

Board of Supervisors

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



COUNTY OF COLUSA

KATHLEEN MORAN, COUNTY CLERK
YOLANDA TIRADO, CHIEF BOARD CLERK
ANN NORDYKE, BOARD CLERK
(530) 458-0508/0509
cocolusa@countyofcolusa.org
boardclerk@countyofcolusa.org
WWW.COLUSACOUNTYCLERK.COM

Minutes

January 25, 2011

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 25th day of January 2011 at the hour of 8:00 a.m., Present: Supervisors Mark D. Marshall, Chairman, Denise J. Carter, Thomas A. Indrieri, Gary J. Evans and Kim Dolbow Vann. Absent: None.

Chairman Marshall calls to order the Regular meeting of January 25, 2011 at 8:05 a.m. with all Supervisors and County Counsel present.

Present: Marge Kemp-Williams, County Counsel's Office.
Nikki Berry, Personnel Director.
Craig A. Carnes, Stoel Rives, LLP.
Yolanda Tirado, Ann Nordyke, Board Clerks

Ms. Berry states an item arose after the posting of the January 25, 2011 Agenda regarding an extra help Psychiatrist to fill in as needed during staffing shortages and request the item be brought on for consideration.

ADMINISTRATION/PERSONNEL: It is moved by Supervisor Indrieri, seconded by Supervisor Evans that a matter arose after the posting of the January 25, 2011 Agenda regarding an extra help Psychiatrist to fill in as needed during staffing shortages. Further, the matter will be placed on the Agenda, under the 9:10 a.m. Personnel items and considered as item "B". Motion carried: All yes. Absent: None.

At the request of Mr. Parker, Chairman Marshall pulls from the Agenda Closed Session item "C", under the Provisions of Government Code Section 54957, the Board will discuss with Legal Counsel and the Personnel Director possible reorganization /consolidation of a County Department.

Mr. Parker further requests Consent Agenda Item No. 7, regarding a Resolution 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** Administration Item 13 "D" regarding a Joint Powers Agreement with Princeton Joint Unified School District, to improve the condition and accessibility of the Princeton Jr/Sr High School athletic fields, be pulled from the Agenda until re-agendized.

Chairman Marshall so directs.

Chairman Marshall declares a recess at 8:08 a.m. to convene in Closed Session and reconvenes in Regular Session at 9:00 a.m., with all Supervisors and County Counsel present.

Present: Nikki Berry, Personnel Director.
Jim Bell, Jon Wrynski, Michael Azevedo, Public Works Department.
Craig A. Carnes, Stoel Rives, LLP.
Steve Hackney, Kent Johanns, Planning & Building Department.
Katherine Ferreira, Central Services.
William Cornelius, Michael Laffin, Behavioral Health.
Wendy Burke, County Librarian.
Steve Bordin, Chief Probation Officer.
Bill Cornelius, Michael Laffin, Behavioral Health.
Elizabeth Kelly, Interim Director, Health & Human Services.
Andrea Correa, Management Coalition.
Steve Bordin, Chief Probation Officer.
Renee McCormick, Ag Commissioner's Office.
Scott Marshall, Miguel Villasenor, Sheriff's Department.
Dee Ohliger, Kathy Craigo, Colusa citizens.
Jim Mayoral, John Kett, Anthony Morgan, Chester Morris, Janet Winderl, Roger Franklin, Yates Kendrick, Mike Ornbaun, Andrew Migliore, Anthony Migliore, Bill Leeman, Fred Danbacher, David Carner, David DeLucchi, Kathleen DeLucchi, Armen Sujohn, Gina Delucchi, Mike Delucchi, Paul Hofmann, Steve Alderman, Scott Yates, Representing Delucchi.
Lanny Winberry, Charles Yerxa, Michael R. McCaken, Paul Richter, Bill Sheridan, Kathy Buhter, Brenda Richter, Mary Wells, Pierre Etcharrev, Representing Landowners.
Yolanda Tirado, Ann Nordyke, Board Clerks.

Prayer by Chairman Marshall. Pledge of Allegiance.

ADMINISTRATION/MINUTES: It is moved by Supervisor Evans, seconded by Supervisor Carter to approve the Minutes of the January 11, 2011 Regular Session. Motion carried: All yes. Absent: None.

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

Mr. Parker announces under the Provisions of Government Code Section 54956.9(a) the Board met with County Counsel and discussed a 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 guidance was given to staff.

Mr. Parker also states Closed Session Item "C" regarding Provisions of Government Code Section 54957, possible reorganization/consolidation of a County Department was pulled from the Agenda.

He further states there not being enough time to discuss all items on the Closed Session Agenda the following items were continued to later this day:

- B. Under the Provisions of Government Code Section 54956.9(a), Legal Counsel and the Personnel Director will discuss with the Board pending litigation in a personnel matter of a confidential nature.
- D. Under the Provisions of Government Code Section 54956.9(b), the Board will discuss with Legal Counsel Potential Litigation in one (1) Case.
- E. Under the Provisions of Government Code Section 54956.9(b), the Board will discuss with Legal Counsel Potential Litigation in one (1) Case.
- F. Under the Provisions of Government Code Section 54957, a Public Employee Performance Evaluation (Six Month) will be conducted for County Counsel.

9:05 a.m. STAFF REPORTS

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

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

Ms. Ferreira requests the matter regarding the Cal Card Application be moved under the Central Services 10:50 a.m. items.

Chairman Marshall so directs.

Chairman Marshall makes time for approval of the Consent Agenda Items excluding **Consent Item No. 7** regarding a Resolution 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 for the Ag Commissioner's Office.

CONSENT AGENDA: It is moved by Supervisor Vann, seconded by Supervisor Carter to approve Consent Agenda Item Nos. 1 through 6 and 8 through 9 as follows:

C11-011 1. PLANNING AND BUILDING/SUPERIOR COURT/CRIMINAL JUSTICE BUILDING: Approve contract between the County of Colusa Planning and Building Department and **All Superior Custom Painting** to clean and pressure wash the exterior of the Criminal Justice Building, effective January 11, 2011 through February 25, 2011, in the bid amount of \$3,200.00, with a fifteen (15) day written termination clause by either party and authorize the Chairman to sign.

2. HEALTH AND HUMAN SERVICES: Approve Children's Medical Services (CMS) Plan and Budget for Fiscal Year 2010-2011 Certification Statement-Child Health and Disability Prevention (CHDP) Program in the amount of \$121,028.00, State and Federal funding; Certification Statement – California Children's Services (CCS), in the amount of \$18,057.00 funded by Public Health Realignment; and Health Care Program for children in Foster Care (HCPCFC), in the amount of \$9,956.00, State and Federal funding and authorize the Chairman to sign all accompanying documents.

C11-012 3. HEALTH AND HUMAN SERVICES: Approve amendment to contract C10-163, between the County of Colusa Health and Human Services and **Colusa County One-Stop Partnership** for the provision of Independent Living Program Services, increasing the maximum compensation allowed from \$17,000.00 to \$20,000.00, with all other terms and conditions to remain in full force and effect and authorize the Interim Director of Health and Human Services to sign on behalf of the Board of Supervisors.

C11-013 4. COUNTY COUNSEL/PUBLIC DEFENDER: Approve "Agreement between the County of Colusa and **Tedd Mehr** for the providing of Indigent Criminal Defense, Juvenile and Public Guardianship Services for the Period January 12, 2011 through December 31, 2014" beginning January 12, 2011, during each succeeding 12 month period of the agreement term the monthly payment shall be increased 2.5% over the amount paid in the corresponding month of the preceding 12 month period. Thus, the monthly compensation for each November of the term of the agreement, which will then be the amount of the monthly payment for the succeeding 11 months, will be as follows:

| | | |
|------|---|-------------|
| 2011 | - | \$9,934.32 |
| 2012 | - | \$10,182.68 |
| 2013 | - | \$10,437.25 |
| 2014 | - | \$10,698.18 |

with a sixty (60) day written termination clause by either party and authorize the Chairman to sign.

C11-014 5. PUBLIC WORKS: Ratify Colusa County Public Works Agreement 1011-21, between the County of Colusa Public Works Department and **Taber Consultants** to provide footing observation/recommendation at Leesville Road at the North Branch of Freshwater Creek, effective January 10, 2011 through January 31, 2011, in an amount not to exceed \$2,000.00, with a fifteen (15) day written termination clause by either party and signed the Director of Public Works on behalf of the Board of Supervisors.

C11-015 6. AG COMMISSIONER/AIRPORT: Approve Cleaning Services Agreement between the County of Colusa Airport and **Preferred Carpet Cleaning & Services** for maintenance services at the Colusa County Airport for the women and men's bathrooms and the Pilot's room, effective January 25, 2011, with terms and conditions as set forth in the agreement and authorize the Director of Airport Operation or Fiscal Administrative Officer to sign on behalf of the Board of Supervisors.

8. ADMINISTRATION: Approve Certificate of Appreciation for AlSCO-Geyer and authorize the Chairman to sign.

9. ADMINISTRATION/PACIFIC FLYWAY QUILTERS: Authorize the use of the Historical Courthouse facilities by the Pacific Flyway Quilters for their bi-annual Quilt Show.

Consent motion carried: All yes. Absent: None.

9:10 a.m. PERSONNEL/ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to adopt the following updated job descriptions effective February 1, 2011:

- Ag Commissioner/Sealer of Weights and Measurers/Migrant Housing/Airport Services, PFT, DH Range 35, \$6,294.00 - \$7,650.00 per month.
- Assistant Personnel Director, PFT, MGT Range 22, \$4,629.00 - \$5,626.00 per month.
- Chief Probation Officer, PFT, DH Range 50, \$5,687.00 - \$6,913.00 per month.
- County Counsel, PFT, UDH Range 55, \$10,253.00 - \$12,462.00 per month.
- County Librarian, DH Range 32, \$5,853.00 - \$7,115.00 per month.
- Director of Behavioral Health Services, PFT, DH Range 38, \$6,776.00 - \$8,237.00 per month.
- Director of Child Support Services, DH Range 28, \$5,309.00 - \$6,453.00 per month.
- Director of Health and Human Services, PFT, DH Range 38, \$6,776.00 - \$8,237.00 per month.
- Director of Personnel, UDH Range 35, \$6,294.00 - \$7,650.00 per month.
- Director of Planning and Building PFT, DH Range 38, \$6,776.00 - \$8,237.00 per month.
- Director of Public Works, PFT, DH Range 44, \$7,845.00 - \$9,535.00 per month.
- Deputy/Senior Deputy County Counsel, PFT, MGT Range 26/35, \$5,103.00 - \$6,202.00/\$6,359.00 - \$7,730.00 per month.

Motion carried: All yes. Absent: None.

PERSONNEL/BEHAVIORAL HEALTH SERVICES – MENTAL HEALTH – 4013: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to fill the vacant position of Case Manager, PFT, MSC Range 24, \$ 2,735.00 - \$3,325.00 per month, effective February 1, 2011. Motion carried: All yes. Absent: None.

Chairman Marshall makes time to consider a range change to the District Attorney's position, noting he was approached several months ago regarding this matter.

Supervisor Evans expresses concern regarding timing and the uncertainty of the State Budget. Brief discussion is held.

PERSONNEL/DISTRICT ATTORNEY – 2016: It is moved by Supervisor Indrieri, seconded by Supervisor Vann to change the range of the position of District Attorney from ELE Range 15 to ELE Range 17 (Step 5 \$8,190.00 to Step 5 \$10,763.00), effective February 1, 2011. Motion carried by the following:

AYES: Supervisors Carter, Indrieri, Vann and Marshall.

NOES: Supervisor Evans.

ABSENT: None.

PERSONNEL/ BEHAVIORAL HEALTH – 4010: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve an extra help Psychiatrist position to fill in as needed during staffing shortages, effective January 31, 2011. Motion carried: All yes. Absent: None.

C11-016 9:22 a.m. (9:15 a.m. item on Agenda) SHERIFF: It is moved by Supervisor Indrieri, seconded by Supervisor Vann to approve Standard agreement number 11C155000, between the County of Colusa Sheriff's Office and the **California Highway Patrol**, to allow CHP use of the Sheriff's Office pistol range, effective July 1, 2011 through June 30, 2014, in an amount not to exceed \$6,000.00, with a thirty (30) day written termination clause by either party and authorize the Sheriff to sign the contract and any accompanying documents on behalf of the Board of Supervisors. Motion carried: All yes. Absent: None.

9:20 a.m. Chairman Marshall makes time to consider appointment of Colusa County Planning Commissioners, noting the County has not received any applications for District 3.

APPOINTMENTS/PLANNING COMMISSION: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to re-appoint Gail Beduhn, District V, Marion C. Mathis, District IV, John Loudon, District II, and Steve Vanderpan, District I to the Colusa County Planning Commission, effective February 1, 2011 through January 31, 2012. Motion carried: All yes. Absent: None.

APPOINTMENT/WILLIAMS CEMETERY DISTRICT: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to appoint Fay C. Turner to the Williams Cemetery District, effective January 25, 2011 through January 24, 2015. Motion carried: All yes. Absent: None.

APPOINTMENTS/FISH AND GAME COMMISSION: It is moved by Supervisor Carter, seconded by Supervisor Vann to appoint and re-appoint, respectively, the following to the Fish and Game Commission:

Jon Wrynski, "Member At Large," for District IV, effective January 25, 2011 through January 24, 2015

Andy Ferrendelli, District V, effective January 27, 2011 through January 26, 2015.

Motion carried: All yes. Absent: None.

Ms. Tirado informs Mr. Wrynski he will need to submit a letter of resignation for the position of Alternate for District IV that he is currently holding.

Present: Kent Johanns, Planning & Building.

C11-017 9:25 a.m. PROBATION: It is moved by Supervisor Indrieri, seconded by

Supervisor Vann to approve Modification to agreement number C09-264, between the County of Colusa Probation Department and **Satellite Tracking of People LLC**, effective January 25, 2011, with terms and conditions as set in the Modification and all other terms and conditions to remain in full force and effect and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

9:30 a.m. Chairman Marshall declares time 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.

Ms. Tirado states that all persons planning to testify in the Public Hearing regarding the Board's Intention to Vacate Purported Public Rights-of-Way Within a Portion of the Sacramento Valley Irrigation Company's Maxwell Unit need to stand and be sworn in.

Mr. Morris states being the attorney in this case he does not feel he should have to take an oath.

Brief discussion is held with the Board members concurring Mr. Morris does not have to be sworn in.

Ms. Tirado swears in all those present who will be testifying before the Board members this day.

Chairman Marshall calls on staff to give background information on the upcoming Public Hearing.

Mr. Parker states he would like staff to speak to the Notice Of Exemption.

Mr. Johanns states the County received comments on the County's position that the abandonment of the SVI easements are categorically exempt from California Environmental Quality Act (CEQA) is inappropriate. The attorney for Mr. Delucchi states an Initial Study was needed to determine whether an EIR was required; and if one had been conducted it would likely have indicated that an EIR would be necessary. He further states the project consists of the abandonment of purported public easements, no physical changes are proposed with the abandonment so no significant effects to the environment will result from the project, the easements have never been developed with any county infrastructure or utilized for public (county) purposes, therefore the project is considered an enforcement action by a regulatory agency.

9:35 a.m. Chairman Marshall opens the Public Hearing and calls for public comment.

Mr. Morris on behalf of Mr. Delucchi, presents a petition in opposition to this matter containing 151 signatures and states he previously submitted a petition in opposition containing 159 signatures for a total of 304 signatures in opposition. He also submits document by Garland & Associates Real Estate Appraisers and Consultants and speaks to an analysis of the potential replacement cost (land only) for the rights-of-way proposed to be vacated.

Mr. Windberry distributes a letter dated January 24, 2011, Re: Consideration of Vacation of Purported Rights-of-Way Within a Portion of the SVI Irrigation Company's Maxwell Unit and speaks to same. He further states based on substantial evidence contained in the administrative record in this matter the Honorable Board of Supervisors should vacate the segments of the purported SVI right-of-way recommended for vacation by staff. Noting the public has an interest in the full, efficient and safe use of the agricultural and recreational resources adversely affected by the newly raised claims of various persons who claim, or who may claim, the right to enter onto private property in areas which have not been "opened" as roadways for public use and which have not been used as roadways in fact, and which will never be useful as roadways to the County or the public in general.

Mr. Yerxa states he represents some of the land owners regarding this matter and expresses concerns/issues the landowners face daily because of this public right as follows:

- ❖ Speeding-no regard by the public for recommended speed (15mph) posted yellow signs and no posted speed limit, therefore no enforcement authority,
- ❖ Road damage-extensive rutting and washboard problems which are not a County priority, roads rutted, full of potholes and little or no gravel, roads are rarely passable in winter months.
- ❖ Dumping-trash bags full of garbage, household appliances, cans, bottles, paper, litter of all kinds, a constant eyesore and detracts from the ability to enjoy property.
- ❖ Discharge of firearms-rifles, shotguns, and handguns.
- ❖ No law enforcement protection-no CHP or Sheriff's Deputies in the area to control or deter trespassers.
- ❖ Vandalism/Theft-destruction of no trespassing signs, cutting gate locks, theft of farm equipment, stealing fuel from storage tanks and batteries.
- ❖ Dumping of animals-dogs and cats.
- ❖ Loss of privacy-no ability to enjoy one's property free of trespassers, noise, dumping, and firearm discharge.

Mr. Sheridan comments on the appraised value of the rights-of-ways noting the proposed value placed on the rights-of-way are a red herring, stating the likely hood of the County using these roads is slim to none, the roads are not improved, they are completely impassable 4 to 5 months out of the year, and any improvements would be very costly to the County.

Mr. Richter and Ms. Wells speak in support of the vacationing of the purported rights-of-way, noting the right-of-ways go no where and express concern regarding private property rights.

Messrs Migliore, Yates, Aldermen, Kett, and Morgan speak in opposition to the abandonment. Noting they are not county residents, but come here to duck hunt and if the Board abandons the roads they will not have access to the property to where they hunt.

Mr. Mike Delucci speaks in opposition to the abandonment. He further states when land owners purchased the property the easements were there, they knew what they were getting into.

10:21 a.m. Chairman Marshall calls for further comment. Hearing none, Chairman Marshall closes the Public Hearing.

Mr. Parker request the findings in support of CEQA be approved along with the resolution and states the County has determined that the project is exempt under the California Environmental Quality Act and that there is no possibility that the proposed action may have a significant effect on the environment.

Discussion is held regarding benefit to the public, access to property, trading one suite for another, private agreements, and County maintained roads.

PUBLIC WORKS/RESOLUTION: It is moved by Supervisor Evans, seconded by Supervisor Vann to tentatively adopt **Resolution No. 11-003**, a Resolution of Intention to Vacate Purported Public Rights-of-way Within a Portion of the Sacramento Valley Irrigation Company's Maxwell Unit and authorize the Chairman to sign. Further, approve Notice of Exemption and Additional Findings in Support of CEQA for same and direct the Clerk to record/file the Notice of Exemption in the Clerk-Recorder's Office. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

Mr. Parker states that he will return with Final Findings for Board consideration on February 8, 2011.

Chairman Marshall declares a recess at 10:30 a.m. and reconvenes at 10:50 a.m. in Regular Session, with all Supervisor and County Counsel present.

Present: Jim Bell, Jerry Schantz, Jon Wrynski, Public Works.
Peggy Scroggins, Auditor-Controller.
Yolanda Tirado, Ann Nordyke, Board Clerks.

C11-018 10:45 a.m. PUBLIC WORKS: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve contract to provide software support between the County of Colusa Public Works Department and **Cascade Software Systems, Inc.**, effective January 11, 2011 through June 30, 2011, in an amount not to exceed \$5,328.00, with a fifteen (15) day written termination clause by either party and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

At the request of the Director of Public Works, Chairman Marshall pulls from the Agenda the release of Parcels five, seven, eight and ten of the Parcel Map Number 03-7-2 for Contractor's Yellow Pages (Mel Haynes) from the requirements of C04-205 Document 2004-0007093 Deferred Public Road Improvement Agreement.

C11-019 10:50 a.m. CENTRAL SERVICES: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve Document Shredding and Disposal Services Agreement between the County of Colusa Central Services and **Titan Shred of Yuba City**, effective January 25, 2011, with terms and conditions as set forth in the agreement and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

Chairman Marshall makes time for discussion and possible action regarding Cal Card Application.

Ms. Scroggins states there are things that need to be done before moving forward with the Cal Card.

Ms. Ferreira requests the Board appoint a committee and proposes it consist of Central Services, Auditor, Clerk, and a volunteering Board member to discuss parameters and such for the Cal Card.

Sheriff Marshall states he would like to see a definite deadline/timeline, noting the Departments need these cards.

Discussion is held regarding a sufficient time line for the project, who will sit on the committee, and who will be setting up the meetings.

Following discussion, it is the consensus of the Board members, Chairman Marshall will sit on the committee, and Ms. Scroggins, Auditor-Controller will set up the meetings and the deadline for implementation of the Cal Card program is April 1, 2011.

11:00 a.m. (10:55 a.m. item on Agenda) AUDITOR-CONTROLLER: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve Intra-Budget Transfer Number 11007 through 11009. 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 |
|-----------------------------------------------|--------|--------|--------|------------|
| <i>Increase Revenue & Appropriations:</i> | | | | |
| County Library | 00101 | 6021 | 454900 | \$4,952.32 |
| Total | | | | \$4,952.32 |
| County Library | 00101 | 6021 | 57011 | \$4,952.32 |
| Total | | | | \$4,952.32 |
| County Library | 00101 | 6021 | 454900 | \$2,952.00 |
| Total | | | | \$2,952.00 |
| County Library | 00101 | 6021 | 53251 | \$2,952.00 |
| Total | | | | \$2,952.00 |

Motion carried: All yes. Absent: None.

11:04 a.m. (11:00 a.m. item on Agenda) Chairman Marshall makes time for discussion/direction and possible action regarding repairs to the Maxwell Library back door and replacement of windows and states the items will be considered separately.

Mr. Hackney states the Librarian brought the needed repairs to the attention of the Maintenance Department, noting the repairs could be funded with impact fees or monies donated by Gemma and requests direction for same.

Discussion is held regarding the repairs not being an appropriate use for impact fees, money within the Maintenance Departments budget for repairs, costs of the repairs and the use of donated monies for the same.

PLANNING & BUILDING/BUILDING & GROUNDS: It is moved by Supervisor Evans, seconded by Supervisor Carter to approve the repair of the door at the Maxwell Library, utilizing monies donated by Gemma for the repairs. Motion carried: All yes
Absent: None.

Chairman Marshall makes time for discussion/direction and possible action regarding repairs to the Maxwell Library windows.

Mr. Hackney states the repairs for the windows range from \$3,000.00 to \$5,800.00 and requests direction for same.

Supervisor Evans states he thought Mr. Brookins was to check into an energy efficient program. Discussion is held.

Following discussion, Chairman Marshall directs staff to work with Supervisor Vann and the Librarian to pursue energy efficient grant funds for the project.

Chairman Marshall makes time for discussion/direction and possible action for the purchase Two (2) Commercial grade vacuum cleaners unbudgeted fixed assets for the Custodial Department.

Mr. Hackney states the figures submitted are incorrect. He states the department does not have funds for the purchase of the vacuum cleaners and requests this matter be continued to the February 8, 2011 Agenda. Brief discussion is held regarding possible funding for purchase of the vacuum cleaners.

Following discussion, Chairman Marshall continues this matter to the February 8, 2011 Agenda for request of Contingency Funds for purchase of the vacuum cleaners.

11:14 a.m. (11:05 a.m. item on Agenda) Chairman Marshall makes time for Introduction and first reading, by title only, of a proposed Ordinance of the County of Colusa to Revise The Current Chapter 3, Article II of the Colusa County Code. Further, set February 8, 2011 at 9:30 a.m., for a public hearing for same.

Supervisor Evans expresses concern regarding language/wording within the proposed Ordinance. Lengthy discussion is held.

Following discussion, it is the consensus of the Board members the language/wording be worked out and return on February 22, 2011 for further Board consideration.

AUDITOR: It is moved by Supervisor Evans, seconded by Supervisor Carter to approve Special Claims as follows:

| <u>Fund/Department</u> | <u>Vendor</u> | <u>Amount</u> |
|------------------------|--------------------------------|---------------|
| Board of Supervisors | Water Resources Assn / Yolo Co | \$800.00 |
| DHHS | C & L Home Service | \$45.00 |
| Bldg & Grnds | Nutri Lawn | \$505.00 |
| Road | Taber Consultants | \$1,050.00 |
| Behavioral Health | Pam Niehues | \$100.00 |
| Behavioral Health | Mercy Medical Center Redding | \$58.17 |
| Sheriff | On Site Safety Services Inc | \$660.00 |
| Sheriff | On Site Safety Services Inc | \$720.00 |
| Elections | Matson & Isom Technology | \$70.00 |

Motion carried: All yes. Absent: None.

AUDITOR: It is moved by Supervisor Evans, seconded by Supervisor Carter to approve Claim Register Sheets for the period of January 11, 2011 through January 24, 2011. Motion carried: All yes. Absent: None.

Chairman Marshall makes time for discussion and possible action regarding Notice to Trindel Insurance of the County's intent to withdraw and seek outside proposals for insurance and risk management and possible issuance of RFPs for insurance coverage.

Supervisor Carter states this is to make sure that the County is providing the employees insurance that is comprehensive to their needs and the County is spend dollars wisely. She notes there are no current issues with Trindel that the County just wants to check out options.

Mr. Nelson speaks at length to the current benefits the County has with Trindel. Noting the following six items that makes Trindel stand out from any other insurance agency:

- ❖ Member driven organization,
- ❖ No cash holdings is what makes up Trindel,
- ❖ Overhead is very low,
- ❖ Members are small Counties; they all have the same issues and problems,
- ❖ Administration takes part in assisting Risk Management, (i.e. settlements, liability, comp, claims reviews) and
- ❖ Claims recovery,

He further states Trindel provides the County premiums a year in advance in order for the County to complete their budget process. Lengthy discussion is held.

ADMINISTRATION: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve Notice to Trindel Insurance of the County's intent to withdraw and seek outside proposals for insurance and risk management and issuance of RFPs for insurance coverage and authorize the Chairman to sign the Notice of Intent to withdraw. Motion carried: All yes. Absent: None.

Chairman Marshall appoints Supervisor Carter, Ms. Scroggins, Auditor-Controller, Ms. Berry, Personnel Director and Mr. Parker, County Counsel, to a Committee to work on an RFP for outside proposals for insurance.

Chairman Marshall makes time for discussion and possible action regarding Proposition 40 Grant Funds, i.e., deadlines, pending projects and outstanding amounts for projects.

Mr. Polk states the deadline is March 31, 2010.

Chairman Marshall expresses concern in regards to having more projects than funds available and getting the projects completed before the deadline.

Discussion is held regarding funds spent on each project, funds that were passed through to the City's, possible JPA with Stonycreek, projects not being completed and money needing to be allocated to other projects.

Following discussion, Chairman Marshall states Supervisors who still have outstanding projects need to meet with Mr. Polk to get them worked out.

Chairman Marshall declares a recess a 12:13 p.m. and reconvenes at 1:32 p.m. with all Supervisors and County Counsel present.

Present: Marge Kemp-Williams, County Counsel's Office.
Nikki Berry, Personnel Director.
Yolanda Tirado, Ann Nordyke, Board Clerks.

Chairman Marshall states Administration Item "B" regarding a Joint Powers Agreement between the County of Colusa and Princeton Joint Unified School District, to improve the condition and accessibility of the Princeton Jr/Sr High School athletic fields, was pulled from the Agenda earlier this morning until re-agendized.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Vann to approve payment of Sites JPA initial contribution, in the amount of \$5,000.00, pursuant to Sites Project Authority Joint Exercise of Powers Agreement, Section IV, Paragraph 4.4 Initial Contribution. Motion carried: All yes. Absent: None.

ADMINISTRATION/APPOINTMENTS: It is moved by Supervisor Evans, seconded by Supervisor Vann to approve appointment of members of the Board of Supervisors to various committees, commissions, boards, and liaison assignments as follows:

COMMITTEES, COMMISSIONS, BOARDS, & DISTRICT VOTING
MEMBER ASSIGNMENTS FOR 2011

BOARD OF DIRECTORS

Kim Dolbow Vann
Mark D. Marshall, (alt)

CSAC E.I.A.

Denise J. Carter
Mark D. Marshall, (alt)

CHILDREN AND FAMILIES COMMISSION/FIRST 5

Kim Dolbow Vann

COLUSA BASIN DRAINAGE DISTRICT

Gary J. Evans

COLUSA COUNTY PARTNERSHIP/COLUSA ONE STOP GOVERNING BOARD

Denise J. Carter

COMMUNITY ACTION PARTNERSHIP

Mark D. Marshall
Denise J. Carter

DEPARTMENT OF MENTAL HEALTH SERVICES ADVISORY BOARD

Mark D. Marshall

ECONOMIC DEVELOPMENT CORPORATION/COLUSA COUNTY CHAMBER OF
COMMERCE LIAISON

Thomas A. Indrieri

EMERGENCY MEDICAL CARE COMMITTEE

Mark D. Marshall

FOUTS SPRINGS YOUTH FACILITY

Gary J. Evans
Kim Dolbow Vann

HEALTHY KID'S HEALTHY FUTURE GOVERNING BOARD

Kim Dolbow Vann

INDIAN GAMING LOCAL COMMUNITY BENEFIT COMMITTEE

Thomas A. Indrieri
Denise J. Carter

LOCAL AGENCY FORMATION COMMISSION (LAFCO)

Denise J. Carter
Gary J. Evans
Thomas A. Indrieri (alt)

LOCAL TRANSIT AGENCY & TRANSPORTATION COMMISSION

Gary J. Evans
Kim Dolbow Vann
Thomas A. Indrieri

NATIONAL ASSOCIATION OF COUNTIES (NACO)

Mark D. Marshall
Kim Dolbow Vann (alt)

NORTHERN CENTRAL COUNTIES CONSORTIUM (WIB)

Thomas A. Indrieri

PROPOSITION 36 ADVISORY COMMITTEE

Thomas A. Indrieri

REGIONAL COUNCIL OF RURAL COUNTIES (RCRC)

Kim Dolbow Vann
Mark D. Marshall (alt)

SACRAMENTO RIVER CONSERVATION AREA FORUM

Gary J. Evans

SACRAMENTO VALLEY BASIN WIDE AIR POLLUTION CONTROL COUNCIL

Denise J. Carter

SIERRA SACRAMENTO EMS

Mark D. Marshall
Denise J. Carter (alt)

TREASURY OVERSIGHT COMMITTEE

Denise J. Carter
Thomas A. Indrieri (alt)

AIRPORT ADVISORY COMMITTEE

Denise J. Carter

COLUSA COUNTY COMMUNITY ADVOCATES FOR PARENTS & CHILDREN (COLUSA CAPC)

Denise J. Carter

COLUSA CITY COUNCIL LIAISON

Denise J. Carter

FIRE PROTECTION DISTRICTS

Mark D. Marshall
Gary J. Evans

HOSPITAL BOARD LIAISON

Mark D. Marshall

COLUSA COUNTY FARM SHOW COMMITTEE-FAIR BOARD

Denise J. Carter
Thomas A. Indrieri (alt)

RESOURCE CONSERVATION DISTRICT

Denise J. Carter

TEHAMA-COLUSA WATER USER'S ASSOCIATION

Gary J. Evans
Kim Dolbow Vann (alt)

WILLIAMS CITY COUNCIL LIAISON

Mark D. Marshall

2010

FEDERAL APPOINTMENTS

RESOURCE ADVISORY COMMITTEE

Christy K. Scofield

2010 DEPARTMENT LIAISON ASSIGNMENTS

Supervisor Marshall

Probation
Assessor

District Attorney
Library

Supervisor Evans

Personnel
Public Works
Auditor/Controller
County Counsel

Supervisor Indrieri

Clerk-Recorder
Child Support
Treasurer-Tax Collector

Supervisor Carter

Ag Commissioner
Behavioral Health Services
Cooperative Extension

Supervisor Vann

Planning and Building
Sheriff
Health and Human Services

COLUSA COUNTY BOARD OF SUPERVISORS AD-HOC COMMITTEES

Committees will disband once project is completed

Colusa/City Master Tax Share Sub-committee

Gary J. Evans
Kim Dolbow Vann

Cortina Landfill Sub-committee

Mark D. Marshall
Kim Dolbow Vann

Employee MOU Negotiating Sub-committee

Gary J. Evans
Thomas A. Indrieri

PG&E Sub-committee

Gary J. Evans
Kim Dolbow Vann

Land Sales Sub-committee

Mark D. Marshall
Kim Dolbow Vann

Budget Sub-committee

Gary J. Evans
Kim Dolbow Vann

General Plan Sub-committee

Kim Dolbow Vann
Thomas A. Indrieri

Medical Marijuana Identification Program Sub-committee

Mark D. Marshall
Gary J. Evans
Thomas R. Parker, County Counsel
John Poyner, District Attorney
Elizabeth Kelley, Interim Director, Health and Human Services

Williams Veteran's Hall, Sub-committee

Gary J. Evans
Mark D. Marshall

County Contracts: Insurance Portion Sub-committee

Mark D. Marshall

Economic Development Sub-committee (JPA)

Thomas A. Indrieri
Kim Dolbow Vann

Development Impact Fees Sub-committee

Kim Dolbow Vann
Gary J. Evans

Personnel Policies Sub-committee

Gary J. Evans
Mark D. Marshall

Policy and Procedures Sub-committee

Gary J. Evans
Kim Dolbow Vann

Juvenile Hall Sub-committee

Mark D. Marshall
 Kim Dolbow Vann
 Steve Bordin, Chief Probation Officer

Walnut Ranch/Water System Ad-hoc committee

Thomas A. Indrieri
 Denise J. Carter
 Steven Hackney, Director Planning & Building
 Thomas R. Parker, County Counsel

Septic Ordinance Ad-hoc committee

Gary J. Evans
 Mark D. Marshall
 Steven Hackney, Director, Planning & Building
 James Bell, Director, Public Works
 Elizabeth Kelley, Interim Director, Health and Human Services
 Environmental Health Director or his designee
 Members at Large
 Dominickus (Nick) J. Weigel, III, North Star Engineering
 Rich Ellison, Ellison Plumbing
 California Engineering Company

Department Head Group

Mark D. Marshall

Governing Board of the Northern Sacramento Valley Integrated Regional Water Management Group

Gary J. Evans
 Robert Harper
 Lewis Baird

Motion carried: All yes. Absent: None.

SUPERVISOR REPORTS OR COMMENTSSupervisor Carter

Film Commission meetings.
 Behavioral Health issues.
 Indian Gaming Committee meeting.
 Colusa City Council meeting.
 RCRC Installation of officers.
 Prop 40 projects.

Supervisor Indrieri

Road inspection with Public Works Director.
 Met with constituents regarding Walnut Ranch.
 Prop 40 projects.

Constituent Calls re:

Roads/water issues.
 Call regarding a building for a medical marijuana dispensary, mention of the old River Rats building.
 SVI easements.

Supervisor Vann

Attended Wine Makers Dinner.
Yolo County Farm Bureau dinner.
RCRC meeting.
RCRC swearing in.
Met with Assembly and Senate,

Constituent Calls re:

SVI issues.

Supervisor Evans

Met with Doug Turner regarding East Park reservoir.

Constituent Calls re:

Sacramento Valley Irrigation.

Supervisor Marshall

Department Head meeting.
Community Center meeting.
Williams Cemetery meeting.
Agenda Review.
Met with City of Williams regarding the County turning over
the Community Center.

Chairman Marshall inquires as to any State or Federal Legislation/General Budgetary Matters.

Discussion is held regarding the State Budget, cash flow, gas tax swap, special election, Williamson Act money, redevelopment funds, Fouts Springs, the possibility of discontinuing certain services, Cortina Landfill, and the State Budget having to be done by March 1, 2011 or the legislature does not get paid.

Supervisor Carter states she will be out of the Country from February 2, 2011 through February 23, 2011.

Ms. Tirado apprises the Board members of item set for the February 8, 2011 Agenda.

Chairman Marshall declares a recess at 2:19 p.m. to convene in Closed Session and reconvenes in Regular Session at 2:50 p.m. with all Supervisors present.

Present: Thomas R. Parker, Marge Kemp Williams, County Counsel's Office.
Nikki Berry, Personnel Director.
Yolanda Tirado, Ann Nordyke, Board Clerks.

Mr. Parker announces the Board met to consider the following Closed Session matters:

Under the Provisions of Government Code Section 54956.9(a), Legal Counsel and the Personnel Director discussed with the Board pending litigation in a personnel matter of a confidential nature and guidance was given with nothing new to report.

Under the Provisions of Government Code Section 54956.9(b), the Board discussed with Legal Counsel Potential Litigation in one (1) Case and gave direction to staff.

Under the Provisions of Government Code Section 54956.9(b), the Board discussed with Legal Counsel Potential Litigation in one (1) Case and gave guidance to staff.

Under the Provisions of Government Code Section 54957, a Public Employee Performance Evaluation (Six Month) was conducted for County Counsel.

The Board adjourns at 2:55 p.m. to reconvene in Regular Session on February 8, 2011 at the hour of 9:00 a.m.

Mark D. Marshall, Chairman

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

BY _____
Ann Nordyke, Board Clerk