

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

KATHLEEN MORAN, COUNTY CLERK
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Minutes

January 10, 2012

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 10th day of January 2012 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 10, 2012 at 8:05 a.m., with all Supervisors present.

Present: Thomas R. Parker, County Counsel.
Nikki Berry, Personnel Director.
Elizabeth Kelley, Interim Director, Health & Human Services.
Ann Nordyke, Yolanda Tirado, Board Clerks.

8:06 a.m. Chairman Marshall announces the Board will consider Closed Session items as follows:

- A. Under the provisions of Government Code Section 54957 and 54957.6, the Board of Supervisors will meet with the Personnel Director to discuss a confidential personnel matter and with the designated negotiators, Margaret Kemp-Williams and Nikki Berry, provide direction and take action as necessary.
- B. Under the provisions of Government Code Section 54956.9, Legal Counsel and the Personnel Director will discuss with the Board pending litigation.
- C. Under the provisions of Government Code Section 54957, the Board will discuss with the Personnel Director departmental updates regarding potential discipline.

Chairman Marshall declares a recess at 8:07 a.m. to convene in Closed Session and reconvenes in Regular Session at 9:08 a.m., with all Supervisors present.

Present: Thomas R. Parker, County Counsel.

Nikki Berry, Personnel Director.
Peggy Scroggins, Auditor-Controller.
Elizabeth Kelley, Interim Director, Health and Human Services.
Jim Bell, Michael Azevedo, Public Works Department.
Mary Winters, Michael Davies, Colusa citizens.
Donna Critchfield, City of Colusa Councilmember.
Steve Bordin, Chief Probation Officer.
Steve Hackney, Director, Planning & Building.
Yolanda Tirado, Ann Nordyke, Board Clerks.

Prayer by Chairman Marshall. Pledge of Allegiance.

Chairman Marshall states it has been a very rewarding year, but not without challenges. He states this Board with the help of staff and employees brought to Colusa County the PG&E plant and the satellite campus of Woodland Community College in Williams and he looks forward to continued growth within the County.

Chairman Marshall acknowledges the hard work of County employees and staff and states he sincerely appreciates all that they do. He further states he has the utmost confidence in his peers as they work towards a positive outcome for the County and thanks everyone for their encouragement and wishes all the best for 2012.

Supervisor Evans presents Chairman Marshall with a plaque.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Carter to approve the Minutes of the December 20, 2011 Regular Session. Motion carried: All yes. Absent: None.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to approve the Minutes of the December 27, 2011 Special Closed Session. Motion carried by the following vote:

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

NOES: None.

Absent: None.

Abstain: Supervisor Marshall.

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 and 54957.6, met with the Personnel Director to discuss a confidential personnel matter and with the designated negotiators, Margaret Kemp-Williams and Nikki Berry, provide direction and take action as necessary. There was nothing to report at this time.

Under the provisions of Government Code Section 54956.9, met with Legal Counsel and the Personnel Director and discussed pending litigation. There was nothing to report at this time.

Under the provisions of Government Code Section 54957, discussed with the Personnel Director departmental updates regarding potential discipline. There was nothing to report at this time.

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

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

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

Ms. Berry updates the Board members on items that pertain to her Department.

9:23 a.m. (9:10 a.m. item on the Agenda) PERSONNEL/COUNTY COUNSEL – 1031: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve an extra help Legal Administrative Assistant, TFT, CNF Range 32, \$20.46 per hour flat rate, effective January 3, 2012. Motion carried: All yes. Absent: None.

PERSONNEL/PROBATION DEPARTMENT – 2035: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to add 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, effective April 1, 2012. Motion carried: All yes. Absent: None.

9:32 a.m. (9:15 a.m. item on Agenda) APPOINTMENTS: It is moved by Supervisor Indrieri, seconded by Supervisor Evans to approve and authorize the Clerk to publish and post the local appointments list as follows:

LOCAL APPOINTMENTS LIST

Pursuant to Government Code Section 549570-549575 the Board of Supervisors hereby announces that the following appointed positions on various committees, commissions, boards, or districts will expire within the calendar year 2012.

Anyone wishing to apply may request an application in person, in writing, or by telephone from the Clerk of the Board of Supervisors located at 547 Market Street, Suite 102, Colusa, CA 95932 (530) 458-0508 or by e-mail at cocolusa@countyofcolusa.org

Applications may also be downloaded from the Internet at: www.countyofcolusa.org

VACANCIES

AGRICULTURE/AIR POLLUTION CONTROL AFFAIRS ADVISORY COMMITTEE: Two members from each Supervisorial District. Three members representing Industrial Processing not directly related to Agriculture. One member from the General Public without any direct interest in Ag Production or Industrial Processing.

7 Vacant positions

Charles Marsh term expires April 18, 2012
Jeff Miller term expires May 9, 2012

AIR POLLUTION CONTROL DISTRICT HEARING BOARD: 5 member panel consisting of the following: One member shall be a registered professional engineer. One member shall be a person from the medical profession whose specialized skills, training or interests are in the fields of environmental medicine, community medicine, or occupational toxicology medicine. One member shall be admitted in the practice of law in California. Two public members

2 Vacant positions
Lawrence Highman term expires July 3, 2012
Ed Hulbert term expires July 3, 2012

ARBUCKLE COLLEGE CITY FIRE PROTECTION DISTRICT: Must be an elector residing within the District (See Supervisors Minutes Book Page 14)

Robin Lohman term expires December 3, 2012 **September 16, 2012**
Clarke Ornbnaun term expires December 3, 2012
Charles Manhart term expires December 3, 2012

COLLEGE CITY CEMETERY DISTRICT: Must be an elector residing within the District.

1 Vacancy

COLUSA CEMETERY DISTRICT: Must be an elector residing within the District.

1 vacant position

MAXWELL CEMETERY DISTRICT: Must be an elector residing within the District.

William (Bill) Barrett, Jr., term expires June 29, 2012

PRINCETON CEMETERY DISTRICT: Must be an elector residing within the District.

1 vacant position

PRINCETON FIRE PROTECTION DISTRICT: Must be an elector residing within the District.

Jim Zoller term expires November 29, 2012
David Gordon term expires November 29, 2012

SACRAMENTO RIVER FIRE PROTECTION DISTRICT: Must be an elector residing within the District.

John Miller term expires 11/17/2012

WILLIAMS FIRE PROTECTION DISTRICT: Must be an elector residing within the District.

Allen O. Gobel term expires June 30, 2012
1 Vacancy

PRINCETON WATER WORKS DISTRICT: Must be a registered voter and the owner of real property in the District.

2 Vacant positions

CHILDREN AND FAMILIES: Shall be a representative from the Superintendent of Schools and a representative from the Health and Human Services.

Nancy Parriott term expires May 13, 2012

CORTINA CREEK FLOOD CONTROL & WATER CONSERVATION DISTRICT TRUSTEES

Peter Peterson term expires December 15, 2012

Christy Scofield term expires December 15, 2012

Sherry Langrock term expires December 15, 2012

1 Vacant position

DEVELOPMENTAL DISABILITIES AREA BOARD III

1 Vacant position

FISH AND GAME COMMISSION ALTERNATE

Patrick Kittle, District II, term expires 7/6/12

Michael Talley, District II, term expires 11/18/12

5 Vacant positions (Alternates for Districts I, II, III, IV, V)

2 Vacant positions for District I

GROUNDWATER MANAGEMENT COMMISSION: Shall be a resident of Colusa County.

James Erdman term expires 3/23/12

Bruce Rolen term expires 3/23/12

2 Vacant positions

HISTORICAL RECORDS COMMISSION

1 Vacant position

IN HOME SUPPORTIVE SERVICES ADVISORY COMMITTEE: Not more than 11, no fewer than 50% of whom shall be individuals who are current or past users of personal assistance services paid for through public or private funds, or recipients of service under W & I Code section 12300 et seq. Committee established by Ordinance 652.

Carla Rhea term expires 11/17/12

8 Vacant positions

MOSQUITO ABATEMENT DISTRICT

Tom Critchfield term expires March 8, 2012

Vic Townzen term expires March 8, 2012

REVOLVING LOAN FUND ADVISORY COMMITTEE

1 Vacant position.

Motion carried: All yes. Absent: None.

C12-001 9:33 a.m. (9:20 a.m. item on Agenda) COUNTY COUNSEL/PUBLIC DEFENDER: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to approve "Modification of Agreement to C06-260" between the County of Colusa and **Albert Smith**, executed on October 3, 2006 for defense of indigent persons charged with committing crimes within Colusa County and modifying term of contract as set forth in the Modification, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

C12-002 9:35 a.m. (9:25 a.m. item on Agenda) PUBLIC WORKS: It is moved by Supervisor Indrieri, seconded by Supervisor Evans to approve "Second Amendment to Joint Powers Agreement Providing A Public Transportation System Within The County Of Colusa" C06-001, between the County of Colusa and **the City of Colusa and the City of Williams**, effective through April 22, 2016, with terms and conditions as set forth in the Amendment 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.

PUBLIC WORKS/NOTICE TO CONTRACTORS/BIDS: It is moved by Supervisor Evans, seconded by Supervisor Carter to approve Notice to Contractors, Special Provisions, Bid Book for construction on Myers Road Rehabilitation from 0.60 miles West of Cortina Vineyard Road to Cortina Vineyard Road, and authorize the Chairman to sign the Notice to Contractors. Further, set February 1, 2012 at 10:00 a.m. to receive and open sealed bids and direct the Clerk to publish and post Notice of same. Motion carried: All yes. Absent: None.

PUBLIC WORKS: It is moved by Supervisor Indrieri, seconded by Supervisor Evans that the Board finds that it is in the best interest of county/public to waive the County's formal bid process and authorize the purchase of the following budgeted equipment at auction as they become available, in an amount not to exceed \$70,000.00:

1. Two (2) bottom dump trailers and or (1) semi bottom dump trailer, estimated amount - \$15,000.00
2. One (1) or two (2) Water Trucks, estimated amount - \$40,000.00
3. One (1) self propelled or towed Street Sweeper, estimated amount - \$15,000.00

Motion carried: All yes. Absent: None.

9:42 a.m. (9:30 a.m. item on Agenda) BEHAVIORAL HEALTH: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve Out-of-State travel for one

employee to attend Anasazi Software National Alliance in Tempe, Arizona, February 27-29, 2012. Motion carried: All yes. Absent: None.

C12-003 BEHAVIORAL HEALTH: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve an Office Lease between the County of Colusa Behavioral Health Services and **John A. Rogers, Catherine A. Abel and S. William Abel** for lease of premises located at 131 5th Street, Colusa, CA 95392, with access to and use of common parking area at the rear of the building, effective March 1, 2012 through February 28, 2015, with terms and conditions as set forth in the agreement and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

C12-004 BEHAVIORAL HEALTH: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve an agreement between the County of Colusa Behavioral Health Services and **Anthem Blue Cross Path2Health and County Medical Services Program Participating Mental Health Practitioner Agreement**, effective January 1, 2012, 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 to consider waiving the County's formal bid process and approving the purchase of an ADA approved operated front door for the Colusa County Behavioral Health Department, located at 162 E. Carson Street, Colusa, CA 95932 from Horton Automatics.

Mr. Cornelius speaks in support of approving purchase of the ADA approved operated front door. He also states this is a sole source purchase.

Discussion is held regarding the lack of documentation regarding Horton Automatic being a sole source provider and the need for same to make an informed decision.

BEHAVIORAL HEALTH: It is moved by Supervisor Indrieri, seconded by Supervisor Evans that the Board finds that it is in the best interest of the county/public to waive the County's formal bid process and approve the purchase of an ADA approved operated front door for the Colusa County Behavioral Health Department, located at 162 E. Carson Street, Colusa, CA 95932 from Horton Automatics, in an amount not to exceed \$6,500.00, to be funded with MHSA Capital Facilities funding 02942. Further, the Department will not move forward with the purchase of an ADA operated front door until documentation is provided that Horton Automatics is a sole source provider in this region. Motion carried by the following vote:

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

NOES: Supervisor Vann

ABSENT: None.

9:55 a.m. (9:35 a.m. item on Agenda) Chairman Marshall makes time to consider ADA Accessibility Restroom Improvements for the Arbuckle and Williams Library.

Ms. Ferreira speaks in support of approving the Restroom Improvements bid documents and requests the Board members set February 3, 2012 at 10:00 a.m., to receive and open Bids as opposed to February 8, 2012. Brief discussion is held.

CENTRAL SERVICES: It is moved by Supervisor Evans, seconded by Supervisor Vann to approve ADA Accessibility Restroom Improvements for the Arbuckle and Williams Library Locations Bid Document and Specifications and Notice to Bidders and authorize the Chairman to sign the Notice to Bidders. Further, set February 8 3, 2012 at 10:00 a.m., to receive and open Bids and direct the Clerk to publish and post Notice of Bidders. Motion carried: All yes. Absent: None.

Present: Ashley Indrieri, Family Water Alliance.

9:57 a.m. (9:40 a.m. item on Agenda) PLANNING AND BUILDING: It is moved by Supervisor Vann, seconded by Supervisor Carter to approve Contingency Funds in the amount of \$700.00, for the Planning and Building Department for the purchase of a fixed asset as follows:

One (1) new personal computer, in an amount not to exceed \$700.00

Motion carried: All yes. Absent: None.

10:02 a.m. Supervisor Vann leaves the Board's chamber.

Chairman Marshall states, Supervisor Vann, has vacated her seat and left the Board's Chamber due to a possible conflict of interest.

C12-005 PLANNING AND BUILDING: it is moved by Supervisor Evans, seconded by Supervisor Carter to approve Modification of Agreement Number 2 to C11-010, between the County of Colusa Planning and Building and **Dunn Environmental, Inc.**, for the Water Supply Assessment (Hydrogeologic Evaluation) for the Adams Tentative Subdivision Map TSM# 09-05-1, and modifying " #3 Time of Performance" to be effective through June 30, 2012, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign. Motion carried by the following vote:

AYES: Supervisors Carter, Indrieri, Evans and Marshall.

NOES: None.

Absent: Supervisor Vann.

C12-006 PLANNING AND BUILDING: it is moved by Supervisor Evans, seconded by Supervisor Carter to approve Modification of Agreement Number 2 to C10-014, between the County of Colusa Planning and Building and **Quad Knopf** to provide the County with an CEQA/Initial Study for Tentative Subdivision Map Application #09-5-1 for Mike Adams and modifying " #3 Time of Performance" to be effective through June 30, 2012, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign. Motion carried by the following vote:

AYES: Supervisors Carter, Indrieri, Evans and Marshall.

NOES: None.

Absent: Supervisor Vann.

10:04 a.m. Supervisor Vann is now present.

10:04 a.m. (9:45 a.m. item on Agenda) AUDITOR-CONTROLLER: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve Intra-Budget Transfer No. 12008. Motion carried: All yes. Absent: None.

AUDITOR-CONTROLLER/POLICY AND PROCEDURES: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to approve revisions to County Travel Policy #202 regarding meal reimbursements, effective January 16, 2012. Motion carried: All yes. Absent: None.

AUDITOR-CONTROLLER: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve changes in 2011/12 Revenue and Appropriations as follows:

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
<i>Increase Revenue & Appropriations:</i>				
District Attorney	00101	2016	479910	\$1,367.44
Total				\$1,367.44
District Attorney	00101	2016	57001	\$1,367.44
Total				\$1,367.44
DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
<i>To Increase (Decrease) Appropriations:</i>				
District Attorney	02255	002255	59452	\$1,367.44
Total				\$1,367.44

Motion carried: All yes. Absent: None.

CONSENT AGENDA: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to approve Consent Agenda Item Nos. 1 through 2 as follows:

C12-007 1. SHERIFF: Approve Modification to Agreement C02-246, approved on September 24, 2002, between the County of Colusa Sheriff's Department and **ATIMS** formerly DSSU for system software support and modifying "Item Number 5" increasing compensation from \$17,250.00 to \$18,500.00, effective for the 2012 annual period, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign.

2. ADMINISTRATION: Approve payment to Central Valley Project Water Association for 2012 Membership Dues in the amount of \$750.00. **Consent motion carried: All yes. Absent: None.**

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

Supervisor Vann speaks to the Governor's proposed ballot measure and the proposed CSAC ballot measure. Discussion is held, with no action taken.

Supervisor Marshall speaks to Special Districts and part time Elected Officials, not receiving stipends for certain services they perform. Discussion is held with, no action taken.

AUDITOR: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve Claim Register Sheets for the period of December 20, 2011 through January 9, 2012. 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>
Risk Management	Ace Environmental Management	\$980.00
Probation	John Alan Foster PhD	\$600.00
Probation	George Hills Company	\$15,324.89
Public Defender	Mehr Law Office	\$397.80
Public Defender	Clark & Nelson	\$1,050.00
Central Services	Chevron & Texaco	\$314.84
Sheriff	Valley Clinical & Consulting	\$450.00
Surveyor	Nikki Berry	\$54.07
County Counsel	Nikki Berry	\$40.71
Ag Commissioner	Messick Hardware	\$60.54

Motion carried by the following vote:

AYES: Supervisors Carter, Evans, Vann and Marshall.

NOES: None.

ABSENT: None.

ABSTAIN: Supervisor Indrieri.

Chairman Marshall states the appointment of members of the Board of Supervisors to various committees, commissions, boards, and liaison assignments for 2012 was put on today's Agenda to give each Board member time to go over their current assignments and speak to the new Chairman regarding same prior to the next Board meeting.

Chairman Marshall makes time for discussion and possible action regarding participation and/or appointment to the SRCAF.

Supervisor Evans expresses concern with the direction the SRCAF is taking and their failed attempt to address real landowner concerns. He further states he is no longer interested in being a member of SRCAF, noting Glenn County resigned November 2010.

ADMINISTRATION/SRCAF: It is moved by Supervisor Vann, seconded by Supervisor Evans to draft a letter to SRCAF of Colusa County's withdraw from same. Motion carried: All yes. Absent: None.

Chairman Marshall makes time for Election of 2012 Chairman and Vice-Chairman and turns the gavel over to Ms. Tirado.

Ms. Tirado states the matter before the Board is the election of the Chairman and Vice-Chairman for the year 2012 and declares nominations open for Chairman.

Supervisor Vann nominates Supervisor Evans for Chairman.

Ms. Tirado asks whether there are any other nominations. Hearing none, Ms. Tirado declares the nominations for Chairman closed.

ADMINISTRATION: It is moved by Supervisor Vann, seconded by Supervisor Marshall to elect Supervisor Evans as Chairman of the Colusa County Board of Supervisors for 2012. Motion carried: All yes. Absent: None.

Ms. Tirado declares nominations for Vice-Chairman are now open.

Supervisor Vann nominates Supervisor Carter for Vice-Chair.

Ms. Tirado asks whether there are any other nominations. Hearing none, Ms. Tirado declares the nominations closed.

ADMINISTRATION: It is moved by Supervisor Vann, seconded by Supervisor Marshall to elect Supervisor Carter as Vice-Chairman of the Colusa County Board of Supervisors for 2012. Motion carried: All yes. Absent: None.

Ms. Tirado apprises the Board members of item set for the January 24, 2012 Agenda.

Supervisor Vann states due to upcoming out-of- state travel in March for certain Supervisors to attend conferences, it might be best to move the scheduled March 6, 2012 Board meeting to March 13, 2012. Discussion is held.

Following discussion, it is the consensus of the Board members to move the scheduled March 6, 2012 Board meeting to March 13, 2012.

Ms. Tirado states the calendar will be revised and sent to all departments.

The Board adjourns at 10:40 a.m. to reconvene in Regular Session on January 24, 2012 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