

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
ANN NORDYKE, DEPUTY BOARD CLERK II
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Minutes

June 11, 2013

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 11th day of June 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 June 11, 2013 at 9:00 a.m., with all Supervisors present.

Present: John Ketelsen, Interim County Counsel.
Joe Damiano, Renee McCormick, Ag Department.
Cindy Lovelace, Director, Personnel.
Bob Muszar, Consultant.
Michael Azevedo, Public Works.
Randi Brookins, Planning & Building/Building & Grounds.
Elizabeth Kelly, Director, Health & Human Services.
Wendy Burke, County Librarian.
Mary Winters, Colusa citizen.
Steve Hackney, Director, Planning & Building.
Yolanda Tirado, Ann Nordyke, Board Clerks.

Prayer by Chair Carter. Pledge of Allegiance.

ADMINISTRATION: It is moved by Supervisor Marshall, seconded by Supervisor Vann to approve the Minutes of the May 28, 2013 Regular Session and June 4, 2013 Special 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.

Chair Carter makes time for announcement of Closed Session matters to be considered.

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

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to California Government

Code § 54956.9, two (2) Cases.

- B. PUBLIC EMPLOYEE APPOINTMENT OR EMPLOYMENT – California Government Code Sections 54954.5 and 54957(b)(1)
Title: County Counsel
- C. CONFERENCE WITH LABOR NEGOTIATOR – Government Code Section 54957.6 (**Sitting as the IHSS Public Authority**)
Agency Negotiator Bob Muszar
IHSS Workers

9:05 a.m. STAFF REPORTS

Mr. Damiano updates the Board members on items as they pertain to his Departments.

Mr. Azevedo updates the Board members on items as they pertain to Public Works and Solid Waste.

Ms. Kelly updates the Board members on items as they pertain to her Department.

Ms. Burke updates the Board members on items as they pertain to her Department.

9:17 a.m. (9:10 a.m. item on Agenda) Chair Carter makes time for authorization of PERS retirement benefits (employer share only) for two temporary part time employees upon working over 1000 hours.

Ms. Lovelace states the Library utilizes extra help employees to staff the branch libraries, this year two (2) of the branch employees have been out on extended medical leaves causing the remaining extra help to work more hours to cover in the Williams and Maxwell branches. She further states several of the extra help employees are limited in the hours they can work, which necessitates other staff to cover.

Discussion is held regarding scheduling, once PERS retirement benefits are authorized it can not be retracted and it being the responsibility of the Department Heads to keep track of the extra help employees' hours.

PERSONNEL/LIBRARY – 6021: It is moved by Supervisor Indrieri, seconded by Supervisor Marshall to authorize PERS retirement benefits (employer share only) for the following two temporary part time employees, effective upon working over 1000 hours:

Michelle Dennis, Extra Help Library Assistant I
Ricardo Ramirez, Mobil Computer Lab Assistant/Driver.

Motion fails by the following vote:

AYES: Supervisors Indrieri and Marshall.

NOES: Supervisors Evans, Vann, and Carter

ABSENT: None.

PERSONNEL/PLANNING AND BUILDING – BUILDINGS AND GROUNDS

MAINTENANCE – 1073: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to add a position of Building Maintenance Worker I/II, PFT, MSC Range 12/16, \$2,331.00 - \$2,835.00/\$2,571.00 - \$3,126.00 per month, effective July 1, 2013. Motion carried: All yes. Absent: None.

Present: Scott Marshall, Shane Maxey, Sheriff's Department.

9:28 a.m. (9:15 a.m. item on Agenda) AG COMMISSION\AIR POLLUTION/FIXED ASSETS: It is moved by Supervisor Marshall, seconded by Supervisor Vann to approve the purchase of unbudgeted fixed assets (2 iPads) in the total amount of \$1,000.00, from Walmart, to be purchased with unanticipated funds. Motion carried: All yes. Absent: None.

AG COMMISSION/FIXED ASSETS: It is moved by Supervisor Vann, seconded by Supervisor Marshall to allow the Ag Department to purchase various unbudgeted fixed assets, with unanticipated funds (See list). Further, direct the Ag Commissioner to proceed with the bid process for two (2) new pickup trucks. Motion carried: All yes. Absent: None. (List on file in Board Clerks office)

9:44 a.m. (9:20 a.m. item on Agenda) SHERIFF: It is moved by Supervisor Vann, seconded by Supervisor Evans to approve Modified Spending Plan for FY 2012 to include the State Homeland Security Grant Program, approved on August 14, 2012. Further, authorize the Sheriff and/or his designee to purchase equipment as listed on the Modified Spending Plan. Motion carried: All yes. Absent: None.

9:45 a.m. (9:25 a.m. item on Agenda) PUBLIC WORKS/BIDS: It is moved by Supervisor Evans, seconded by Supervisor Vann to accept the bids for the Department of Public Works for the Construction Rental Equipment, **without** operator, as received and opened on May 23, 2013 as follows:

1. I-5 Rentals
2. Sierra Trench Protection
3. Holt of California
4. Billy Wycoff Construction
5. All American Rentals, Inc.,
6. David M. McCullough Excavating

Motion carried: All yes. Absent: None.

PUBLIC WORKS: It is moved by Supervisor Evans, seconded by Supervisor Vann to approve Job Order Contract for Construction Rental Equipment, without operator, between the County of Colusa Public Works Department and the following:

- | | |
|----------------|---------------------------------------|
| C13-107 | I-5 Rentals |
| C13-108 | Sierra Trench Protection |
| C13-109 | Holt of California |
| C13-110 | Billy Wycoff Construction |
| C13-111 | All American Rentals, Inc., |
| C13-112 | David M. McCullough Excavating |

effective July 1, 2013 through June 30, 2014, with terms and conditions as set forth in the contracts and authorize the Chair to sign. Motion carried: All yes. Absent: None.

PUBLIC WORKS/BIDS: It is moved by Supervisor Evans, seconded by Supervisor Vann to accept bids for the Department of Public Works for the Construction Rental Equipment, **with** operator, as received and opened on May 23, 2013 as follows:

1. Billy Wycoff Construction
2. David M. McCullough Excavating
3. F & L Farms Trucking, Inc.,
4. Cook Construction
5. DeWitt Bros., & Company, Inc.,
6. Butte Sand and Gravel

Motion carried: All yes. Absent: None.

PUBLIC WORKS: It is moved by Supervisor Evans, seconded by Supervisor Vann to approve Job Order contracts for Transportation and Construction Rental Equipment, with operator, for county road maintenance between the County of Colusa Public Works Department and the following:

- | | |
|----------------|---|
| C13-113 | Billy Wycoff Construction |
| C13-114 | David M. McCullough Excavating |
| C13-115 | F & L Farms Trucking, Inc., |
| C13-116 | Cook Construction |
| C13-117 | DeWitt Bros., & Company, Inc., |
| C13-118 | Butte Sand and Gravel |

effective July 1, 2013 through June 30, 2014, with terms and conditions as set forth in the contracts and authorize the Chair to sign. Motion carried: All yes. Absent: None.

Mr. Azevedo requests Consent Item No. 11 regarding the issuance of an Encroachment Permit to Jim Robinson for the purpose of conducting an automobile race on July 20, 2013 be considered at this time. He states Mr. Robinson is here to answer any question the Board members may have. Chair so directs.

Mr. Robinson states the rally is comprised of vehicles traversing a defined course in 2 minute intervals and speaks in support of approving the issuance of an Encroachment Permit for same. Discussion is held.

Consent No. 11. PUBLIC WORKS: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to authorize the Director of Public Works to issue an Encroachment Permit to Jim Robison dba Mendocino Rally to close a section of Brim Road in Williams, CA., for the purpose of conducting an automobile race on July 20, 2013. Motion carried: All yes. Absent: None.

10:05 a.m. (9:30 a.m. item on Agenda) Chair Carter at the request of the Auditor-Controller pulls from the Agenda the agreement with T.D. Service Company to provide the County with foreclosure services.

Chair Carter declares a recess at 10:06 a.m. to convene as the IHSS Public Authority Board with all Directors present and states there is a quorum.

Present: Joe Damiano, Renee McCormick, Ag Department.
 Bob Muszar, Consultant.
 Michael Azevedo, Public Works.
 Randi Brookins, Planning & Building/Building & Grounds
 Maintenance.
 Elizabeth Kelly, Director, Health & Human Services.
 Mary Winters, Colusa citizen.
 Yolanda Tirado, Ann Nordyke, Board Clerks.

C13-119 10:06 a.m. (9:35 a.m. item on Agenda) HEALTH AND HUMAN SERVICES/IHSS PUBLIC AUTHORITY: It is moved by Director Marshall, seconded by Director Indrieri to approve an agreement between the County of Colusa Health and Human Services/IHSS Public Authority and **Refined Technologies, Inc.**, for the purchase and delivery of registry software for the PA, effective July 1, 2013 through June 30, 2014, in an amount not to exceed \$7,300.00, with a thirty (30) day written termination clause by either party and authorize the Public Authority Manager to sign on behalf of the Board of Supervisors. Motion carried: All yes. Absent: None.

Chair Carter adjourns as the IHSS Public Authority Board at 10:07 a.m. and reconvenes in Regular Session with all Supervisors present.

Present: Joe Damiano, Renee McCormick, Ag Department.
 Bob Muszar, Consultant.
 Michael Azevedo, Public Works.
 Randi Brookins, Planning & Building/Building & Grounds
 Maintenance.
 Elizabeth Kelly, Director, Health & Human Services.
 Mary Winters, Colusa citizen.
 Yolanda Tirado, Ann Nordyke, Board Clerks.

CONSENT AGENDA: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to approve Consent Agenda Item Nos. 1 through 10 and 12 through 16 as follows:

C13-120 1. ASSESSOR: Approve Modification to agreement C11-118, between the County of Colusa Assessor and **Megabyte Systems, Inc.**, for maintenance services to include SQL Server Database support of the MPTS2010+ Property Tax System utilized by the Assessor, Auditor and Tax Collector modifying Exhibit A as set forth in the Modification and Exhibit B, Term of Agreement to be effective July 1, 2013 through June 30, 2014, in the monthly amount of \$7,324.37, with all other terms and conditions to remain in full force and effect and authorize the Chair to sign.

2. COLUSA COUNTY MANAGEMENT COALITION/CCMC: Designate July 5, 2013 as the Management Coalition's Official Floating Holiday for 2013.

C13-121 3. HEALTH AND HUMAN SERVICES: Approve an agreement between the County of Colusa Health and Human Services and **Sail House** to provide the County with long-term residential care service to clients referred to the Contractor by County, effective July 1, 2013, with terms and conditions as set forth in the agreement and authorize the Chair to sign.

C13-122 4. HEALTH AND HUMAN SERVICES: Approve an agreement between the County of Colusa Health and Human Services and **Colusa County Community Advocates** for Parents and Children for Foster Parent recruitment, training and retention programs, effective July 1, 2013, with terms and conditions as set forth in the agreement and authorize the Chair to sign.

C13-123 5. HEALTH AND HUMAN SERVICES: Approve an agreement between the County of Colusa Health and Human Services and **Colusa County One-Stop Partnership** for services for participants in the Independent Living Program, effective July 1, 2013, with terms and conditions as set forth in the agreement and authorize the Chair to sign.

C13-124 6. SHERIFF: Approve FS Agreement No. 11-LE-11051360-208, Modification 006, Cooperative Law Enforcement Annual Operating Plan & Financial Plan between the County of Colusa Sheriff's Department and **the USDA, Forest Services Mendocino National Forest** for the illegal marijuana grow detection, investigation, and eradication of marijuana operations in the Mendocino National Forest, effective through September 30, 2013, with terms and conditions as set forth in the FS Agreement and authorize Chair to sign.

C13-125 7. PLANNING AND BUILDING/COUNTY LIBRARY/WILLIAMS BRANCH: Approve an agreement between the County of Colusa Planning and Building Department and **R.B. Spencer, Inc.**, for installation of the H.V.A.C. System in the Williams Library Building, effective June 11, 2013 through July 26, 2013, in an amount not to exceed \$35,000.00, with a fifteen (15) day written termination clause by either party and authorize the Chair to sign.

8. AUDITOR: Approve changes in Revenue and Appropriations as follows:

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
<i>Increase Revenue & Appropriations:</i>				
Adult Literacy	00101	6022	479910	\$1,500.00
Total				\$1,500.00
Adult Literacy	00101	6022	53180	\$1,500.00
Total				\$1,500.00
DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
<i>To Increase (Decrease) Appropriations:</i>				
Road Fund	00110	3010	53180	\$1,565.43
Road Fund	00110	3010	59397	(\$1,565.43)
Total				\$0.00
Road Fund	00110	3010	53180	(\$1,100,000.)
Road Fund	00110	3010	59396)
Total				\$1,100,000.
				\$0.00

9. AUDITOR: Approve Intra Budget Transfer Nos. 13063 through 13066.
10. APPOINTMENT/ARBUCKLE CEMETERY DISTRICT: Re-appoint John Lauppe to the Arbuckle Cemetery District, effective July 1, 2013 through June 30, 2017. (**Applications received**: John Lauppe)
12. PUBLIC WORKS/PUBLIC HEARING: Set June 25, 2013 at 9:30 a.m. for a Public Hearing on the qualifications of the candidate(s) for the position of Colusa County Road Commissioner, pursuant to the requirement of the Street and Highways Code Section 2006(a). Candidate: Scott M. Lanphier PE.
13. PUBLIC WORKS/NOTICE TO BIDDERS: Approve Notice to Bidders, Special Provisions, Bid Book for Construction on County Roads at Various locations: County Line Road, Hahn Road, Myers Road, Sycamore Slough Road and Old Highway 99W Sealcoat Surfacing, Contract No. 300000SC, set July 11, 2013 at 10:00 a.m. to receive and open sealed bids and direct the Clerk to publish and post Notice to Bidders.
- C13-126** 14. AG COMMISSION/AIRPORT: Approve/ratify an agreement between the County of Colusa Ag Commission/Airport and **Mead & Hunt, Inc.**, for the Airport Land Use Compatibility Planning Services, effective November 7, 2012, with terms and conditions as set forth in the agreement and signed by the Airport Manager on behalf of the Board of Supervisors.
- C13-127** 15. AG COMMISSION/AIRPORT: Approve Modification to agreement C09-191, between the County of Colusa and **Mead & Hunt, Inc.**, to provide Design Service Phases for Airport Pavement Management System (APMS) and Automated Weather Observation System III (AWOS III), effective through June 30, 2014 and modifying the agreement 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.
- C13-128** 16. ADMINISTRATION/COUNTY COUNSEL: Approve an agreement between the County of Colusa Board of Supervisors and **Stoel Rives**, to provide the County with County Counsel services, effective June 11, 2013, with terms and conditions as set forth in the agreement and authorize the Chair to sign. **Consent motion carried: All yes. Absent: None.**

SUPERVISORS' REPORTS OR COMMENTS

Supervisor Vann

Meetings/functions attended:

- ARC meeting.
- Colusa County Parade.
- Special Board meeting.
- CSAC Legislative Conference.
- Natural Resource meeting.
- Transportation and Transit meeting.
- Met with Mr. Muszar re: Administration office.
- Meeting re: possible new business in Arbuckle (Dollar Store).

Calls regarding:

- Farm Bill.
- Westervelt.

Supervisor Carter

Meetings/functions attended:

CSAC conference.
 Sac Valley Landowner Annual Dinner.
 NCWA meeting.
 LAFCo meeting.
 Sac Valley BCC meeting.
 Met with Ag Commissioner.
 One Stop Board meeting.
 Special Board of Supervisors meeting.
 Airport Advisory Committee meeting.
 Library Peterson dedication.

Chair Carter states the Board has given the Chair authority to appoint an Ad-hoc Committee of two (2) Board members to handle negotiations with the parties involved as it pertains to Closed Session held on May 28, 2013. She further states she designates Supervisor Indrieri and herself to the Ad-hoc Committee.

AUDITOR: It is moved by Supervisor Marshall, seconded by Supervisor Evans to approve Claim Register Sheets for the period of May 28, 2013 through June 10, 2013. Motion carried by the following vote:

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

NOES: None.

ABSENT: None.

ABSTAIN: Supervisor Indrieri.

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

<u>Fund/Department</u>	<u>Vendor</u>	<u>Amount</u>
ADVERTING,FAIRS & EXHIBIT	Patti Turner	\$234.88
JAIL NMATE WLF FND	Bruce Hardwick Construction	\$840.00
ADVERTING,FAIRS & EXHIBIT	Hal Tacker	\$2,150.00
PUBLIC DEFENDER	David R. Nelson	\$2,295.00
PUBLIC DEFENDER	Daniel B. Vasquez	\$1,120.00
COMMUNICATIONS	Valley Clinical & Consulting	\$450.00

Motion carried by the following vote:

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

NOES: None.

ABSENT: None.

ABSTAIN: Supervisor Indrieri.

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ADMINISTRATION: It is moved by Supervisor Vann, seconded by Supervisor Indrieri to accept/approve the County Administrative Office Project-Consultant's Work Plan. Motion carried: All yes. Absent: None.

Chair Carter declares a recess at 10:11 a.m. and reconvenes at 10:30 a.m. to convene in Closed Session and reconvenes in Regular Session at 12:00 p.m. with all Supervisors present.

Present: John Ketelsen, Interim County Counsel.
Ann Nordyke, Board Clerk.

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to California Government Code § 54956.9, two (2) Cases. He states in the first case there was no reportable action. He states the second case was referred to the Ad-hoc Committee announced earlier this morning.

PUBLIC EMPLOYEE APPOINTMENT OR EMPLOYMENT – California Government Code Sections 54954.5 and 54957(b)(1) Title: County Counsel. He states the Board authorized contingent offer to one of the candidates.

CONFERENCE WITH LABOR NEGOTIATOR – Government Code Section 54957.6 (**Sitting as the IHSS Public Authority**) Agency Negotiator Bob Muszar, IHSS Workers. He states there was no reportable action.

The Board adjourns at 12:02 p.m. to reconvene in Regular Session on June 25, 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