

## Board of Supervisors

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



## COUNTY OF COLUSA

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

May 28, 2013

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 28<sup>th</sup> day of May 2013 at the hour of 9:00 a.m., Present: Supervisors, Denise J. Carter, Chair, Gary J. Evans, Thomas A. Indrieri, Kim Dolbow Vann and Mark D. Marshall.

Chair Carter calls to order the Regular meeting of May 28, 2013 at 9:00 a.m., with all Supervisors present.

Present: John Ketelsen, Interim County Counsel.  
Scott Lanphier, Clay Castleberry, Mike Azevedo, Public Works Department.  
Greg Sutter, Matt Gause, Greg DeYoung, Robert Copriola, Westervelt.  
Steven Jeet, Grand Jury.  
Kaline Moore, Angela Gross, Central Services.  
Ashley Indrieri, Family Water Alliance.  
Ginger Harlow, Children & Families.  
Elizabeth Kelley, Director, Health & Human Services.  
Yolanda Tirado, Ann Nordyke, Board Clerks.

Prayer by Chair Carter. Pledge of Allegiance.

ADMINISTRATION: It is moved by Supervisor Indrieri, seconded by Supervisor Evans to approve the Minutes of the May 9, 2013 Special Session and May 14, 2013 Regular Session. Motion carried: All yes. Absent: None.

Chair Carter makes time for a period of public comment. Hearing none, Chair Carter closes the period of public comment.

Mr. Ketelsen announces the Board will consider Closed Session matters at 10:45 a.m., as follows:

- A. PUBLIC EMPLOYEE APPOINTMENT OR EMPLOYMENT – California Government Code Section 54954.4:  
Title: County Counsel

- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to California Government Code Section 54956.9.
- C. Existing Litigation - Conference with Legal Counsel Government Code, Section 54956.9, Subdivision (a) Rominger v. County of Colusa/Adams Group, Inc., Real Parties in Interest, Case No. CV24899, Superior Court of the State of California, in and for the County of Colusa.

9:05 a.m. STAFF REPORTS

Ms. Kelley states a matter arose after the posting of the May 28, 2013 agenda regarding the Governor’s proposed redirection of County Health Realignment funds to the State beginning in FY 2013-14 and requests the matter be brought on for Board consideration and possible approval of a proposed resolution in opposition of same.

ADMINISTRATION: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri that a matter arose after the posting of the May 28, 2013 Agenda regarding the Governor’s proposed redirection of County Health Realignment funds to the State beginning in FY 2013-14/proposed resolution in opposition of same. Further, the matter will be placed on the Agenda following the Personnel items. Motion carried: All yes. Absent: None.

Chair Carter makes time to consider the Consent Agenda, items 1 through 34.

Supervisor Evans expresses concern regarding Consent Item No.’s 7, 22, 25, 27, and 30 and requests they be pulled from the Consent Agenda and considered separately.

Chair Carter so directs, stating Consent Item No.’s 7, 22, 25, 27, and 30 will be considered separately as time permits.

CONSENT AGENDA: It is moved by Supervisor Indrieri, seconded by Supervisor Evans to approve Consent Agenda Item Nos. 1 through 6, 8 through 21, 23 through 24, 26, 28, 29, and 31 through 34 as follows:

1. COLUSA COUNTY GROUNDWATER MANAGEMENT COMMISSION: Correct Minutes of June 29, 2010 regarding the re-appointment of Mark Morris to the Colusa County Groundwater Management Commission to reflect expiration of term as March 24, 2015 **not** March 24, 2014.
2. AUDITOR: Approve changes in Revenue and Appropriations as follows:

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
<i>Increase Revenue &amp; Appropriations:</i>				
County Library	00101	6021	479310	\$1,990.48
Total				\$1,990.48
County Library	00101	6021	57004	\$877.50
County Library	00101	6021	57001	\$1,112.98

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Total				\$1,990.48
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3. AUDITOR: Approve Intra Budget Transfer Nos. 13057 through 13062.

**C13-081** 4. HEALTH AND HUMAN SERVICES: Approve an agreement between the County of Colusa Health and Human Services and **Jean Rumiano** for legal services, effective July 1, 2013 through June 30, 2014, in an amount not to exceed \$50,000.00, with a fifteen (15) day written termination clause by either party and authorize the Chair to sign.

**C13-082** 5. HEALTH AND HUMAN SERVICES: Approve an agreement between the County of Colusa Health and Human Services and **Preferred Carpet Cleaning and Janitorial** to provide vacation and sick leave relief for department employee, effective July 1, 2013 through June 30, 2014, with terms and conditions as set forth in the agreement and authorize the Chair to sign.

**C13-083** 6. HEALTH AND HUMAN SERVICES: Approve an agreement between the County of Colusa Health and Human Services and **Colusa County One-Stop Partnership** for payroll services for the Program Manager of the Colusa County Community Advocates for Parents and Children, the County's Designated Child Abuse Prevention Council, effective May 15, 2013, with terms and conditions as set forth in the agreement and authorize the Chair to sign.

**C13-084** 8. HEALTH AND HUMAN SERVICES: Approve Modification to agreement C12-088, between the County of Colusa Health and Human Services and **Colusa Regional Medical Center** for the Dietary Services for the Senior Nutrition Program modifying Article 1, Term of Contract to be effective July 1, 2013 through June 30, 2014 and Exhibit B, Project Cost, I. Meals increasing cost of meal from \$3.72 to \$3.79, with all other terms and conditions to remain in full force and effect and authorize the Chair to sign.

9. HEALTH AND HUMAN SERVICES: Rescind Consent Item No. 5, approved on April 16, 2013 as follows:

"**C13-050** 5. HEALTH AND HUMAN SERVICES: Approve Interagency agreement between the County of Colusa Health and Human Services and **the California Department of Social Services (CDSS)** for agency adoption services under the authority of Welfare and Institutions Code Section 16130 and in accordance with Title 22 California Code of Regulations Section 35127 through 35239, effective July 1, 2013 through June 30, 2016, with terms and conditions as set forth in the agreement and authorize the Chair to sign."

**C13-085** 10. HEALTH AND HUMAN SERVICES: Approve Interagency agreement between the County of Colusa Health and Human Services and the **California Department of Social Services (CDSS)** for agency adoption services under the authority of Welfare and Institutions Code Section 16130 and in accordance with Title 22 California Code of Regulations Section 35127 through 35239, effective July 1, 2013 through June 30, 2016, with terms and conditions as set forth in the agreement and authorize the Chair to sign.

11. APPOINTMENTS/RESIGNATIONS: Accept the following resignations of Rex Mayes and John Goodman from the Colusa County Airport Advisory Committee, effective May 28, 2013 and direct the Clerk to publish and post Notice of Vacancy.

**C13-086** 12. BEHAVIORAL HEALTH SERVICES: Approve an agreement between the County of Colusa Behavioral Health Services and **Auburn Counseling Services, Inc.**, to provide the County with Medi-Cal compliance, effective July 1, 2013 through June 30, 2014, with terms and conditions as set forth in the agreement and authorize Chair to sign.

**C13-087** 13. BEHAVIORAL HEALTH SERVICES: Approve an agreement between the County of Colusa Behavioral Health Services and **Auburn Counseling Services, Inc.**, to provide the County with an after hours crisis telephone line, effective July 1, 2013 through June 30, 2015, with terms and conditions as set forth in the agreement and authorize Chair to sign.

**C13-088** 14. BEHAVIORAL HEALTH SERVICES: Approve an agreement between the County of Colusa Behavioral Health Services and **Crestwood Behavioral Health, Inc.**, to provide the County with a 24-hour skilled nursing facility, effective July 1, 2013 through June 30, 2014, with terms and conditions as set forth in the agreement and authorize the Chair to sign.

**C13-089** 15. BEHAVIORAL HEALTH SERVICES: Approve an agreement between the County of Colusa Behavioral Health Services and **Yolo Community Care Continuum** to provide the County with a long-term residential treatment program for mentally disabled adults, effective July 1, 2013 through June 30, 2015, with terms and conditions as set forth in the agreement and authorize the Chair to sign.

**C13-090** 16. BEHAVIORAL HEALTH SERVICES: Approve an agreement between the County of Colusa Behavioral Health Services and **Gary Ernst** to provide the County with cost accounting services to the Department of Mental Health, effective July 1, 2013 through June 30, 2015, with terms and conditions as set forth in the agreement and authorize the Chair to sign.

**C13-091** 17. BEHAVIORAL HEALTH SERVICES: Approve an agreement between the County of Colusa Behavioral Health Services and **Skyway House** to provide the County with alcohol/drug abuse residential and outpatient treatment services, effective July 1, 2013 through June 30, 2015, with terms and conditions as set forth in the agreement and authorize the Chair to sign.

**C13-092** 18. BEHAVIORAL HEALTH SERVICES: Approve an agreement between the County of Colusa Behavioral Health Services and **Progress House** to provide the County with a facility for the recovery and rehabilitation of persons addicted to the excessive use of mind-altering chemicals, effective July 1, 2013 through June 30, 2015, with a fifteen (15) day written termination clause by either party and authorize the Chair to sign.

**C13-093** 19. BEHAVIORAL HEALTH SERVICES: Approve an agreement between the County of Colusa Behavioral Health Services and **Tri-County Treatment** to provide the County with a facility for the recovery and rehabilitation of persons addicted to the excessive use of mind-altering chemicals, effective July 1, 2013 through June 30, 2015, with a fifteen (15) day written termination clause by either party and authorize the Chair to sign.

**C13-094** 20. BEHAVIORAL HEALTH SERVICES: Approve Modification to

agreement C10-248, between the County of Colusa Behavioral Health Services and **Colusa County One Stop Partnership** to provide stipend payments to County Coordinators to expand the Friday night Live and Club Live Programs in schools countywide **and** modifying Exhibit "B" Schedule of Payments paragraphs "2 and 4", as set forth in the Modification, effective May 28, 2013, with all other terms and conditions to remain in full force and effect and authorize the Chairman to sign.

**C13-095** 21. BEHAVIORAL HEALTH SERVICES: Approve Modification to Standard Agreement 10-NNA06 V.1, between the County of Colusa Behavioral Health Services and **the Department of Alcohol and Drug Programs** for the "Non Drug Medi-Cal" Program and modifying "Term of Agreement" to be effective through June 30, 2014 and the "Maximum amount of Agreement" to \$1,676,782.00, with all other terms and conditions to remain in full force and effect and authorize the Chair to sign.

**C13-096** 23. LIBRARY: Approve an agreement between the County of Colusa Library and **the 44<sup>th</sup> District Agricultural Association** to rent a booth at the County Fair to promote library literacy services, effective June 6, 2013 through June 9, 2013, with terms and conditions a set forth in the agreement and authorize the County Librarian to sign on behalf of the Board of Supervisors.

**C13-097** 24. AG COMMISSION: Approve a Memorandum of Understanding between the County of Colusa Ag Commission and **the State of California Department of Consumer Affairs Structural Pest Control Board** for administration of the applicator examination, effective July 1, 2013 through June 30, 2015, with terms and conditions a set forth in the MOU and authorize the Ag Commissioner to sign on behalf of the Board of Supervisors.

**C13-098** 26. AG COMMISSION: Approve an agreement number 13-0031-SA between the County of Colusa Ag Commission and **the Department of Food and Agriculture** for the Petroleum Product Program, effective July 1, 2013 through June 30, 2014, with terms and conditions as set forth in the agreement and authorize the Ag Commissioner to sign on behalf of the Board of Supervisors.

**C13-099** 28. PUBLIC WORKS: Ratify Agreement No. 1213-14 between the County of Colusa Public Works Department and **Durham Stabilization** to pulverize existing asphalt road surface on various county roads, effective May 7, 2013 through June 30, 2013, with terms and conditions as set forth in the agreement and signed by the Interim Director of Public Works on behalf of the Board of Supervisors.

**C13-100** 29. PUBLIC WORKS: Ratify agreement No. 1213-15 between the County of Colusa Public Works Department and **Nor-Cal Steel** for removal and disposal of scrap steel and aluminum from the County Corporate yard in Williams, CA., and the Sand Creek pit located on Cortina School Road, effective May 8, 2013 through August 31, 2013, with terms and conditions as set forth in the agreement and signed by the Interim Director of Public Works on behalf of the Board of Supervisors.

**C13-101** 31. PUBLIC WORKS: Approve Modification to agreement C05-112 between the County of Colusa Public Works Department and **Recology Butte Colusa Counties (formerly known as Norcal Waste Systems)** to provide Franchise Collection of waste and recycle materials in the Colusa County Valley Floor area and provide operation of the Maxwell Transfer Station and Transportation of waste to a permitted landfill, and **modifying** Section 5 "Compensation", effective July 1, 2013, as set forth in the Modification,

with all other terms and conditions to remain in full force and effect and authorize the Chair to sign.

32. PUBLIC WORKS: Approve Notice of Request for Proposals for Environmental Assessment for two proposed Bridge Replacement Projects in Central and Western Colusa County and authorize the Chair to sign the Notice of Request for Proposals. Further, set June 19, 2013 at 10:00 a.m. to receive and open seals proposals and direct the Clerk to publish and post Notice for same.

33. PUBLIC WORKS: Approve Notice to Contractors, Special Provisions, Bid Book for Construction on Old Highway 99W from Maxwell to the Glenn County Line Contract No. 300216A and delegate authority to the Director of Public Works to set bid dates and advertise the project through the clerk of the Board upon authorization of funding.

34. COLUSA COUNTY EMPLOYEES' ASSOCIATION: Approve July 5, 2013 as CCEA's Floating Holiday for the year 2013. **Consent motion carried: All yes. Absent: None.**

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

<u>Fund/Department</u>	<u>Vendor</u>	<u>Amount</u>
Child Support	PFI, Inc.	\$74.00
Behavioral Health	Steelhead Lodge Bar & Grill	\$2,205.00
DHHS	C & L Home Service	\$45.00
DHHS	Richard J. Brouette MD	\$150.00
County Counsel	Stoel Rives	\$2,573.41
County Counsel	Remcho, Johansen & Purcell	\$28.79
Personnel	John Alan Foster PH.D	\$800.00
Advert, Fair, & Exh	Richard Bryant	\$600.00

Motion carried: All yes. Absent: None.

AUDITOR: It is moved by Supervisor Marshall, seconded by Supervisor Vann to approve Claim Register Sheets for the period of May 14, 2013 through May 27, 2013. Motion carried by the following vote:

AYES: Supervisors Evans, Vann, Marshall and Carter.

NOES: None.

ABSTAIN: Supervisor Indrieri.

ABSENT: None.

ADMINISTRATION: It is moved by Supervisor Indrieri, seconded by Supervisor Marshall to authorize payment of Annual membership dues for 2013-2014 National Forest Counties and Schools Coalition, in the amount of \$63.00. Motion carried: All yes. Absent: None.

ADMINISTRATION: It is moved by Supervisor Vann, seconded by Supervisor Marshall to authorize payment of Annual membership dues for 2013-2014 Rural County

Representatives of California (RCRC), in the amount of \$2,141.90. Motion carried: All yes. Absent: None.

9:10 a.m. PERSONNEL/HEALTH AND HUMAN SERVICES-5011: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to authorize a **Step 5** appointment for Danielle Padilla, Social Worker IV, PFT, PF Range 29, **Step 5**, \$4,333.00 per month, effective June 10, 2013. Motion carried: All yes. Absent: None.

Chair Carter makes time to consider filling the unfunded position of a Public Works Superintendent.

Supervisor Evans requests the filling of the unfunded position of Public Works Superintendent be pulled from consideration at this time.

Chair Carter so directs.

PERSONNEL/PUBLIC WORKS – 3010: It is moved by Supervisor Vann, seconded by Supervisor Evans to authorize formal appointment as a result of the Board of Supervisors Closed Session announcement on May 7, 2013 as follows:

Scott Lanphier, Director – Public Works, DH Range 44, Step 1, effective TPT, May 20, 2013 – May 31, 2013 at \$55.13 per hour and PFT, June 1, 2013 at \$8,959.00 per month. Motion carried: All yes. Absent: None.

Chair Carter makes time for appointment of Scott Lanphier as the County Road Commissioner effective May 20, 2013.

Ms. Tirado states a public hearing needs to be set and held prior to the appointment of the Road Commissioner to consider the qualifications of the candidate(s) for the position, pursuant to the requirement of the Street and Highways Code Section 2006(a). Brief discussion is held.

Following discussion, Supervisor Vann withdraws her motion.

Supervisor Evans withdraws his second.

Chair Carter states the setting of the public hearing will be placed on the June 11, 2013 Agenda.

PERSONNEL/BEHAVIORAL HEALTH SERVICES – 4013: It is moved by Supervisor Indrieri, seconded by Supervisor Vann to add the new position of Patient Rights Advocate, TPT, \$10.00 flat rate, effective June 1, 2013 and authorize to fill the position. Motion carried: All yes. Absent: None.

Chair Carter makes time to consider a proposed Resolution in opposition to the Governor's proposed redirection of County Health Realignment funds to the State beginning in FY 2013-14.

Supervisor Vann states the CMSP Governing Board, in conjunction with CSAC, has taken the position that CMSP counties should be treated as a group and that County Health Realignment funds contributed to the State by CMSP Counties and the CMSP Governing Board should be limited. She further states the County Health Realignment

funding provided to CMSP counties for County Public Health Services and County Health Realignment funding for coverage of remaining low income uninsured populations by the CMSP Governing Board must be protected. Discussion is held.

HEALTH & HUMAN SERVICES/RESOLUTION: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to adopt **Resolution No. 13-021**, a Resolution of the Colusa County Board of Supervisors Opposing The Governor's Proposed Redirection Of County Health Realignment Funds To the State Beginning in FY 2013-14. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

9:20 a.m. (9:15 a.m. item on Agenda) COUNTY TREASURER-TAX COLLECTOR: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to accept the Colusa County Treasurer-Tax Collector's April 2013 Monthly Investment Report. Motion carried: All yes. Absent: None.

Present: Steve Hackney, Director, Planning & Building.

**C13-102** COUNTY TREASURER-TAX COLLECTOR/CITY OF WILLIAMS: It is moved by Supervisor Indrieri, seconded by Supervisor Marshall to approve an agreement between the County of Colusa and **the City of Williams** to purchase Tax-Defaulted property located in the City of Williams (AP# 005-012-001-000), effective May 28, 2013, with terms and conditions as set forth in the agreement and authorize the Chair to sign all related documents. Motion carried: All yes. Absent: None.

Present: Ashley Indrieri, Family Water Alliance.

9:29 a.m. (9:20 a.m. item on Agenda) CENTRAL SERVICES/PLANNING & BUILDING: It is moved by Supervisor Indrieri, seconded by Supervisor Vann to accept the proposal from Advanced Document for a Kyocera FS-C852MFP for \$130.00 plus tax per month with the addition of the Maintenance program for the Department of the Planning and Building and authorize the Chair to sign. Motion carried: All yes. Absent: None.

**C13-103** CENTRAL SERVICES/PLANNING & BUILDING: It is moved by Supervisor Indrieri, seconded by Supervisor Evans to approve an agreement between the County of Colusa Central Services and **Wells Fargo Financial** adding the Department of Planning and Building to the master contract with Advanced Document Concepts, effective May 28, 2013, with terms and conditions as set forth in the equipment lease agreement and authorize the Chair to sign all related documents. Motion carried: All yes. Absent: None.

9:31 a.m. (9:25 a.m. item on Agenda) Chair Carter makes time for a presentation and discussion of Revenue and Expenditures Status Reports for the County operating funds for the month ended April 30, 2013.

Ms. Scroggins expresses concern regarding the following departments: Treasurer, Personnel, District Attorney, Public Defender, Probation, County Library, Social



Welfare, and Burial of Indigents, noting, currently, the General Fund is at 73%. Brief discussion is held, with no action taken.

9:34 a.m. (9:30 a.m. item on Agenda) Chair Carter makes time for a Public Hearing to consider the following:

**Westervelt Ecological Services (Greg DeYoung), General Plan Amendment (GPA) #12-6-1 and Zoning Amendment (ZA) #12-6-1**

Project Description:

A proposed Resolution adopting specific revisions to the Colusa County General Plan Land Use Element (GPA #12-6-1, Westervelt Ecological Services) from Agriculture General (AG) to Resource Conservation (RC) and a proposed Ordinance amending Ordinance No. 534, The Zoning Ordinance, of the Colusa County Code, Appendix I, Zoning, to rezone certain property (ZA #12-6-1, Westervelt Ecological Services) from Exclusive Agriculture (E-A) to Open Space (O-S) to allow the creation of a mitigation bank (habitat restoration) affecting approximately 215±acres.

Project Location:

The project is located approximately 5.5-miles south of the City of Colusa adjacent to the southeast corner of the Colusa National Wildlife Refuge and west of the Colusa Basin Drain, identified as APN 017-110-045 and 019-010-016.

9:35 a.m. Chair Carter opens the Public Hearing and calls for comment. Hearing none, Chair Carter closes the Public Hearing.

Mr. Hackney requests the adoption of the following be continued to the Board of Supervisors June 25, 2013 Regular meeting.

- ✚ Certify the Planning Commission's adoption of a Mitigated Negative Declaration for Westervelt Ecological Services (Greg De Young) GPA #12-6-1 and ZA #12-6-1.
- ✚ Adopt A Resolution of the Colusa County Board of Supervisors Adopting Specific Revision to the Colusa County General Plan Land Use Element (GPA #12-6-1) For Westervelt Ecological Services (Greg DeYoung) and authorize the Chair to sign.
- ✚ Adopt an Ordinance of the Board of Supervisors of the County of Colusa Amending Ordinance No. 534 (The Colusa County Zoning Ordinance) Rezoning Certain Property under Zoning Amendment No. 12-6-1 for Westervelt Ecological Services (Greg DeYoung).

Chair Carter so directs.

ADMINISTRATION/RESOLUTION: It is moved by Supervisor Marshall, seconded by Supervisor Vann to adopt **Resolution No. 13-022**, A Resolution of the Colusa County Board of Supervisors Designating Colusa County Public Works as Colusa County Community

Block Grant Oversight Administrator and authorize the Chair to sign the Resolution and the Public Works Program Manager, Michael Azevedo to sign the "Community Development Block Grant Program Authorized Signature Card for Request of Funds". Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

ADMINISTRATION: It is moved by Supervisor Marshall, seconded by Supervisor Vann to appoint Supervisor Marshall as the County voting delegate and Supervisor Vann as the Alternate and approve the NACo 2013 Credentials (Voting) Identification Form and authorize the Chair to sign. Motion carried: All yes. Absent: None.

9:41 a.m. (9:40 a.m. item on Agenda) PLANNING & BUILDING: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to rescind motion of May 14, 2013 accepting the bids for the re-roofing of the Williams Library. Further, reject the bids for same and direct staff to go out for new bids for the Williams Library re-roofing project. Motion carried: All yes. Absent: None.

PLANNING & BUILDING/BIDS/WILLIAMS LIBRARY: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to accept bids for the Williams Library HVAC system as received and opened by the Planning and Building Department as follows:

1.	RB Spencer Inc.	\$35,000.00
2.	Sinclair Heating & Air	\$35,771.00
3.	WV Alton	\$40,569.00

Motion carried by the following vote:

AYES: Supervisors Evans, Indrieri, Marshall and Carter.

NOES: None.

ABSTAIN: Supervisor Vann.

ABSENT: None.

PLANNING AND BUILDING/BIDS/WILLIAMS LIBRARY: It is moved by Supervisor Evans, seconded by Supervisor Marshall to award the bid for the Williams Library HVAC system to **RB Spencer Inc.**, in the bid amount of \$35,000.00 and direct the Planning & Building staff to return at a later date with contract for same. Motion carried by the following vote:

AYES: Supervisors Evans, Indrieri, Marshall and Carter.

NOES: None.

ABSTAIN: Supervisor Vann.

ABSENT: None.

PLANNING AND BUILDING: It is moved by Supervisor Marshall, seconded by Supervisor Evans to approve Contingency Funds, in the amount of \$35,000.00, for the HVAC system for the Williams Library. Motion carried: All yes. Absent: None

9:45 a.m. APPOINTMENTS/FIRST 5 COLUSA CHILDREN & FAMILIES COMMISSION: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to re-appoint Nancy Dickson to First 5 Colusa Children & Families Commission to serve as the Colusa County Office of Education's representative, effective April 14, 2013 through April 13, 2016. Motion carried: All yes. Absent: None.

Chair Carter makes time to consider Consent Item No's. 7, 22, and 25 as follows:

7. HEALTH AND HUMAN SERVICES: Approve an agreement between the County of Colusa Health and Human Services and Orihuela Landscape for lawn and grounds services as the Williams Ambulance site located at 810 8<sup>th</sup> and C Street, Williams, CA, effective June 1, 2013 through June 30, 2014, in an amount not to exceed \$1,800.00 and authorize the Chair to sign.
22. PLANNING & BUILDING/WILLIAMS LIBRARY: Approve an agreement between the County of Colusa Planning & Building Department and Charlie's Electric for the re-lamping of the Williams Library, effective May 28, 2013 through June 28, 2013, in an amount not to exceed \$7,880.00, with a fifteen (15) day written termination clause by either party and authorize the Chair to sign.
25. AG COMMISSION: Ratify agreement C13-060 between the County of Colusa Ag Commission and Andy's painting Agreement for painting exterior of the Williams Migrant Day Care Center, effective May 28, 2013, in an amount not to exceed \$47,200.00, with a fifteen (15) day written termination clause by either party and authorize the Chair to sign.

Supervisor Evans expresses concern regarding inconsistencies and redundancies in having a contract approved. He further speaks to the need for an internal contracting agent.

He also questions as to why Health & Humans Services is dealing with a landscaping contract and not Planning & Building.

Ms. Kelley states she did contact Planning & Building and was informed her Department would need to take care of their own landscaping contract.

Mr. Hackney states that if the Board wants the landscaping contracts to come out of Planning and Building it can be done. Discussion is held.

CONSENT AGENDA: It is moved by Supervisor Evans, seconded by Supervisor Marshall to approved Consent Item No.'s 7, 22 and 25 as follows:

**C13-104** 7. HEALTH AND HUMAN SERVICES: Approve an agreement between the County of Colusa Health and Human Services and **Orihuela Landscape** for lawn and grounds services as the Williams Ambulance site located at 810 8<sup>th</sup> and C Street, Williams, CA, effective June 1, 2013 through June 30, 2014, with terms and conditions as set forth in the agreement and authorize the Chair to sign.

**C13-105** 22. PLANNING & BUILDING/WILLIAMS LIBRARY: Approve an agreement between the County of Colusa Planning & Building Department and **Charlie's Electric** for the re-lamping of the Williams Library, effective May 28, 2013 through June 28, 2013, in an amount not to exceed \$7,880.00, with a fifteen (15) day written termination clause by either party and authorize the Chair to sign.

25. AG COMMISSION: Ratify agreement **C13-060** between the County of Colusa Ag Commission and **Andy's painting Agreement** for painting exterior of the Williams Migrant Day Care Center, effective May 28, 2013, in an amount not to exceed \$47,200.00, with a fifteen (15) day written termination clause by either party and authorize the Chair to sign.  
**Consent motion carried: All yes. Absent: None.**

Supervisor Evans expresses concern regarding Consent Item No. 27, the resolution establishing the Rules and Bylaws for the Groundwater Commission and questions whether the Commission has any surface water responsibilities. Discussion is held.

Following discussion, it is the consensus of the Board members to pull from the May 28, 2013 Consent Agenda the adoption of a proposed Resolution of the Colusa County Board of Supervisors Establishing the Rules and Bylaws for the Colusa County Groundwater Commission to a date uncertain.

Chair Carter makes time to consider Consent Item No. 30, approval of an Annual Road Damage Repair agreement with Vintage Production California, LLC.

Discussion is held regarding concerns to improvements of pads, incorporating language within the agreement, combining the Road Damage Repair agreement with the Franchise Pipeline agreement, what the permits actually look like, how much is being charged, tracking of what is currently in the ground, and the agreement being exactly like the agreement with Veneco prior to selling to Vintage Production.

**C13-106** 30. CONSENT AGENDA: It is moved by Supervisor Vann, seconded by Supervisor Marshall to approve Annual Road Damage Repair agreement between the County of Colusa Public Works Department and **Vintage Production California, LLC**, for repair of damage to County Roads arising as a result of their operation under their Use Permit, effective May 28, 2013 through May 27, 2014, with terms and conditions as set forth in the agreement and authorize the Chair to sign. Consent motion carried: All yes. Absent: None.

#### SUPERVISOR REPORTS OR COMMENTS

Supervisor Marshall

Meeting/Function attended

Stamp Out Stigma dinner.

Memorial Day Presentations.

Supervisor Indrieri

Meetings/Functions attended  
County State Fair Exhibit.

Chair Carter declares a recess at 10:10 a.m. to convene into Closed Session and reconvenes in Regular Session at 11:44 a.m., with all Supervisors except Supervisor Marshall present.

Present: John Ketelsen, Interim County Counsel.  
Yolanda Tirado, Ann Nordyke, Board Clerks.

Mr. Ketelsen announces the Board considered Closed Session matters as follows:

PUBLIC EMPLOYEE APPOINTMENT OR EMPLOYMENT – California Government Code Section 54954.4: Title: County Counsel. He states there was no reportable action taken.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to California Government Code Section 54956.9. He states the Board authorized the Chair to appoint an Ad-hoc Committee of two (2) Board members to handle negotiations with the parties involved.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION – California Government Code Section 54956.9, subdivision (a), Rominger v. County of Colusa / Adams Group, Inc Real Parties in Interest, Case No. CV24899, Superior Court of the State of California, in and for the County of Colusa. He states there was no reportable action taken.

The Board adjourns at 11:46 a.m. to reconvene in Regular Session on June 11, 2013 at the hour of 9:00 a.m.

\_\_\_\_\_  
Denise J. Carter, Chair

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

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