

Board of Supervisors

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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 27, 2011

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 27th 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 September 27, 2011 at the hour 8:00 a.m., with all Supervisors present.

Present: Tom Parker, Marge Kemp Williams, County Counsel's Office.
Nikki Berry, Personnel Director.
Peggy Scroggins, Auditor-Controller.
Yolanda Tirado, Board Clerk.

Ms. Kemp-Williams states that a Closed Session matter arose after the posting of the September 27, 2011 Agenda and requests that a matter be considered under Closed Session item A, under the provisions of Government Code Section 54956.9, regarding pending litigation.

ADMINISTRATION: It is moved by Supervisor Indrieri, seconded by Supervisor Carter that the Board finds a matter arose after the posting of the September 27, 2011 Agenda regarding a Closed Session matter. Further, this matter will be considered under the Closed Session matters at 8:05 a.m. A. Motion carried: All yes. Absent: None.

8:03 a.m. Chairman Marshall announces the Board will consider the following Closed Session matters, along with the item brought on earlier this morning:

- A. Under the provisions of Government Code Section 54956.9, Legal Counsel will discuss with the Board, pending litigation in two (2) cases and seek direction.
- B. Under the provisions of government code section 54956.9(a), the Board will discuss Pending Litigation. To specifically identify the litigation would jeopardize the ability of the county to conclude existing settlement negotiations to its advantage.

- C. Under the provisions of Government Code Section 54957, the Board will meet with Counsel and the Personnel Director to discuss an issue of employee discipline.
- D. Under the provisions of Government Code Section 54957, the Personnel Director will discuss with the Board the potential discipline of an employee.

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

Present: Tom Parker, County Counsel.
Nikki Berry, Personnel Director.
Peggy Scroggins, Auditor-Controller.
Bill Cornelius, Interim Director, Behavioral Health Services.
Kathie Craigo, Craigo Consulting.
Scott Marshall, Joe Garofalo, Sheriff's Office.
Mary Anderson, Director, Child Support Services.
John Poyner, Matthew Beauchamp, District Attorney's Office.
Yolanda Tirado, Board Clerk.

Prayer by Chairman Marshall. Pledge of Allegiance.

ADMINISTRATION: It is moved by Supervisor Vann, seconded by Supervisor Evans to approve the Minutes of the September 13, 2011 Regular Session and the September 20, 2011 Special 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 54956.9, Legal Counsel discussed with the Board, pending litigation in two (2) cases and as to the first matter: Chair Marshall, Supervisors Indrieri, Carter, Evans and Vann gave authority to Margaret Kemp-Williams to retain and sign a retention agreement for a private judge to conduct a personnel hearing for the Probation Department for which an upper limit of \$30,000 is set, said amount is subject to modification by the Chair without further approval of the Board as necessary.

The Board of Supervisors further waived its rights set out in 45.6.7.7 including the right to modify and/or not adopt the hearing opinion issued by the private Judge, which shall be a binding final decision as though issued by the Board of Supervisors.

Further, and, as to the second matter under the same provisions: Chair Marshall, Supervisors Indrieri, Carter, Evans, and Vann gave authority to Margaret Kemp-Williams to retain and sign a retention agreement for a private judge to conduct a

personnel hearing for the Sheriff's Office for which an upper limit of \$30,000 is set, which is at or near the amount that would be charged by the Office of Administrative Hearings for a hearing of the same length, said amount is subject to modification by the Chair without further approval of the Board as necessary.

The Board of Supervisors further waived its rights set out in 45.6.7.7 including the right to modify and/or not adopt the Opinion issued by private Judge, which shall be a binding final decision as though issued by the Board of Supervisors.

Under the provisions of Government Code Section 54956.9(a), the Board discussed Pending Litigation. To specifically identify the litigation would jeopardize the ability of the county to conclude existing settlement negotiations to its advantage and there was nothing to report.

He states further due to time constraints Closed Session items as follows will be considered later this day:

- C. Under the provisions of Government Code Section 54957, the Board will meet with Counsel and the Personnel Director to discuss an issue of employee discipline.
- D. Under the provisions of Government Code Section 54957, the Personnel Director will discuss with the Board the potential discipline of an employee.

9:05 a.m. STAFF REPORTS

Mr. Cornelius updates that Board on matters pertaining to his department.

Ms. Berry informs the Board that things are under way as it pertains to the Colusa County Employees' picnic which will be held on October 11, 2011 at Willis S. Green Park.

9:16 a.m. (9:10 a.m. item on Agenda) PERSONNEL/SHERIFF-2021: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve a limited term position for training and vacation coverage of one position of Sergeant, LT-FT, DSA Range 39, \$4,072.00 - \$4,951.00 per month, effective October 1, 2011 - March 15, 2012. Motion carried: All yes. Absent: None.

PERSONNEL/DISTRICT ATTORNEY-2016: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to approve a Step 4 appointment for Matthew Beauchamp, Chief Deputy District Attorney, PFT, MGT Range 35, Step 4, \$7,362.00 per month, effective October 1, 2011. Motion carried: All yes. Absent: None.

PERSONNEL/AUDITOR-CONTROLLER-1021: It is moved by Supervisor Indrieri, seconded by Supervisor Vann to approve extra help for the Payroll Division as needed not to exceed 960 hours in a fiscal year, Extra Help - Payroll, \$16.00 per hour, effective October 1, 2011 – June 30, 2012. Motion carried: All yes. Absent: None.

PERSONNEL/CHILD SUPPORT SERVICES-2017: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve the following:

- Delete: Account Clerk I/II, PFT, MSC Range 5/10, \$1,720.00 – \$2,091.00/\$1,944.00 - \$2,363.00 per month, effective September 30, 2011.
- Add: Office Assistant I/II - Bilingual, PFT, MSC Range 1/5, \$1,560.00-\$1,896.00/\$1,720.00 - \$2,091.00 per month, effective October 1, 2011 and authorize to fill position with extra help at \$9.60 per hour as soon as possible while recruiting to fill regular full time position.

Motion carried: All yes. Absent: None.

- Present: Jerry Schantz, Public Works Department.
Michael Laffin, Behavioral Health Services.

9:25 a.m. (9:15 a.m. item on Agenda) SHERIFF/REQUEST FOR PROPOSALS: It is moved by Supervisor Carter, seconded by Supervisor Evans to approve Request for Proposals for procurement and installation of one (1) 400 amp manual transfer switch at the Colusa County Sheriff's Office, located at 929 Bridge St., Colusa, CA. Further, set October 19, 2011 at 10:00 a.m. to accept and open sealed RFPs, authorize the Chairman to sign the RFPs and direct the Clerk to publish and post same. Motion carried: All yes. Absent: None.

9:27 a.m. (9:20 a.m. item on Agenda) Chairman Marshall makes time to consider reimbursement to the District Attorney John Poyner for lunches provided to CDAA Executive Staff, in the amount of \$43.39. Brief discussion is held.

Following discussion, it is the consensus of the Board that the Policy Committee needs to meet to revisit this particular policy.

DISTRICT ATTORNEY/CLAIMS: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve reimbursement to District Attorney John Poyner for lunches provided to CDAA Executive staff, in the amount of \$43.39. Motion carried: All yes. Absent: None.

- Present: Kathie Moran, Rose Gallo-Vasquez, Clerk-Recorder's Office.
Donna Critchfield, Colusa City Councilmember.
Steve Bordin, Jeanne Broderman, Probation Office.

9:29 a.m. (9:25 a.m. item on Agenda) Chairman Marshall makes time to consider moving Safe Haven from the Colusa County Behavioral Health Building located at 162 E. Carson Street, Colusa, CA., to 131 5th Street, Colusa, CA.

Mr. Cornelius speaks in support of moving Safe Haven from the Behavioral Health Building citing privacy issues, closer to local amenities, i.e., super market, library theatre, gym and pharmacy. Discussion is held regarding staffing and cost.

BEHAVIORAL HEALTH: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve moving Safe Haven from the Colusa County Behavioral Health Building located at 162 E. Carson Street, Colusa, CA to 131 5th Street, Colusa, CA. Motion carried by the following vote:

AYES: Supervisors Carter, Indrieri and Vann.

NOES: Supervisors Evans and Marshall.

ABSENT: None.

9:36 a.m. (9:30 a.m. item on Agenda) Chairman Marshall makes time for a public hearing to consider 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.

Ms. Moran expresses her appreciation to Mr. Schantz for making the time to work on this project. She also thanks the Public Works Department for allowing Mr. Schantz to work with her on this matter.

Chairman Marshall concurs with Ms. Moran's comments.

Chairman Marshall calls for public comment.

9:40 a.m. Hearing none, Chairman Marshall closes the public hearing.

CLERK RECORDER/ORDINANCE: It is moved by Supervisor Evans, seconded by Supervisor Vann to approve second reading, by title only, and adopt **Ordinance No.743**, an 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, authorize the Chairman to sign the Ordinance and direct the Clerk to publish and post summary of same. Ordinance passed and adopted by the following vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

Present: Joe Damiano, Renee McCormick, Ag Commissioner's Office.

9:42 a.m. (9:35 a.m. item on Agenda) Chairman Marshall makes time to consider/discuss active agreements with both Bi-County Juvenile Hall and Glenn County Juvenile Hall and the current need for detention of juveniles. Discussion is held.

Following discussion, the Chief Probation Officer is direct to renegotiate with both Glenn County and Bi-County to lower bed space by one bed each and to return at a later date to update the Board members.

Chairman Marshall makes time to consider the following:

1. 2011 Parole Realignment Implementation Plan
2. Implementation Budget
3. Start-up Budget as approved by the Colusa County Community Corrections Partnership

Lengthy discussion is held regarding realignment moneys from the state to implement the plan, impact to lives of the individuals, positive impact on future victims, number of parolees and prisoners in Colusa County, impact to the general fund, staffing, complying with Judge's orders, impact on local law enforcement and regular updates to the Board members.

PROBATION: It is moved by Supervisor Indrieri, seconded by Supervisor Vann to approve the following:

1. 2011 Parole Realignment Implementation Plan
2. Implementation Budget
3. Start-up Budget as approved by the Colusa County Community Corrections Partnership

with the caveat that the Implementation/Startup Budget be revisited if necessary.
Motion carried: All yes. Absent: None.

PROBATION/RFQs: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to accept RFQs for Environmental Services with Qualifications for the Probation Department for the Proposed site of a new Juvenile Rehabilitation Facility as received and opened on July 28, 2011 as follows:

1. North State Resources, Redding, CA
2. RBF Consulting, Sacramento, CA
3. Michael Brandman Associates, Sacramento, CA
4. Ascent Environmental, Sacramento, CA

Motion carried: All yes. Absent: None.

PROBATION: It is moved by Supervisor Indrieri, seconded by Supervisor Vann to award RFQ for the Probation Department for the Proposed site of a new Juvenile Rehabilitation Facility to **North State Resources**. Motion carried: All yes. Absent: None.

C11-243 PROBATION: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to approve professional services contract for the Proposed site of a new Juvenile Rehabilitation Facility, between the County of Colusa Probation Department and **North State Resources**, effective September 14, 2011 through July 31, 2012, with terms and conditions as set forth in the contract and authorize the Chief Probation Officer to sign on behalf of the Board of Supervisors. Motion carried: All yes. Absent: None.

Present: Wendy Burke, Librarian.

C11-244 10:13 a.m. (9:50 a.m. item on Agenda) HEALTH AND HUMAN SERVICES: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve combined Agreement No. EPO 11-07 for fiscal year 2011-12 for CDC Public Health Emergency Preparedness (PHEP), State General Fund (GF) Pandemic Influenza, HHS Hospital Preparedness Program (HPP) funding agreement between the County of Colusa Health and Human Services and **the California Department of Public Health** as follows:

- August 10, 2011 through August 9, 2012 (Centers for Disease Control and Prevention (CDC))
- July 1, 2011 through June 30, 2012 (Hospital Preparedness Program)
- July 1, 2011 through June 30, 2012 (State GF Pandemic Influenza)

with terms and conditions as set forth in the agreement and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

C11-245 10:17 a.m. (9:55 a.m. item on Agenda) AG COMMISSIONER/AIRPORT: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve an agreement between the County of Colusa Airport and **Cal Electro, Inc.**, for AIP Project No. 3-06-0048-13 (Perimeter Fence Construction; Rotating beacon Reconstruction; Regulator Upgrade; and Runway 13-31 PAPIS), effective September 27, 2011, with terms and conditions as set forth in the agreement and authorize the Director of Airport Operations to sign on behalf of the Board of Supervisors. Motion carried: All yes. Absent: None.

C11-246 10:20 a.m. (10:00 a.m. item on Agenda) CENTRAL SERVICES: It is moved by Supervisor Carter, seconded by Supervisor Vann to approve Design Service Agreement between the County of Colusa Library and **Square One 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 two (2) Library locations/restrooms, effective August 26, 2011, with terms and conditions as set forth in the Design Agreement and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

CENTRAL SERVICES/REQUEST FOR PROPOSALS: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to award proposal for window washing services for three (3) specified Courthouse locations (Historic Courthouse, Courthouse Annex and Planning & Building) on an as-needed basis to **Preferred Carpet Cleaning & Janitorial**, in the proposal amount of \$975.00 per request by County. Motion carried: All yes. Absent: None.

C11-247 CENTRAL SERVICES: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve an agreement for window washing services for three (3) specified Courthouse locations (Historical Courthouse, Courthouse Annex and Planning & Building), on an as-needed basis between the County of Colusa and **Preferred Carpet Cleaning and Janitorial**, effective September 27, 2011 through June 30, 2013, at the rate of \$975.00 per request by County, with a thirty (30) day written termination clause by either party and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

10:29 a.m. (10:05 a.m. item on Agenda) APPOINTMENTS/LOCAL CHILD CARE PLANNING COUNCIL-COLUSA COUNTY OFFICE OF EDUCATION: It is moved by Supervisor Indrieri, seconded by Supervisor Evans to re-appoint Vicki Myers to the Local Child Care Planning Council-Colusa County Office of Education, effective September 16, 2011 through September 15, 2014. Motion carried: All yes. Absent: None.

10:30 a.m. (10:10 a.m. item on Agenda) AUDITOR-CONTROLLER: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to approve Intra-budget Transfer Numbers 11060 through 11061. Motion carried: All yes. Absent: None.

AUDITOR-CONTROLLER/RESOLUTION: It is moved by Supervisor Indrieri, seconded by Supervisor Evans to adopt **Resolution No. 11-032**, A Resolution Of The Colusa County Board Of Supervisors Adopting The Fiscal Year 2011-2012 Annual Budget For The Countywide Operating Fund And Special Revenue Funds 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.

AUDITOR-CONTROLLER/RESOLUTION: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to adopt **Resolution No. 11-033**, A Resolution Of The Colusa County Board Of Supervisors Adopting The Fiscal Year 2011-2012 Annual Budget For The Enterprise Funds And The Special Districts Under 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.

Chairman Marshall declares a recess at 10:33 a.m., and convenes as the as the Colusa County Flood Control and Water Conservation District, with all Directors present.

Present: Peggy Scroggins, Auditor-Controller.
Tom Parker, County Counsel.
Donna Critchfield, Colusa City Councilmember.
Ben Felt, Colusa County Chamber of Commerce.
Yolanda Tirado, Board Clerk.

AUDITOR-CONTROLLER/RESOLUTION: It is moved by Director Indrieri, seconded by Director Evans to adopt **Resolution No. 11-034**, A Resolution Of The Colusa County Board Of Supervisors Sitting As The Colusa County Flood Control And Water Conservation District, Adopting The Fiscal Year 2011-2012 Annual Budget For The Colusa County Flood Control And Water Conservation District and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

Chairman Marshall adjourns at 10:34 a.m., as the Colusa County Flood Control and Water Conservation District and convenes as the Colusa County Air Pollution Control Board, with all Directors present.

Present: Peggy Scroggins, Auditor-Controller.
Tom Parker, County Counsel.
Donna Critchfield, Colusa City Councilmember.
Ben Felt, Colusa County Chamber of Commerce.
Yolanda Tirado, Board Clerk.

AUDITOR-CONTROLLER-RESOLUTION: It is moved by Director Carter, seconded by Director Indrieri to adopt **Resolution No. 11-035**, A Resolution Of The Colusa County Board Of Supervisors Sitting As The Colusa County Air Pollution Control Board, Adopting The Fiscal Year 2011-2012 Annual Budget For The Colusa County Air Pollution Control Board and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

Chairman Marshall adjourns at 10:35 a.m., as the Colusa County Air Pollution Control Board and convenes as the IHSS Public Authority Board, with all Directors present.

Present: Peggy Scroggins, Auditor-Controller.
Tom Parker, County Counsel.
Donna Critchfield, Colusa City Councilmember.
Ben Felt, Colusa County Chamber of Commerce.
Yolanda Tirado, Board Clerk.

AUDITOR-CONTROLLER/RESOLUTION: It is moved by Director Indrieri, seconded by Director Vann to adopt **Resolution No. 11-036**, A Resolution Of The Colusa County Board Of Supervisors Sitting As The IHSS Public Authority Board, Adopting The Fiscal Year 2011-2012 Annual Budget For The In-Home Supportive Services (IHSS) Public Authority and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

Chairman Marshall adjourns at 10:36 a.m., as the IHSS Public Authority and reconvenes at 10:55 a.m., in Regular Session, with all Supervisors and County Counsel present.

Present: Donna Critchfield, Colusa City Councilmember.
Ben Felt, Colusa County Chamber of Commerce.
Ed Hulbert, CIP.
Peggy Scroggins, Auditor-Controller.
Kim Osstfeld, Lisa Wise, Lisa Wise Consulting.
Bruce Jacobson, Jacobson & Wack.
Steve Hackney, Director, Planning & Building.
Pam Canada, NeighborWorks.
John Ashbaugh, Premier Mushrooms.
Beth Thompson, Ben Ritchie, DeNovo Group.
David Early, Ben Noble, DC&E.
Yolanda Tirado, Board Clerk.

10:55 a.m. (10:45 a.m. item on Agenda) At the request of the Director of Planning and Building, Chairman Marshall pulls from the Agenda acceptance of the proposals for the Zoning Code Update stating the proposals were accepted at the August 30, 2011 Board Meeting.

Chairman Marshall makes time for a presentation from each of the three consulting firms for the Zoning Code Update.

Mr. Hackney introduces Ms. Lisa Wise.

Ms. Wise speaks qualifications, experience and completed projects by her firm for the various Cities and Counties. Brief discussion is held.

Mr. Hackney introduces Mr. David Early and Ben Noble from DC&E.

Mr. Early speaks to qualifications, experience and completed projects by his firm for various Cities and Counties.

Mr. Noble speaks to the Butte County General Plan and Zoning Code update completed by DC&E. Brief discussion is held.

Mr. Hackney introduces Ms. Thompson and Mr. Ritchie from DeNovo Group.

Mr. Ritchie states that he and Ms. Thompson will be hands-on with the proposed Zoning Code update as they were and are with the General Plan update. He states their fees are still the same and have not changed since 2009.

Chairman Marshall inquires as to any closing remarks.

Mr. Ritchie thanks the Supervisors for having given De Novo Planning Group the opportunity to work for them on the General Plan update and hopes that he will be considered for the Zoning Code update.

Mr. Early again reiterates his company's qualifications and extensive experience in this field.

Mr. Jacobson states that Lisa Wise Consulting has extensive experience in the field of zoning codes.

Chairman Marshall expresses his appreciation to all for having made the time to make their presentations.

PLANNING AND BUILDING/RFPs: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to award to **De Novo Planning Group** the RFP for the Zoning Code Update, in the amount of \$134,610.00. Further, direct the Planning and Building Director to return at a later date with a contract for same. Motion carried: All yes. Absent: None.

Chairman Marshall declares a recess at 11:48 a.m. to reconvene at 11:50 a.m., with all Supervisors present.

Present: Ed Hulbert, CIP.
Donna Critchfield, Colusa City Councilmember.
Tom Parker, County Counsel.
Peggy Scroggins, Auditor-Controller.
Pam Canada, NeighborWorks.
Jeff Lucas, Community Development Services.
Steve Hackney, Director, Planning and Building.
Yolanda Tirado, Board Clerk.

Chairman Marshall makes time for an Informational update regarding "HOME" First Time Homebuyers and Owner-Occupied Housing Rehabilitation Program Guidelines.

Ms. Canada speaks to how the program works, eligibility criteria for both the First Time Homebuyers and Owner-Occupied Housing Rehabilitation Program and steps taken to advertise the Program. Discussion is held, with no action taken.

PLANNING AND BUILDING/RFP: It is moved by Supervisor Vann, seconded by Supervisor Carter to accept and award Request for Proposals to administer the Colusa County's Economic Development Loan Program to **Community Development Services**. Further, direct the Planning & Building Director to return at a later date with a contract for same. Motion carried: All yes. Absent: None.

PLANNING AND BUILDING/ORDINANCE: It is moved by Supervisor Indrieri, seconded by Supervisor Vann to approve introduction, first reading, by title only of a proposed Ordinance of the Colusa County Board of Supervisors Repealing Chapter 5 of the Colusa County Code Entitled "Building" and Adopting a new Chapter 5. Further,

set October 11, 2011 at 9:30 a.m., for a public hearing and possible adoption of the proposed Ordinance and direct the Clerk to publish and post Notice of Hearing. Motion carried by the following vote:

AYES: Supervisors Carter, Indrieri, Vann and Marshall.

NOES: Supervisor Evans.

ABSENT: None.

Chairman Marshall makes time to consider lawn maintenance at the Arbuckle Library.

Mr. Hackney informs the Board members that he has requested RFPs be submitted and Mr. Clayton will be submitting an RFP also.

Chairman Marshall continues the matter of the maintenance of the Arbuckle Library to October 11, 2011 for receipt of RFPs.

Consent Agenda: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to approve Consent Agenda Item Nos. 1 through 17 as follows:

C11-248 1. SHERIFF: Approve Project Agreement #G109-03-05-L01 between the County of Colusa Sheriff's Department and **the State Department of Park and Recreation for the Off-Highway Motor Vehicle Recreation Division**, effective July 8, 2011 through July 7, 2012, in the amount of \$19,090.00, with terms and conditions as set forth in the agreement and authorize the Sheriff to sign on behalf of the Board of Supervisors.

C11-249 2. LIBRARY: Approve McNaughton Subscription agreement between the County of Colusa Library and **McNaughton, a Division of Brodart Co.**, effective September 27, 2011, with terms and conditions as set forth in the agreement and authorize the Chairman to sign.

C11-250 3. LIBRARY: Approve Renewal Form Agreement between the Colusa County Library and **Baker and Taylor**, effective September 27, 2011, with terms and conditions as set forth in the Agreement and authorize the Chairman to sign.

4. COLUSA CEMETERY DISTRICT/RESIGNATION: Accept the resignation of Ken Flagor from the Colusa Cemetery District, effective November 28, 2011 and direct the Clerk to publish and post Notice of Vacancy.

C11-251 5. BEHAVIORAL HEALTH: Approve modification to Agreement C10-123, approved on June 15, 2010, between the County of Colusa Behavioral Health Services and **Sierra Family Services, Inc.**, providing mental health services to the people of Colusa and changing the name from Sierra Family Services, Inc., to **Sierra Mental Wellness Group**, effective September 27, 2011, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign.

C11-252 6. BEHAVIORAL HEALTH SERVICES: Approve contract for Colusa County Workforce Education and Training Grant for Student Loan Repayment between the County of Colusa Behavioral Health Services and **Brizia Tofolla Martinez**, effective October 1, 2011, with terms and conditions as set forth in the contract and authorize the Chairman to sign.

C11-253 7. BEHAVIORAL HEALTH SERVICES: Approve contract for Colusa County Workforce Education and Training Grant for Student Loan Repayment between the County of Colusa Behavioral Health Services and **Mark McGregor**, effective October 1, 2011, with terms and conditions as set forth in the contract and authorize the Chairman to sign.

C11-254 8. BEHAVIORAL HEALTH SERVICES: Approve contract for Colusa County Workforce Education and Training Grant for Student Loan Repayment between the County of Colusa Behavioral Health Services and **Anthony Hall**, effective October 1, 2011, with terms and conditions as set forth in the contract and authorize the Chairman to sign.

9. TREASURER-TAX COLLECTOR: Accept the Colusa County Treasurer's Monthly Investment Report for August 2011, as submitted.

10. COLUSA COUNTY MANAGEMENT COALITION: Approve request designating December 23, 2011 as CCMC's floating holiday for calendar year 2011.

11. APPOINTED DEPARTMENT HEADS: Approve request designating December 23, 2011 as the Appointed Department Head's floating holiday for calendar year 2011.

12. PUBLIC WORKS: Authorize the Director of Public works to issue an encroachment permit to the Ar buckle Revitalization Committee closing Main Street (5th street) between Lucas Street and 6th Street and close Hall Street between the railroad tracks and the alley between 5th and 6th streets from 4 a.m. to 4 p.m. on October 30, 2011 for the Car Show and BBQ.

C11-255 13. HEALTH AND HUMAN SERVICES: Approve agreement for professional services between the County of Colusa Health and Human Services and **Telesec Answering Service** for after-hour reception services, effective October 1, 2011 through June 30, 2012, with terms and conditions as set forth in the agreement and authorize the Chairman to sign.

C11-256 14. HEALTH AND HUMAN SERVICES/PUBLIC HEALTH: Approve Agreement No. 12-023-CFS between the county of Colusa Health and Human Services/ Public Health and the **44th District Agricultural Association** for the Colusa Farm Show for Exhibit Space, effective February 7, 2012 through February 9, 2012, with terms and conditions as set forth in the Agreement and authorize the Interim Director of Health and Human Services to sign on behalf of the Board of Supervisors.

C11-257 15. HEALTH AND HUMAN SERVICES/TOBACCO EDUCATION: Approve Agreement No. 12-025-CFS between the Colusa County Health and Human Services/ Tobacco Education and the **44th District Agricultural Association** for the Colusa Farm Show Exhibit Space, effective February 7, 2012 through February 9, 2012, with terms and

conditions as set forth in the Agreement and authorize the Interim Director of Health and Human Services to sign on behalf of the Board of Supervisors.

16. SHERIFF/DEPUTY SHERIFFS' ASSOCIATION: approve request designating December 23, 2011 as the Deputy Sheriffs' Association Floating Holiday for calendar year 2011.

17. PLANNING AND BUILDING/PUBLIC HEARING: Set October 25, 2011 at 11:00 a.m. to consider an appeal of the Planning Commission's decision on September 12, 2011 to adopt a Mitigated Negative Declaration, A Mitigation Monitoring and Reporting Program, and a Tentative Subdivision Map for Mike Adams, (ED#09-38), TSM #09-5-1 to divide 159+ acres of partially developed, Industrial designated and zoned land into 16 lots. The 16 proposed lots will range in size from 1.19+ acres to 30.80+ acres. Five of the resulting lots will consist of less than 5-acres each, six of the lots will be between 5 to 10-acres in size, and five of the lots will be larger than 10-acres in size. The proposed site is located at the northwest corner of Greive Road and County Line Road and approximately 6- miles south of the unincorporated community of Arbuckle, identified as Assessor's Parcel Numbers 022-190-054, 022-190-055, 022-190-056 and 022-190-057 and direct the Clerk to publish and post Notice of Hearing. **Consent Motion carried: All yes. Absent: None.**

SUPERVISOR REPORTS OR COMMENTS

Supervisor Indrieri

Meeting with Personnel and Child Support Services.

Supervisor Marshall

RCRC meeting.

Supervisor Vann

Speaks to possible transfer of Fairs to the Counties from the State.

State or Federal Legislation/General Budgetary Matters. None.

AUDITOR: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve Claim Register Sheets for the period of September 13, 2011 through September 26, 2011. Motion carried: All yes. Absent: None.

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

<u>Fund/Department</u>	<u>Vendor</u>	<u>Amount</u>
District Attorney	Reading Oil	\$804.76
District Attorney	Davies Oil	\$108.25
DHSS	D&S Mfg Home Construction	\$649.50
Road	CDW-G	\$467.61
Road	Williams Motor Sales	\$151.26
Sheriff	Sutter Buttes Communications	\$5,614.78
Sheriff	Sutter Buttes Communications	\$370.04
Sheriff-SLESF	Adamson Police	\$318.53
Public Defender	Clark & Nelson	\$630.00
Public Defender	Mehr Law Office	\$232.20
Personnel	Sutter Medical Foundation	\$174.00

Motion carried: All yes. Absent: None.

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

Chairman Marshall inquires as to any other issues before calling a recess. He also states Closed Sessions items regarding Performance Evaluations for the Director of Planning and Building and the Ag Commissioner will be held at 1:30 p.m.

Ms. Tirado states she was informed by the Sheriff's Office that Consent Item 16, regarding DSA's floating holiday should have been December 30, 2011 not December 23, 2011.

ADMINISTRATION/SHERIFF/DEPUTY SHERIFFS' ASSOCIATION: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to rescind the following motion regarding Consent Agenda Item 16, approved earlier this day:

"SHERIFF/DEPUTY SHERIFFS' ASSOCIATION: Approve request designating December 23, 2011 as the Deputy Sheriffs' Association Floating Holiday for calendar year 2011."

Motion carried: All yes. Absent: None.

Consent item 16. SHERIFF/DEPUTY SHERIFFS' ASSOCIATION: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve request designating December 30, 2011 as the Deputy Sheriffs' Association Floating Holiday for calendar year 2011. Motion carried: All yes. Absent: None.

Chairman Marshall declares a recess at 12:23 p.m. to convene in Closed Session at 1:30 p.m., reconvenes at 2:59 p.m. to allow Supervisors Evans, Indrieri and Vann to attend the Transportation Transit Agency Meeting, convenes in Closed Session at 3:25 p.m. and reconvenes in Regular Session at 4:15 p.m., with all Supervisors and County Counsel present.

Present: Peggy Scroggins, Auditor-Controller.
Yolanda Tirado, Board Clerk.

Mr. Parker announces the Board considered the following Closed Session matters from earlier this morning:

Under the provisions of Government Code Section 54957, the Board met with Counsel and the Personnel Director and discussed an issue of employee discipline and there was nothing to report.

Under the provisions of Government Code Section 54957, the Personnel Director discussed with the Board the potential discipline of an employee and no reportable determinations were taken.

Mr. Parker further announces the Board considered the following Closed Session matters scheduled for 11:30 a.m. as follows:

Under the provisions of Government Code Section 54957, a Public Employee Performance Evaluation (Annual) for the Director of Planning and Building was continued to October 11, 2011.

Under the provisions of Government Code Section 54957, a Public Employee Performance Evaluation (6-month) was conducted for the Ag Commissioner and deemed satisfactory.

The Board adjourns at 4:20 p.m. to reconvene in Regular Session on October 11, 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 _____
Yolanda Tirado, Board Clerk