

## 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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### Special Session Minutes December 6, 2011

The Board of Supervisors of the County of Colusa, State of California meets in Special Session this 6<sup>th</sup> day of December 2011 at the hour of 9:00 a.m., Present: Supervisors Mark D. Marshall, Chairman, Denise J. Carter, Thomas A. Indrieri, and Gary J. Evans. Absent: Supervisor Kim Dolbow Vann.

Chairman Marshall calls to order the Special Closed Session meeting of December 6, 2011 at 9:10 a.m. with all Supervisors, except Supervisor Vann present.

Present: Thomas Parker, County Counsel.  
Steve Hackney, Director, Planning & Building.  
Tim Taylor, Stoel Reeves.  
Nikki Berry, Personnel Director.  
Yolanda Tirado, Ann Nordyke, Board Clerks.

Prayer by Chairman Marshall. Pledge of Allegiance.

Chairman Marshall makes time for period of Public Comment. Hearing none, Chairman Marshall closes the period of Public Comment.

Ms. Berry states a couple of matters arose after the posting of the December 6, 2011 Special Closed Session Agenda regarding the hiring of a temporary part time employee to assist in the Personnel Department due to medical leave of one of her staff members and an additional two Closed Session matters regarding exposure of potential litigation.

ADMINISTRATION/PERSONNEL: It is moved by Supervisor Evans, seconded by Supervisor Carter that a matter arose after the posting of the December 6, 2011 Special Closed Session Agenda regarding filling an unexpected vacancy within in the Personnel Department. Motion carried: All yes. Absent: Supervisor Vann.

Ms. Berry states an employee within her Department will be out on medical leave for about a month, and speaks to the need to hire a part-time employee to fill the unexpected vacancy. Discussion is held.

PERSONNEL: It is moved by Supervisor Indrieri, seconded by Supervisor Evans to authorize the Personnel Director to fill one temporary part-time position within

the Personnel Department, due to unexpected medical leave of a staff member.  
Motion carried: All yes. Absent: Supervisor Vann.

Ms. Berry states the other two matters are Closed Session issues and requests the Board place these items on the Agenda for Board consideration.

ADMINISTRATION: It is moved by Supervisor Indrieri, seconded by Supervisor Evans that two Closed Session matters arose after the posting of the December 6, 2011 Special Closed Session Agenda regarding significant exposure to Litigation in two (2) cases. Motion carried: All yes. Absent: None.

Ms. Berry requests that the Closed Session item "B" be changed to read 3 cases instead of one case.

Chairman Marshall directs the Clerk to change Closed Session Item "B" to reflect the two (2) additional matters that arose after the posting of the December 6, 2011 Special Closed Session Agenda regarding exposure to litigation.

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

- A. Under the provisions of Government Code Section 54956.9(b)(1) the Board will meet with Legal Counsel and the Planning and Building Director to discuss a significant exposure to litigation against the local agency in one (1) case.
- B. Under the provisions of Government Code Section 54956.9(b), the Board will meet to discuss with Legal Counsel significant exposure to Litigation in ~~one (1) case~~ three (3) Cases.

Chairman Marshall declares a recess at 9:20 a.m. to convene in Closed Session, in the Board of Supervisors Conference Room, 547 Market Street, Suite 102b, and reconvenes at 11:50 a.m. in the Board's Chamber with all Supervisors, except Supervisors Indrieri and Vann present.

Present: Thomas Parker, County Counsel.  
Yolanda Tirado, Ann Nordyke, Board Clerks.

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

Under the provisions of Government Code Section 54956.9(b)(1) the Board met with Legal Counsel and the Planning and Building Director to discuss a significant exposure to litigation against the local agency in one (1) case and there was nothing to report at this time.

Mr. Parker further announces that Closed Session Item "B" as amended this morning, under the provisions of Government Code Section 54956.9(b), the Board met with Legal Counsel to discuss significant exposure to Litigation in three (3) Cases.

Mr. Parker states, in the first matter, there was nothing to report.

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He states, in the second matter, by a unanimous vote of those Supervisors present (Supervisors Indrieri and Vann absent), the Personnel Director was instructed to obtain an outside Investigator for the investigation of employee claims and return at a later date with a contract for said services for further Board consideration.

Mr. Parker states, in the third case, by a unanimous vote of those Supervisors present (Supervisors Indrieri and Vann absent) the Personnel Director was directed to contact the Planning & Building Department to obtain an air quality study of the first floor of the Historic Courthouse, 547 Market Street, Suite 104, Colusa, CA.

The Board adjourns at 11:58 a.m., to reconvene in Regular Session on December 20, 2011 at the hour of 9:00 a.m.

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Mark D. Marshall, Chairman

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

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