00

Motion carried: All yes. Absent: None.

Chairman Vann makes time for discussion/possible action regarding state mandated Groundwater level Monitoring and states this has to be done by years end.

Chairman Vann declares a recess at 2:24 p.m. to convene in Closed Session and reconvenes in Regular Session at 2:29 p.m. with all Supervisors and County Counsel present.

Present: Yolanda Tirado, Ann Nordyke, Board Clerks.

Mr. Parker announces the following Closed Session items were considered by the Board:

Under the Provisions of Government Code Section 54956.9c, the County Counsel and Board met in the possible initiation of Litigation in (1) case and direction was given to Counsel.

Under the Provisions of Government Code Section 54956.9c, considered initiation of Litigation in (1) case and direction was given to County Counsel.

Ms. Tirado apprises the Board members of items set for the December 7, 2010 Agenda.



The Board adjourns at 2:32 p.m. to reconvene in Regular Session on December 7, 2010 at the hour of 9:00 a.m.

\_\_\_\_\_  
Kim Dolbow Vann, Chairman

Attest: Kathleen Moran, County Clerk  
and ex-officio Clerk to the Board of  
Supervisors

BY \_\_\_\_\_  
Ann Nordyke, Board Clerk