

## Board of Supervisors

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



## COUNTY OF COLUSA

KATHLEEN MORAN, COUNTY CLERK  
YOLANDA TIRADO, CHIEF BOARD CLERK  
ANN NORDYKE, BOARD CLERK  
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### Minutes

November 13, 2012

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 13<sup>th</sup> day of November 2012 at the hour of 9:00 a.m. Present: Supervisors Gary J. Evans, Chairman, Thomas A. Indrieri, Denise J. Carter, and Kim Dolbow Vann. Absent: Supervisor Mark D. Marshall.

Chairman Evans calls to order the Regular meeting of November 13, 2012 at 9:00 a.m., with all Supervisors, except Supervisor Marshall present.

Present: John Ketelsen, Interim County Counsel.  
Peggy Scroggins, Auditor-Controller.  
Elizabeth Kelly, Director, Health & Humans Services.  
Joe Damiano, Ben Reische, Ag Department.  
Cindy Lovelace, Assistant Personnel Director.  
Mary Winters, Michael Davies, Colusa citizens.  
Steven Jeet, Grand Jury.  
Lt. Jim Epperson, California Highway Patrol.  
Rose Ann Ellis, Grimes Library.  
Jim Bell, Michael Azevedo, Public Works Department.  
John Poyner, District Attorney.  
Yolanda Tirado, Ann Nordyke, Board Clerks.

Prayer by Chairman Evans. Pledge of Allegiance.

ADMINISTRATION: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve the Minutes of the October 23, 2012 Regular Session. Motion carried by the following vote:

AYES: Supervisors Indrieri, Carter, Vann and Evans.

NOES: None.

ABSENT: Supervisor Marshall.

Chairman Evans makes time for period of Public Comment.

Lt. Epperson updates the Board members on items as they pertain to California Highway Patrol, Williams Office. He further states construction on I-5 is almost completed and he is working with the citizens of Grimes regarding speed limit enforcement.

Ms. Winters thanks Supervisor Vann for her great run for Congress, noting it was nice to have an honest, straight forward campaign without the mud slinging. She thanks Supervisor Vann for her efforts.

Hearing no further comment, Chairman Evans closes the period of Public Comment.

9:07 a.m. Chairman Evans states Closed Session matters will be considered at 10:45 a.m. later this day as follows:

- A. CONFERENCE WITH LEGAL COUNSEL- Significant Exposure to Litigation – Claim against the County filed by Rodney L. Koch, Government Code Section 54956.9.
- B. CONFERENCE WITH LEGAL COUNSEL- Government Code Section 54956.9 – Elaine Rominger and Gerald Rominger, Petitioners v. County of Colusa, Respondents, Adams Group, Inc., Real Parties in Interest, Case No. CV 23899 Superior Court of the State of California, County of Colusa.
- C. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION- Government Code, Subdivision (a) of Section 54956.9), Curtis Boewer, Workers' Compensation Claim #TIBM-544368 and Colusa County Superior Court Case No. CV23866.
- D. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation Significant exposure to litigation pursuant to subdivision (b) of § 54956.9: Three (3) Cases.
- E. PUBLIC EMPLOYEE APPOINTMENT – Gov. Code § 54957  
Title: Director of Behavioral Health Services

Chairman Evans further states the following Closed Session matter has been pulled from the Agenda:

CONFERENCE WITH LABOR NEGOTIATOR – Government Code Section 54957.6, Agency Negotiator, Bob Muszar-Employee Organizations:

Department Heads  
Management Coalition  
DSA  
CCEA  
Unrepresented  
Assistant Personnel Director  
County Counsel  
Personnel Director  
Senior Deputy County Counsel

9:09 a.m. (9:05 a.m. item on Agenda) STAFF REPORTS

Mr. Damiano distributes a tentative Agenda titled "Colusa County Department of Agriculture 2012 Grower, Colusa County Fairgrounds, 1303 10<sup>th</sup> Street,

Colusa, CA 95932, "Festival Hall," Wednesday, December 5, 2012" and speaks briefly to same.

Ms. Kelly updates the Board members on matters as they pertain to her Department, noting the drive through flu clinic was a success.

Mr. Ryan speaks to the Air Resources Boards' development of a new regulation, "In-Use Off-Road Mobile Agricultural Equipment Regulation" and a recently attended workshop held in Redding, CA, and updates the Board on items pertaining to same.

Ms. Scroggins states the Auditor's Office received a Certificate of Award from the State of California, Office of the Controller for meeting the criteria for timely financial transactions reporting for Year-End Financial Reports for FY ending June 30, 2011 and wanted to acknowledge all of the hard work the Auditor's staff has done.

9:19 a.m. (9:10 a.m. item on Agenda) PERSONNEL/PLANNING AND BUILDING SERVICES – 2076: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to authorize the following recommended longevity step increase as a result of the Board of Supervisors completing the performance evaluation held October 23, 2012 for Steven Hackney, Director of Planning Building Services, PFT, DH Range 38, from Step 6 to Step 7, \$9,081.00 per month, effective October 1, 2012. Motion carried: All yes. Absent: Supervisor Marshall.

PERSONNEL/DEPARTMENT OF HEALTH AND HUMAN SERVICES – PUBLIC HEALTH – 4012: It is moved by Supervisor Vann, seconded by Supervisor Carter to authorize a Step 5 appointment for Maryann LaGrande, Registered Nurse (RN), PFT, PF Range 35, Step 5, \$4,392.00 per month, effective October 25, 2012. Motion carried: All yes. Absent: Supervisor Marshall.

PERSONNEL/PROBATION – 2035: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to add the position of Account Clerk I/II, PFT, MSC Range 5/10, \$1,720.00-\$2,091.00/\$1,944.00 - \$2,363.00 per month, effective December 1, 2012 and authorize to fill. Motion carried: All yes. Absent: Supervisor Marshall.

PERSONNEL/BEHAVIORAL HEALTH – MENTAL HEALTH – 4013: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to authorize hiring a pool of Extra Help employees as a Client Transport Driver, \$25.00 per shift when assigned standby plus \$9.55 per hour while driving if called to transport. Motion carried: All yes. Absent: Supervisor Marshall.

PERSONNEL/PERSONNEL – 1040: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to add the position of Personnel Analyst, CNF Range 32, and authorize filling an extra help part time position, \$20.46 per hour, effective December 1, 2012. Motion carried by the following vote:

AYES: Supervisors Indrieri, Carter, and Evans.

NOES: Supervisor Vann

ABSENT: Supervisor Marshall.

Chairman Evans states the request to extend the recruitment deadline for the position of County Counsel to November 30, 2012 has been pulled from the agenda at this time.

9:28 a.m. (9:15 a.m. item on Agenda) Chairman Evans makes time to waive the County's formal bid process and accepting proposals received by the Department of Health & Human Services for purchase of an office cubicle system.

Ms. Kelly states staff attempted to acquire three bids for the project but was only able to get two bids. Discussion is held regarding the justification for waiving the bid process and whether Central Services was utilized.

Following discussion, it is the consensus of those Board members present to pull from the agenda consideration of waiving the County's formal bid process and accepting the proposals received by the Department of Health and Human Services for purchase of office cubicle systems as follows:

1.	Affordable Office Furniture	\$21,325.11
2.	Office Depot	\$16,246.67

Further, direction is given to the Director of Health & Human Services to contact Central Services for assistance with the County bid process and return at a later date for further Board consideration.

9:32 a.m. (9:20 a.m. item on Agenda) Chairman Evans makes time to consider a proposed Resolution of the Colusa County Board of Supervisors Establishing the Rules and Bylaws for the Colusa County Groundwater Commission.

Mr. Reische speaks in support of the proposed Resolution amending the current Bylaws to reflect the duties of the Groundwater Commission. He further speaks to the proposed changes. Discussion is held.

Following discussion, Chairman Evans continues this matter until reagendaized to allow the Department to make corrections to the proposed Resolution. Further, direction is given to the Ag Department to work with Supervisor Carter regarding same.

9:36 a.m. (9:25 a.m. item on Agenda) PROBATION DEPARTMENT: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to accept proposal #1001476 from Safe Side Security, Inc., for the purchase/installation of the equipment and contingent upon CCP Committee approval. Further, authorize the Interim Probation Officer to purchase equipment as follows:

1.00	8 Camera 480 8 TBA	DW-Vmax 480-81	\$1,250.00
4.00	Indoor IDE Dynamic W/IR	D4367WIR	\$1,200.00
1.00	22 Inch Monitor	M22	\$ 225.00
1.00	Camera Power Supply	AX-8 12/24	\$ 195.00
1.00	Monitor Mount 14" to 22"	LYSSWP1420	\$ 135.00
5.00	Team labor charge per hr	SVC Team	\$ 750.00
Total			\$3,755.00

Motion carried: All yes. Absent: Supervisor Marshall.

PROBATION DEPARTMENT: It is moved by Supervisor Indrieri, seconded by Supervisor Vann to approve an agreement between the County of Colusa Probation Department and Safe Side Security, Inc., for maintenance on security equipment, effective November 13, 2012, with terms and conditions as set forth in the agreement and authorize the Chairman to sign.

Chairman Evans calls for questions or concerns regarding the agreement.

Supervisor Vann inquires as to why "Exhibit A" is not attached to the contract. Discussion is held.

Following discussion, Supervisor Vann withdraws her second.

Supervisor Indrieri states his motion stands.

Supervisor Carter offers a courtesy second. Further discussion is held.

**C12-260** PROBATION DEPARTMENT: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve an agreement between the County of Colusa Probation Department and **Safe Side Security, Inc.**, for maintenance on security equipment, effective November 13, 2012, with terms and conditions as set forth in the agreement and authorize the Chairman to sign. Motion carried by the following vote:

AYES: Supervisors Indrieri, Carter, and Evans.

NOES: Supervisor Vann.

ABSENT: Supervisor Marshall.

PROBATION DEPARTMENT: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve a letter to terminate the contractual agreement with APL Counseling on behalf of the Colusa County Behavioral Health Department and Probation Department and authorize the Chairman to sign. Motion carried: All yes. Absent: Supervisor Marshall.

9:47 a.m. (9:30 a.m. item on Agenda) PLANNING & BUILDING/ORDINANCE: It is moved by Supervisor Indrieri, seconded by Supervisor Vann to approve Introduction, first reading, by title only, of an Ordinance of the Board of Supervisors of the County of Colusa Approving Fees for Plan Check and Building Permits for the County Department of Planning & Building. Further, set December 11, 2012 at 9:30 a.m. for a public hearing to consider second reading and adoption of the proposed Ordinance and direct the Clerk to publish and post Notice for same. Motion carried: All yes. Absent: Supervisor Marshall.

Chairman Evans makes time to consider a Proposal for professional services from HMR Architects for construction documents for the structural repairs to the Grimes Library as follows:

1. Phase #1, \$13,500.00
2. Phase #2, \$10,200.00

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3. Combining Phase 1 & 2, \$17,500.00
  4. Alternative building replacement

Mr. Hackney states the County contracted with HMR to complete a Feasibility Study for a structural evaluation of the Grimes Library Building located at 240 Main Street, Grimes, CA. He further states the report submitted provides an overview of the specific structural defects made from site observations as well as providing recommendation for the remediation of the structural problems. He further recommends combining Phase 1 & 2 for the structural rehabilitation of the building. Discussion is held.

PLANNING & BUILDING: It is moved by Supervisor Indrieri, seconded by Supervisor Vann to accept the proposal from HMR Architects construction documents for the structural repairs to the Grimes Library. Further approve combining Phases 1 & 2 of the proposed structural rehabilitation in the proposal amount of \$17,500.00. Motion carried: All yes. Absent: Supervisor Marshall.

**C12-261** PLANNING & BUILDING: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve an agreement between the County of Colusa Planning and Building Department and **Richard's Tree Services** for removal of four (4) trees at the Health and Human Services and one (1) tree at the Arbuckle Library, effective November 13, 2012, in an amount not to exceed \$3,200.00, with a fifteen (15) day written termination clause by either party and authorize the Chairman to sign. Motion carried: All yes. Absent: Supervisor Marshall.

**C12-262** PLANNING & BUILDING: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to waive the County's formal bid process due to safety issues and approve an agreement between the County of Colusa Planning and Building Department and **WKD Electric** for electrical services for the Department of Health and Human Services, effective November 13, 2012, in an amount not to exceed \$8,489.00, with a fifteen (15) day written termination clause by either party and authorize the Chairman to sign. Motion carried: All yes. Absent: Supervisor Marshall.

Chairman Evans makes time to consider an agreement between the County of Colusa Planning and Building Department and WKD Electric for electrical services for the County on an as needed basis.

Mr. Hackney states the proposed contract would approve WKD Electric for electrical services for the County on an as needed basis with any given incident not to exceed \$1,500.00, without prior Board approval.

Discussion is held regarding a master contract that mirrors the one the Public Works Department utilizes for projects that are specific to their Department. Discussion is held.

Following discussion, direction is given to the Director of Planning and Building to work with Counsel on a master contract for the Planning & Building/Building & Grounds Department for projects specific to their Department that mirrors the master contract the Department of Public Works utilizes.

Chairman Evans pulls from the Agenda an agreement with Dave McConnel for professional services for the County on an as needed basis for the completion of a master contract for the Planning & Building Department.

PLANNING & BUILDING/RESOLUTION: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to adopt **Resolution No. 12-044**, a Resolution Of The County Board Of Supervisors Authorizing The Director Of Planning & Building To Sign All Loan Contracts And Associated Documents Between The County Of Colusa And Premier Mushroom Related To Funding From The Economic Development Allocation Of The State CDBG Program, State Grant No. 12-EDOC-8491 On Behalf Of The Board Of Supervisors and authorize the Chairman to sign. Resolution passed and adopted by the following vote:

AYES: Supervisors Indrieri, Carter, Vann and Evans.

NOES: None.

ABSENT: Supervisor Marshall.

10:07 a.m. (9:40 a.m. item on Agenda) PUBLIC WORKS/RFPs: It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve Request for Proposals for the groundwater, surface water, and methane landfill gas monitoring at the Evans Road and Stonyford Landfills. Further, set December 31, 2012 at 4:00 p.m., to receive and open sealed RFPs by Public Works Staff and direct the Clerk to publish and post Notice of RFP. Motion carried: All yes. Absent: Supervisor Marshall.

10:08 a.m. (9:45 a.m. item on Agenda) COUNTY COUNSEL: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve Introduction, First Reading, by title only, of an Ordinance of the Board of Supervisors of the County of Colusa Amending Chapter 2, Section 16.2(a) of the Colusa County Code. Further, set December 11, 2012 at 9:30 a.m. for a public hearing to consider second reading and adoption of the proposed Ordinance and direct the Clerk to publish and post Notice of same. Motion carried: All yes. Absent: Supervisor Marshall.

Chairman Evans makes time to discuss the Fish and Game Commission and possible rescission of Resolution 12-035, Amending Section 030 of the Colusa County Fish and Game Advisory Commission.

Ms. Kemp-Williams states on September 25, 2012 the Board adopted Resolution 12-035, amending Section 30 of the Fish and Game Commission's Bylaws. She further states the resolution did not amend other relevant sections in the Bylaws which deal with the number of appointed members. She further suggests rescinding Resolution No. 12-035 and starting from that point and moving forward.

Discussion is held regarding the structural makeup of the Commission, suggestions regarding the structure of the Commission; such as one member from each District, two at large and two alternates, and the need to have flexibility by possible use of a countywide pool.

COUNTY COUNSEL/RESOLUTION: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to rescind Resolution 12-035, A Resolution of the Colusa County Board of Supervisors amending Section 030 of the Colusa County Fish and

Game Advisory Commission. Motion carried: All yes. Absent: Supervisor Marshall. **(See Supervisors' Minutes Book Page 259)**

10:18 a.m. (9:55 a.m. item on Agenda) AUDITOR-CONTROLLER: It is moved by Supervisor Vann, seconded by Supervisor Carter to approve Intra-Budget Transfer Nos. 13001 through 13004. Motion carried: All yes. Absent: Supervisor Marshall.

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 &amp; Appropriations:</i>				
Drug Prevention	00101	2022	479475	\$847.23
Total				\$847.23
Drug Prevention	00101	2022	57064	\$847.23
Total				\$847.23
Road Fund	00110	3010	479910	\$168,545.06
Total				\$168,545.06
Road Fund	00110	3010	53180	\$168,545.06
Total				\$168,545.06
Drug Prevention	00101	2022	479475	\$530.86
Total				\$530.86
Drug Prevention	00101	2022	57064	\$530.86
Total				\$530.86
Sheriff	00101	2021	467505	\$11,818.91
Total				\$11,818.91
Sheriff	00101	2021	51012	\$10,436.79
Sheriff	00101	2021	51013	\$150.00
Sheriff	00101	2021	51022	\$1,232.12
Total				\$11,818.91
Sheriff	00101	2021	467510	\$10,458.67
Total				\$10,458.67
Sheriff	00101	2021	51012	\$2,295.68
Sheriff	00101	2021	51022	\$266.69
Sheriff	00101	2021	53180	\$7,896.30
Total				\$10,458.67
DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT

To Increase (Decrease) Appropriations:



Dev Fee-Public Works	02697	020697	59452	\$21,023.94
Total				\$21,023.94
Dev Fee-Rd Fac	02701	002701	59452	\$147,521.12
Total				\$147,521.12

Motion carried: All yes. Absent: Supervisor Marshall.

Chairman Evans makes time for a presentation/discussion and acknowledgment of Development Impact Fees collected and expended for fiscal year 2011-12, pursuant to Government Code Section 66006.

Brief discussion is held regarding funds expended and notifying Special Districts of funds available, with no action taken.

Chairman Evans makes time for discussion/direction regarding the remittance of the Courthouse Construction Funds to the State of California –Judicial Council.

Ms. Scroggins requests direction regarding remittance of the Courthouse Constructions Funds to the State-Judicial Council.

Brief discussion is held, with consensus of those Board members present to continue this matter to December 11, 2012 for the presence of Supervisor Marshall.

CONSENT AGENDA: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to approve Consent Agenda Items 1 through 15 as follows:

**C12-263** 1. PLANNING & BUILDING: Approve an agreement between the County of Colusa Planning & Building Department and **W.V. Alton** for maintenance of the HVAC system for the Criminal Justice Facility, effective November 13, 2012, in an amount not to exceed \$2,844.00, with a fifteen (15) day written termination clause by either party and authorize the Chairman to sign.

**C12-264** 2. SHERIFF: Approve an agreement between the County of Colusa Sheriff's Department and **Watch Systems** which provides on-line public viewing of Sex registrants within Colusa County, effective November 13, 2012, with terms and conditions as set forth in the Agreement and authorize the Chairman to sign.

3. APPOINTED DEPARTMENT HEADS: Approve Appointed Department Head's request to designate December 24, 2012 as their floating holiday.

4. APPOINTMENTS/PRINCETON FIRE PROTECTION DISTRICT: Re-appoint the following individuals to the Princeton Fire Protection District, effective November 29, 2012 through November 30, 2016:

- Jim Zoller and
- David Gordon

**C12-265** 5. CHILD SUPPORT SERVICES: Approve 2012-2014 Plan of Cooperation between the Colusa County Child Support Services and **California Department of Child**

**Support Services** designating the standards and responsibilities of each department, effective October 1, 2012 through September 30, 2014, with terms and conditions as set forth in the Plan and authorize the Director of Child Support Services to sign on behalf of the Board of Supervisors.

6. TREASURER TAX COLLECTOR: Accept the Colusa County Treasurer Tax Collector's Monthly Investment Report for October 2012.

**C12-266** 7. PUBLIC WORKS: Ratify Agreement 1213-09, between the County of Colusa Public Works Department and **Ramos Environmental Services** to provide the county with pickup and disposal of waste oil, used filters, and other oil by-products, effective October 10, 2012 through June 30, 2013, with terms and conditions as set forth in the agreement and signed by the Director of Public Works on behalf of the Board of Supervisors.

**C12-267** 8. PUBLIC WORKS: Ratify Agreement 1213-10, between the County of Colusa Public Works Department and **Bob's Concrete Pumping** to provide concrete pumping services for the Bridge maintenance on County Bridge 31-DA Grapevine Creek, effective October 11, 2012 through November 15, 2012, with terms and conditions as set forth in the agreement and signed by the Director of Public works on behalf of the Board of Supervisors.

**C12-268** 9. HEALTH AND HUMAN SERVICES: Rescind agreement C12-157, between the County of Colusa Health and Human Services on behalf of Dos Rios Continuum of Care (COC) and **Colusa County Office of Education**, for the purpose of Preventing homelessness of potential discharges and ensuring the linkage of clients to mainstream resources, approved on June 26, 2012. **Further**, approve Memorandum of Understanding between Colusa County Department of Health and Human Services for Dos Rios Continuum of Care and **Colusa County Office of Education** for the purpose of preventing homelessness of potential discharges and ensuring the linkage of clients to mainstream resources, effective June 12, 2012, with terms and conditions as set forth in the MOU and authorize the Director of Health and Human Services to sign on behalf of the Board of Supervisors.

**C12-269** 10. HEALTH AND HUMAN SERVICES: Approve Interagency Agreement for fiscal year 2012-2014, between the County of Colusa Health and Human Services (DHHS), Public Health Division, DHHS, Social Services Division and **Colusa County Probation Department** to assure compliance with federal and state regulations and appropriate expenditure of Early and Periodic Screening, Diagnosis, and Treatment funds in implementation of the Child Health and Disability Prevention Program, effective July 1, 2012 through June 30, 2014, with terms and conditions as set forth in the agreement and authorize the Director of Health and Human Services to sign on behalf of the Board of Supervisors.

**C12-270** 11. HEALTH AND HUMAN SERVICES: Approve Modification to agreement C12-198, between the County of Colusa Health and Human Services and the **California Department of Social Services (CDSS)** providing agency adoption services, effective July 1, 2012 and adding language as set forth in the Modification to the Scope of Work regarding Form 700, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign.

**C12-271** 12. HEALTH AND HUMAN SERVICES: Approve Memorandum of Understanding between the Colusa County Health and Human Services and **Colusa County One-Stop Partnership and Poor And The Homeless** for the Pathways Program, effective October 1, 2012 through June 30, 2013, with terms and conditions as set forth in the MOU and authorize the Director of Health and Human Services to sign on behalf of the Board of Supervisors.

13. HEALTH AND HUMAN SERVICES: Approve Annual Children's Medical Services (CMS) plan and budget for FY 2012-2013 for the following programs: Child Health and Disability Prevention (CHDP), California Children's Services (CCS) and the Health Care Program for Children in Foster Care (HCPCFC), authorize the Director of Health and Human Services or her designee to sign required documents and the Chairman to sign all other documents related to this matter for submission of same to the State of California.

14. COLUSA COUNTY MANAGEMENT COALITION (CCMC): Approve designation of December 24, 2012 as the Colusa County Management Coalition's floating holiday for 2012.

15. SHERIFF/RESOLUTION: Rescinding Resolution Number 12-043, a Resolution of the Board of Supervisors of Colusa County, State of California of Designation of Applicant's Agent Resolution, adopted on October 23, 2012. **Further**, adopt a **Resolution No. 12-045** Resolution of the Board of Supervisors of Colusa County State of California of Designation of Applicant's Agent Resolution and authorize the Chairman to sign.  
**Consent motion carried: All yes. Absent: Supervisor Marshall.**

SUPERVISORS' REPORTS OR COMMENTS

Supervisor Indrieri

Meetings/Functions attended:

Drive through flu clinic.

Voted.

Met with Probation.

Supervisor Carter

Meetings/Functions attended:

Drive through flu clinic.

Requested City of Williams waive fees re: Williams Migrant Center sewer line project.

LAFCo meeting.

Voted.

FEMA/DWR presentation.

Sac Sierra EMS Board meeting.

AUDITOR: It is moved by Supervisor Carter, seconded by Supervisor Vann to approve Claim Register Sheets for the period of October 23, 2012 through November 12, 2012. Motion carried by the following vote:

AYES: Supervisors Carter, Vann and Evans.

NOES: None.

ABSENT: Supervisor Marshall.

ABSTAIN: Supervisor Indrieri.

Ms. Scroggins speaks to a special claim that was submitted by an employee for replacing clothing damaged during a project the employee was involved in. Discussion is held.

Chairman Evans states the matter regarding reimbursement to the employee of damaged clothing will be discussed later this day.

AUDITOR: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to approve Special Claims excluding the claim from Environmental Health reimbursing Mr. Erickson for damaged clothing as follows:

<u>Fund/Department</u>	<u>Vendor</u>	<u>Amount</u>
Environmental Health	Craig Erickson	\$37.48
Personnel	Nikki Berry	\$57.72
Public Defender	Roberto Marquez	\$15,789.00
Public Defender	Roberto Marquez	\$507.70
Behavioral health	Kiran U Koka MD	\$387.21
Coroner	George A Gould DDs	\$250.00
Board of Supervisors	Liebert Cassidy Whitmore	\$90.00
Central Services	Chevron & Texaco	\$217.29
Probation	Shasta County Probation	\$1,117.81
District Attorney	CDW Government	\$1,650.00
County Counsel	Stoel Rives	\$29,562.75
County Counsel	Stoel Rives	\$26,185.67
Elections	Election Systems & Software Inc	\$4,350.00
Public Defender	Calvo Investigations	\$1,200.10
Behavioral Health	Margaret Grimley MD	\$49.97
Behavioral Health	Alex Smirnoff MD	\$99.94
County Counsel	Remcho, Johansen etc	\$449.87
DHHS	Trinity Methodist Church	\$250.00
Ag Commissioner	44th District Ag Assn	\$1,125.00

Motion carried: All yes. Absent: Supervisor Marshall.

Chairman Evans declares a recess at 10:32 a.m. to convene in Closed Session and reconvenes in Regular Session at 1:04 p.m. with all Supervisors, except Supervisor Marshall present.

Present: Robert Zunino, Assistant Auditor-Controller.  
John Ketelsen, Counsel.  
Yolanda Tirado, Board Clerk.

Chairman Evans makes time for discussion/action regarding transfer of responsibility of the Office of Veteran's Services. Brief Discussion is held.

Following discussion, the Board members present concur that the responsibilities should be transferred to the Department of Health and Human Services.

Chairman Evans states the matter regarding prohibition of property taxes on LAFCo annexation has been pulled from the agenda at this time.

Chairman Evans states the appointment of members of the Board of Supervisors to various committees, commissions, boards, and liaison assignments is on the agenda to allow the Board members time to consider the reorganization of the committees, commissions, board, and liaison assignments for the upcoming year.

ADIMINISTRATION: It is moved by Supervisor Vann, seconded by Supervisor Carter to designate Mr. Ketelsen as Interim County Counsel. Motion carried: All yes. Absent: Supervisor Marshall.

Mr. Ketelsen states the current contract C12-234, approved on September 25, 2012, between himself and the County should be amended to reflect his appointment as Interim County Counsel.

Chairman Evans makes time for discussion/direction to staff regarding possible recruitment of a CAO.

Mr. Ketelsen states the County presently uses a liaison form of administration. He further states the liaison method potentially poses the risk of decisions being made which do not reflect the Board's collective decision. He further states multiple management issues have occupied the time of the individual Board members in recent months, which distracts the Board from concentrating on broader policy matters. Noting, other issues of concern are in the areas of procurement and master contracts. Discussion is held.

Following discussion, Chairman Evans continues discussion of possible recruitment of a CAO to the December 11, 2012 Board meeting.

Chairman Evans makes time for discussion/direction regarding water rights to CSA 1 and 2.

Discussion is held regarding funding, previously budgeted money that was spent, cost of obtaining water rights back from the Water Districts, consultant contract and requesting contingencies in the amount of \$50,000 to be placed in the Boards' budget.

Following discussion, it is the consensus of those Board members present to place a request on the December 11, 2012 Regular Agenda for contingencies in the amount of \$50,000 to be placed in the Boards' budget and a consultant contract for same.

Chairman Evans makes time for discussion regarding out of pocket expenses for volunteers.

Ms. Scroggins states, should the Board approve this claims, they will be setting precedents. She states the employee, intern, or volunteer has the right to file a

claim against the County (Tort Liability Claim) should they wish to pursue reimbursement of damaged items.

Following discussion, it is the consensus of those Board members present to reject the claim and deny reimbursement of the damaged clothing to Mr. Erickson.

1:27 p.m. (10:45 a.m. item on Agenda) Mr. Ketelsen announces the Board considered the following Closed Session matters:

CONFERENCE WITH LEGAL COUNSEL- Significant Exposure to Litigation – Claim against the County filed by Rodney L. Koch, Government Code Section 54956.9. He states it was pulled from the Agenda.

CONFERENCE WITH LEGAL COUNSEL- Government Code Section 54956.9 – Elaine Rominger and Gerald Rominger, Petitioners v. County of Colusa, Respondents, Adams Group, Inc., Real Parties in Interest, Case No. CV 23899 Superior Court of the State of California, County of Colusa. He states there was no reportable action taken.

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION-Government Code, Subdivision (a) of Section 54956.9), Curtis Boewer, Workers' Compensation Claim #TIBM-544368 and Colusa County Superior Court Case No. CV23866. He states Instruction was given to attorney.

CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation Significant exposure to litigation pursuant to subdivision (b) of § 54956.9: Three (3) Cases. He states there was no reportable action taken.

PUBLIC EMPLOYEE APPOINTMENT – Gov. Code § 54957 Title: Director of Behavioral Health Services. He states there was no reportable action taken.

Mr. Ketelsen states CONFERENCE WITH LABOR NEGOTIATOR – Government Code Section 54957.6, Agency Negotiator; Bob Muszar

Employee Organizations:  
 Department Heads  
 Management Coalition  
 DSA  
 CCEA  
 Unrepresented  
     Assistant Personnel Director  
     County Counsel  
     Personnel Director  
     Senior Deputy County Counsel

was pulled from the Agenda earlier today.

The Board adjourns at 1:30 p.m. to reconvene in Regular Session on December 11, 2012 at the hour of 9:00 a.m.

\_\_\_\_\_  
 Gary J. Evans, Chairman

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

Supervisors

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