

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-chairman
Denise J. Carter, District V



COUNTY OF COLUSA

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Minutes

September 13, 2011

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 13th day of September 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 August 16, 2011 at 8:00 a.m., with all Supervisors present.

Present: Tom Parker, County Counsel.
Nikki Berry, Personnel Director.
Peggy Scroggins, Auditor-Controller.
Yolanda Tirado, Ann Nordyke, Board Clerks.

Ms. Berry requests that the 9:10 a.m. Personnel item regarding the appointment for Luis Aroche, Bilingual Victim Witness Coordinator/Advocate position within the District Attorney's Office be pulled from the Agenda.

At the request of the Ag Commissioner/Airport Manager, Chairman Marshall speaks to the need to bring a matter on for Board consideration regarding a Grant Agreement for the "Install Phase 2 Security Fencing and Gates; Install Rotating Beacon and Pole and Install Runway 13-31 PAPIs". He states this matter arose after the posting of the September 13, 2011 Agenda.

ADMINISTRATION/AIRPORT: It is moved by Supervisor Indrieri, seconded by Supervisor Carter that the Board finds a matter arose after the posting of the September 13, 2011 Agenda regarding a Grant Agreement for the Airport for the install phase of security fencing gates, rotating beacon and pole and runway 13-31 PAPIs. Further, this matter will be considered at 9:07 a.m. Motion carried: All yes. Absent: None.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Carter that the Board finds a matter arose after the posting of the September 13, 2011 Agenda regarding a presentation from Vision Quest regarding Fouts Springs. Further, this matter will be considered at 11:00 a.m. Motion carried: All yes. Absent: None.

8:03 a.m. Mr. Parker announces the Board will consider the following Closed Session matters:

- A. Under the provisions of Government Code Section 54957, the Board will discuss departmental updates regarding potential discipline.
- B. Under the provisions of Government Code Section 54956.9(b)(1)(A), i.e., the Board will discussion with County Counsel facts and circumstances which might result in litigation against the County and facts are not yet known to a plaintiff or plaintiffs.

Chairman Marshall declares a recess at 8:04 a.m. to convene in Closed Session and reconvenes in Regular Session at 9:10 a.m., with all Supervisors present.

Present: Tom Parker, County Counsel.
 Nikki Berry, Personnel Director.
 Peggy Scroggins, Auditor-Controller.
 Jim Bell, Michael Azevedo, Public Works.
 Elizabeth Kelly, Interim Director, Health & Human Services.
 William Cornelius, Interim Director, Behavioral Health Services.
 Mary Winters, Colusa citizen.
 Ben Felt, Colusa County Chamber.
 Katherine Ferreira, Central Services.
 Patti Turner, Colusa County Resource Conservation District.
 Gerry Munoz, Jeannie Broderman, Probation Department.
 Joe Damiano, Renee McCormick, Ag Commissioner's Office.
 Carol Pearson, Veterans Services.
 Wendy Burke, County Librarian.
 Mark Contento, Vision Quest.
 Ralph Minto, Stonyford citizen.
 Yolanda Tirado, Ann Nordyke, Board Clerks.

Prayer by Chairman Marshall. Pledge of Allegiance.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Vann to approve the Minutes of the August 30, 2011 Regular Session. Motion carried: All yes. Absent: None.

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

Mr. Parker announces the Board considered the following Closed Session matters:

Under the provisions of Government Code Section 54957, discussed departmental updates regarding potential discipline and there was nothing to report.

Under the provisions of Government Code Section 54956.9(b)(1)(A), i.e., discussed facts and circumstances which might result in litigation against the County and facts are not yet known to a plaintiff or plaintiffs and there was nothing to report.

9:13 a.m. (9:05 a.m. item on Agenda) STAFF REPORTS

Mr. Cornelius states he has heard citizens are concerned regarding the "Mexican Independence" celebration the Behavioral Health Department is hosting and explains why this celebration is taking place. He also notes that Behavioral Health has supported the Olde Tyme Christmas festivities, as well as the local fair and that this does not take away money from other activities.

C11-235 9:15 a.m. (9:07 a.m. item on Agenda) AIRPORT: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve Grant Agreement AIP Project No. 3-06-0048-13 between the County of Colusa Airport and **the U.S. Department of Transportation Federal Aviation Administration** for Airport development "Install Phase 2 Security Fencing and Gates; Install Rotating Beacon and Pole; Install Runway 13-31 PAPI's", effective September 13, 2011, in the amount of \$394,968.00, with terms and conditions as set forth in the Grant Agreement and authorize the Director of Airport Operations to sign on behalf of the Board of Supervisors. All yes. Absent: None

9:19 a.m. (9:10 a.m. item on Agenda) PERSONNEL/PROBATION- 2035: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to authorize filling a vacant Deputy Probation Officer I/II position, PFT, DSA Range 31/35, \$3,053.00 - \$3,711.00/\$3,367.00 - \$4,093.00 per month, effective October 1, 2011. Motion carried: All yes. Absent: None.

PERSONNEL-2035: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve adding one position of Deputy Probation Officer I/II, PFT, DSA Range 31/35, \$3,053.00 – \$3,711.00/\$3,367.00 - \$4,093.00 per month, to be funded with AB109 Funds, effective October 1, 2011. Motion carried: All yes. Absent: None.

Chairman Marshall, at the request of the Personnel Director pulls from the Agenda the matter regarding appointment of Luis Aroche, Bilingual Victim Witness Coordinator/Advocate within the District Attorney's Office.

9:26 a.m. (9:15 a.m. item on Agenda) Chairman Marshall makes time for Presentation of Certificates of Appreciation to the following individuals:

- The Minto Family: Ralph, Sherry and Drexler
- Gerry Hernandez
- Ben Felt, and
- Patty Turner

in recognition of their commitment and dedication for the creation of the Colusa County Exhibit for placement at the California State Fair and presents the Certificate to each individual.

ADMINISTRATION: It is moved by Supervisor Vann, seconded by Supervisor Evans to approve Certificates of Appreciation for the Minto Family: Ralph, Sherry and Drexler, Gerry Hernandez, Ben Felt and Patty Turner. Motion carried: All yes. Absent: None.

9:30 a.m. (9:20 a.m. item on Agenda) SHERIFF/RESOLUTION: It is moved by Supervisor Indrieri, seconded by Supervisor Evans to approve an application for on-going Homeland Security Grant Funds, in the amount of \$103,636.00, with no cost match, including approval of spending plan. Further, adopt Designation of Applicant's Agent

Resolution No. 11-030, a Resolution authorizing the Sheriff or his designee to sign the application on behalf of the Board of Supervisors and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

9:32 a.m. (9:25 a.m. item on Agenda) COUNTY CLERK RECORDER/ORDINANCE: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to approve Introduction, and first reading, by title only, of a proposed Ordinance of the Board of Supervisors Of The County Of Colusa Establishing The New Boundaries Of The Five Supervisorial Districts Of The County Of Colusa And Amending Chapter 2, Article X, Of The Colusa County Code. Further, direct the Clerk to publish and post summary Ordinance as approved on August 30, 2011. Motion carried: All yes. Absent: None.

9:35 a.m. (9:30 a.m. item on Agenda) CENTRAL SERVICES/REQUEST FOR PROPOSALS: It is moved by Supervisor Vann, seconded by Supervisor Carter to accept proposals for monthly windowing washing services to be provided to the Historical Courthouse, Courthouse Annex, and the County building housing the Departments of Planning and Building, Public Works and County Counsel as follows:

- | | | |
|----|--|-------------|
| 1. | Preferred Carpet Cleaning & Janitorial | \$975./mo |
| 2. | Precision Power Washing | \$1,299./mo |
| 3. | A-1 Enterprises | \$4,374./mo |

Motion carried: All yes. Absent: None.

Discussion is held as to washing the windows every three to four months instead of monthly.

Following discussion, the Purchasing Coordinator is directed to contact the three proposers to see whether they would be willing to consider washing the windows every three to four months versus monthly washings, and/or on an as needed basis and cost difference.

Chairman Marshall continues the following until reagendaized:

1. Awarding proposal for monthly window washing services to be provided to the Historical Courthouse, Courthouse Annex, and the County building housing the Departments of Planning and Building, Public Works and County Counsel, and
2. Approval of a contract for window washing services to be provided to the Historical Courthouse, Courthouse Annex, and the County building housing the Departments of Planning and Building, Public Works and County Counsel.

C11-236 CENTRAL SERVICES: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to approve an agreement for Online Sale of Surplus Property between the County of Colusa Central Services Department and **Public Surplus Online Auction Services**, effective September 13, 2011 through June 30, 2013, with terms and conditions as set forth in the agreement and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

Present: Steve Hackney, Jon Sullivan, Planning & Building.

CENTRAL SERVICES/REQUEST FOR PROPOSALS: It is moved by Supervisor Carter, seconded by Supervisor Vann to accept proposals for the Colusa County Departmental 2011/2012 envelope order as follows:

1.	Tri-City Technologies	\$1,569.28
2.	Vic's Printing	\$1,651.76
3.	Johnson Printing Design, Inc.	\$1,814.04
4.	Crown Point Envelope	\$2,064.56

Motion carried: All yes. Absent: None.

CENTRAL SERVICES: It is moved by Supervisor Carter, seconded by Supervisor Evans to award the County envelope order to **Tri-City Technologies**, in the RFP amount of \$1,569.28. Motion carried: All yes. Absent: None.

CENTRAL SERVICES/REQUEST FOR PROPOSALS: It is moved by Supervisor Evans, seconded by Supervisor Carter to accept the following proposals submitted by Architect Erik Jens, of SquareOne Design and Drafting, for the development and design of construction documents/plans that meet C.B.C. requirements and local codes, for the Colusa County Library ADA Improvements for (2) two Library locations/restrooms as follows:

1.	610 King Street, Arbuckle, CA	\$4,800.00
2.	901 E Street, Williams, CA	\$4,100.00

Further, direct the Purchasing Coordinator to return on September 27, 2011 with an agreement for the aforementioned services for further Board consideration. Motion carried: All yes. Absent: None.

9:52 a.m. (9:40 a.m. item on Agenda) AUDITOR-CONTROLLER: It is moved by Supervisor Evans, seconded by Supervisor Carter to approve changes in Revenue and Appropriations as follows:

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
<i>Increase Revenue & Appropriations:</i>				
Veterans Services	00101	5051	454500	\$6,250.00
Total				\$6,250.00
Veterans Services	00101	5021	53231	\$6,250.00

Total				\$6,250.00
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Motion carried: All yes. Absent: None.

AUDITOR-CONTROLLER/RESOLUTION: It is moved by Supervisor Indrieri, seconded by Supervisor Evans to adopt **Resolution No. 11-031**, a Resolution of the Colusa County Board of Supervisors to Adopt And Fix the Property Tax Rates for the County of Colusa for the 2011-2012 Fiscal Year and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

Present: Jim Bell, Director, Public Works.

9:55 a.m. (9:45 a.m. item on Agenda) Chairman Marshall makes time to consider Memorandum of Understanding with the Foundation for California Community Colleges to establish the Library as a Community partner in their program to offer free, in person, hands-on computer literacy training to low income, Spanish speaking individuals on the new Mobile Library Learning Vehicle.

Ms. Burke speaks in support of approving the Memorandum, stating this would be a good opportunity for the Hispanic community. Discussion is held as to whether it would be available only to the Hispanic community or whether it would also be available to others, staffing/training requirements and criteria to participate in the program.

Following discussion, it is the consensus of the Board members to continue this matter until re-agendized.

C11-237 10:06 a.m. (9:50 a.m. item on Agenda) PLANNING & BUILDING: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to approve an agreement between the County of Colusa Planning and Building Department and **Botanica Landscaping** for professional services for the repairs to the irrigation system for the grounds at the River Glen Subdivision, effective September 13, 2011 through September 16, 2011, in an amount not to exceed \$800.00, with a five (5) day written termination clause by either party and authorize Chairman to sign. Motion carried: All yes. Absent: None.

Chairman Marshall makes time for discussion/direction for the lawn maintenance at the Arbuckle Library.

Discussion is held regarding the individual currently doing the lawns for the other Library's and whether he would be interested in taking on the maintenance of the Arbuckle lawn for the remainder of his contract, requesting RFPs for maintenance of the lawn maintenance and the Garden Club maintaining the lawn.

Following discussion, it is the consensus of the Board members that the Director of Planning and Building speak to Mr. Clayton and ask whether he would be interested in taking on the care of the lawn at the Arbuckle Library for the remainder of his contract and report back to the Board of Supervisor.

Present: Darla Marazzo, Martha Morales Cardona, Treasurer-Tax Collector's Office.
Robert Zunino, Assistant Auditor-Controller.

C11-238 10:13 a.m. (10:00 a.m. item on Agenda) PUBLIC WORKS: It is moved by Supervisor Evans, seconded by Supervisor Vann to approve Road Maintenance and Repair Agreement Timber Hauling between the County of Colusa Public Works Department and **Sierra Pacific Industries** for maintenance and/or repair of damage to county arising from the use of roads associated with their operations, effective September 13, 2011, with terms and conditions as set forth in the agreement and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

C11-239 PUBLIC WORKS: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to approve Memorandum of Understanding between the County of Colusa Public Works Department and **the State of California Department of Forestry and Fire Protection (CAL FIRE)** for use of conservation camp crew labor for maintenance projects, effective September 13, 2011, with terms and conditions as set forth in the MOU and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

Chairman Marshall declares a recess at 10:20 a.m. to convene as the Board of Equalization, with all Directors and County Counsel present.

Present: Wayne Zoller, Arnie Gross, Mike Cerney, Assessor's Office.
Mary Winters, Colusa citizen.
Darla Marazzo, Martha Morales Cardona, Treasurer-Tax Collector's Office.
Carol Pearson, Veteran's Office.
Yolanda Tirado, Ann Nordyke, Board Clerks.

10:20 a.m. (10:05 a.m. item on Agenda) ASSESSOR: It is moved by Director Vann, seconded by Director Indrieri to approve Stipulations in accordance with Section 1607 of the California Revenue and Taxation Code with Riverbend Rice Mill Inc., aka PGP International for Application for Changed Assessment No. 10-11 for Tax Year 09-10, Assessor's Parcel Number 015-162-001-000 as follows:

<u>ASSESSED VALUE</u>		<u>STIPULATED</u>
<u>FULL CASH VALUE</u>		<u>FULL CASH VALUE</u>
\$204,000.00	Land	\$102,000.00
\$ --	Improvements	\$ --
\$ --	Fixtures	\$ --
\$ --	Personal Property	\$ --
\$204,000.00	Total	\$102,000.00

direct the Clerk to send a Certified Board Order to the Applicant regarding the Board's action and authorize County Counsel to sign the Stipulation on behalf of the Board of Supervisors. Motion carried: All yes. Absent: None.

Chairman Marshall adjourns as the Board of Equalization at 10:22a.m., and reconvenes as the Board of Supervisors, with all Supervisors and County Counsel present.

Present: Marge Kemp-Williams, Senior Deputy County Counsel.
Carol Pearson, Veterans Services.
Steve Hackney, Director, Planning & Building.
Darla Marazzo, Martha Morales-Cardona, Treasurer-Tax
Collector's Office.
Jim Bell, Director, Public Works.
Yolanda Tirado, Ann Nordyke, Board Clerks.

10:23 a.m. (10:10 a.m. item on Agenda) Chairman Marshall makes time to consider direction to County Counsel regarding the Williamson Act, formerly SB 863 (2010), and AB 1265 (2011).

Mr. Parker states the Board directed County Staff to implement SB 863 (2010) in 2012 in a prior discussion of changes to the Williamson Act in Colusa County. He further states SB 863 was subsequently repealed by the State in 2011 and AB 1265 (Neilsen) was signed into law this summer as a replacement for SB 863 and states AB 1265 is still not funded through an appropriation bill. He further states the full annual appropriation for AB 1265 would be \$10,000,000 but there is no guarantee that the State will fund the bill at this time. He requests policy guidance as it pertains to SB 863 AB 1265.

Discussion is held regarding the State not funding AB 1265 and whether the Ad Hoc Committee should meet to discuss this matter further.

Following discussion, is it the consensus of the Board members to refer this matter to the Williamson Act Ad Hoc Committee and return on September 27, 2011 for further discussion and/or direction.

Chairman Marshall makes time to consider a lease agreement between the County of Colusa and the City of Colusa for the use of the Scout Cabin.

Mr. Parker speaks to the terms of the lease agreement and suggests that the lease be an ongoing lease to avoid the technical legal issues of the lease ending in 2014 and not being renewed.

Discussion is held regarding the term of the lease, use of the kitchen, rental of the facilities on weekends, weekend staffing of the facility, revenue for renting the facility, the need for a fire suppression system in the kitchen stove, fee schedule, insurance, safety issues and liability.

Following discussion, it is the consensus of the Board members to look into the cost of installing a fire suppression system for the kitchen stove and addressing any safety issues and returning at a later date for further consideration.

Chairman Marshall pulls from the Agenda the matter regarding approval of requiring a signature of Board Chair or Vice-Chair for all Local Agency Investment

Fund (LAIF) transactions in addition to current delegated County employees' LAIF transaction authority previously approved.

Chairman Marshall declares a recess at 10:39 a.m. and reconvenes at 11:00 a.m., with all Supervisors present.

Present: Ralph Minto, Stonyford citizen.
 Nikki Berry, Personnel Director.
 Mark Contento, Vision Quest.
 Gerry Munoz, Jeanne Broderman, Probation Department.
 Mary Winters, Colusa citizen.
 Steve Hackney, Director, Planning & Building.
 Yolanda Tirado, Ann Nordyke, Board Clerks.

Chairman Marshall makes time for a presentation by Mr. Mark Contento of Vision Quest regarding Fouts Springs Youth Facility.

Chairman Marshall states Solano County has pulled out of Fouts Springs and Colusa County is now in negotiations/discussions in regards to taking over Fouts Springs or finding a contractor to operate the facility on the County's behalf.

Mr. Contento speaks at length to the services offered by Vision Quest. He notes the company has been around for about 40 years and hopes to do business with Colusa County. Discussion is held regarding educational opportunities and mental health services offered to youth sent to Fouts, staffing options and whether they would hire locally, whether licensed to do business in California and use of Fouts facility.

Following discussion, the Board consensus is that Supervisor Evans contact Solano County to discuss this matter further.

CONSENT AGENDA: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve Consent Agenda Item Nos. 1 through 3 as follows:

C11-240 1. CLERK-RECORDER: Approve hardware maintenance agreement #10999 between the County of Colusa Clerk-Recorder and **BMI Imaging Systems** for recorders Cannon reader printer, effective October 1, 2011 through September 30, 2012, with terms and conditions as set forth in the agreement and authorize the Chairman to sign.

C11-241 2. CLERK-RECORDER: Approve software maintenance agreement #20208, between the County of Colusa Clerk Recorder and **BMI Imaging Systems** for software maintenance services provided for Digital Reel Program for Official Records, effective October 1, 2011 through September 30, 2012, with terms and conditions as set forth in the agreement and authorize the Chairman to sign.

C11-242 3. CLERK-RECORDER: Approve Addendum "Renewal Schedule A Records Management Services Program Pricing Schedule" to Master Agreement C08-098, approved May 13, 2008, between the County of Colusa Clerk-Recorder and **Iron Mountain** for environmentally secure storage of original diazo film of Official Records, with terms and conditions as set forth in the Renewal Schedule and all other terms and

conditions to remain in full force and effect. **Consent motion carried: All yes. Absent: None.**

SUPERVISOR REPORTS OR COMMENTS

Supervisor Carter

LAFCo Conference.
Colusa DWR Flooding Planning Mtg.
Colusa One-Stop Board Meeting.
Mental Health Board Meeting.

Supervisor Indrieri

Invites the Board members to the Chamber Breakfast on September 14, 2011 at 7:30 a.m. at the Chamber office.

Supervisor Vann

September 10, 2011: attended Crawdad Festival, Colusa.
September 8, 2011: CSAC Board of Director meeting re:
Initiative to force State to Fund – Realigned Programs to Counties.
September 7, 2011:
SRA re: Fee regulations
CSAC: chaired Ag & Natural Resources Committee meeting.
September 6, 2011: Rural Action Caucus 2012/2013 California meeting.
September 2, 2011: SDF re: Funding Rincon decision.
August 30, 2011: Transportation/Transit Agency Meeting.

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

Supervisor Vann speaks to various County/State issues.

Ms. Scroggins speaks to the Public Hearing scheduled for September 20, 2011 at 9:00 a.m. to consider adoption of 2011/2012 County Budget.

Chairman Marshall makes time to consider a response letter to the BIA. Discussion is held, with consensus of the Board being that County Counsel draft a letter to the BIA for the Chairman's signature.

12:08 p.m. Supervisor Vann vacates her seat and leaves the Board's Chamber.

AUDITOR: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to approve Claim Register Sheets for the period of August 30, 2011 through September 12, 2011. Motion carried: All yes. Absent: None.

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>
Probation	Sears Commercial	\$735.57
Sheriff SLESF	Dell Marketing	\$8,359.76
Jail SLESF	Dell Marketing	\$2,089.95

Sheriff SLESF	Motorola	\$10,564.29
Homeland Security	Motorola	\$4,900.37
Plan & Bldg	Safe Side Security	\$23,070.00
Sheriff	Sutter Buttes Communications	\$7,313.14
Sheriff	Adamson Police Products	\$1,300.22
Behavioral Health	Deana Fleming	\$202.70
Sheriff	Hoblit Motors	\$21,852.14
Welfare	One Legal LLC	\$103.00
County Counsel	Law Offices of Richard Montarbo	\$726.70
Probation	Trinity County Probation	\$225.00
Child Support	PFI	\$69.00
Jail	Valley Clinical & Consulting	\$450.00
District Attorney	Reading Oil	\$50.69

Motion carried: All yes. Absent: None.

Ms. Tirado apprises the Board members on items for the September 27, 2011 agenda.

The Board adjourns at 12:20 p.m. to reconvene in Regular Session on September 27, 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