

Board of Supervisors

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



COUNTY OF COLUSA

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Minutes

February 11, 2014

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 11th day of February 2014 at the hour of 9:00 a.m.. Present: Supervisors, Thomas A. Indrieri, Vice-chair, Denise J. Carter, Gary J. Evans and Mark D. Marshall. Absent: Supervisor Kim Dolbow Vann, Chair.

Vice-chair Indrieri calls to order the meeting of February 11, 2014 at 9:00 a.m., with all Supervisors, except Supervisor Vann present.

Present: Marcos Kropf, County Counsel.
Bob Muszar, Interim CAO.
Peggy Scroggins, Auditor-Controller.
Mike Bradwell, Kris Cooper, Sheriffs' Department.
Elizabeth Kelly, Director, Health and Human Services.
Scott Lanphier, Mike Azevedo, Public Works.
Steve Hackney, Director, Planning and Building.
Bob Keegan, Williams citizen.
Terry Rooney, Director, Behavioral Health Services.
Mary Winters, Pat Kittle, John Loudon, Colusa citizens.
Yolanda Tirado, Ann Nordyke Board Clerks.

Prayer by Vice-chair Indrieri. Pledge of Allegiance.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Marshall to approve the Minutes of January 28, 2014 Regular Session. Motion carried: All yes. Absent: Supervisor Vann.

Vice-chair Indrieri makes time for a period of public comment.

Mr. Keegan speaks to the proposed Jefferson State secession and inquires as to why the County has not shown any interest.

Mr. Kittle states he echoes Mr. Keegan, and would like to see the Board of Supervisors dig into this opportunity for the County.

Vice-chair Indrieri calls for any further public comment. Hearing none, Vice-chair Indrieri closes the period of public comment.

Mr. Kropf states there is no Closed Session scheduled for the February 11, 2014 Agenda.

9:06 a.m. STAFF REPORTS

Ms. Lovelace states the following individuals received Kudo cards in the month of January 2014:

-  Tim Tomlinson – Public Works - Road Division
-  Jackie Sanchez – Clerk-Recorder
-  Lela Martinez – Public Works
-  Naborina Medina – Sheriff’s Department – Jail Division
-  Kevin Richardson – Public Works - Road Division
-  Christine Harris – Auditor/Controller
-  Bert Norman – Public Works - Road Division
-  Albert Bumgarner – Planning & Building
-  Kristen Simmons – Probation
-  Shawnte Whiting – Tax Collector/Treasurer

She further states the winner for the month of January 2014 was Lela Martinez from Public Works. She states Ms. Martinez will receive a \$25.00 gift card to a Colusa County vendor.

Mr. Lanphier updates the Board member on items as they pertain to his Department and possible opportunities for East Park.

SUPERVISORS’ REPORTS OR COMMENTS

Supervisor Marshall

Meetings/functions attended

Supervisor Marshall states he met with Advance PVA and toured the facility, noting it was a very interesting tour and they are looking forward to their first major client. Brief discussion is held, with no action taken.

Supervisor Carter

Meetings/functions attended:

- Commodities giveaway.
- Farm Show.
- Ag Leadership breakfast.
- Regional Flood Planning.
- Board of Supervisors Special meeting.

Supervisor Evans

Meetings/functions attended:

- IRWM meeting.
- Working on 2014, RFP for SFWCR.
- Special meeting-Board workshop-A87 update.

Supervisor Indrieri

Meetings/functions attended

- Farm Bureau dinner.
- Farm Show.
- Airport meeting.
- Agenda Review.

CAO Special meeting.

9:14 a.m. (9:10 a.m. item on Agenda) PERSONNEL/PUBLIC WORKS – 3010: It is moved by Supervisor Carter, seconded by Supervisor Evans to approve adding the following positions:

- Accountant I, PFT, PF Range 26, \$3,189.00 - \$4,072.00 per month
- Accounting Technician, PFT, MSC Range 20, \$2,728.00 - \$3,484.00 per month,

effective March 1, 2014 and authorize filling by promotion and deleting the position vacated by the promotion. Motion carried: All yes. Absent: Supervisor Vann.

PERSONNEL/BEHAVIORAL HEALTH – MENTAL HEALTH – 4013 It is moved by Supervisor Marshall, seconded by Supervisor Carter to approve a **STEP 5** appointment for Elaine McCord, PFT, Electronic Health Records Coordinator, MSC Range 27, **Step 5**, \$3,936.00 per month, effective March 1, 2014. Motion carried: All yes. Absent: Supervisor Vann.

Vice-chair Indrieri makes time to consider limiting extra help positions to not more than 28 hours per week effective immediately until formal policies can be adopted.

Ms. Lovelace states the Affordable Care Act defines fulltime employment at 30 hours per week and anyone working for the County as a full time worker must be offered affordable health care. She further states this proposal will limit the Counties exposure to offering health care for extra help employees. Discussion is held.

PERSONNEL/ADMINISTRATION: It is moved by Supervisor Marshall, seconded by Supervisor Evans to limit extra help positions to not more than 28 hours per week effective immediately until formal policies can be adopted by the Board of Supervisors regarding the Affordable Care Act. Motion carried: All yes. Absent: Supervisor Vann.

9:19 a.m. (9:15 a.m. item on Agenda) Vice-chair Indrieri states the update on Mendocino National Forest activities has been pulled from the Agenda at this time.

CONSENT AGENDA: It is moved by Supervisor Marshall, seconded by Supervisor Evans to approve Consent Agenda Item Nos. 1 through 8 and 11 through 13 as follows:

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

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
To Increase (Decrease) Appropriations:				
East Park Reservoir	00154	7012	479910	\$100,000.00
Total				\$100,000.00

C14-023 2. HEALTH AND HUMAN SERVICES: Approve "Purchase of Service Agreement and Memorandum of Understanding between County of Colusa, Department of Health and Human Services and **County of Glenn, Health and Human Services Agency, Social Services Division**" for training to the CCDHHS Welfare Fraud Investigator II, effective January 1, 2014 through June 30, 2014, with terms and

conditions as set forth in the Service Agreement and MOU Chair to sign appropriate documents.

3. DEVELOPMENTAL DISABILITIES AREA BOARD 3: Accept the recommendation of the Developmental Disabilities Area Board 3 to withdraw Amber Kesterson's appointment to the Developmental Disabilities Area Board 3 and direct the Clerk to publish and post Notice of Vacancy.

4. SHERIFF/RESOLUTION: Adopt **Resolution No. 14-003**, a Resolution of the Board of Supervisors Authorizing the Colusa County Sheriff to sign the 2013/2014 Law Enforcement Equipment Grant Agreement, Grant Number C8956105, with the State of California Department of Parks and Recreation, Division of Boating and Waterway and authorize the Chair to sign the Resolution.

C14-024 5. SHERIFF: Approve Grant Agreement C8956105 for Law Enforcement Equipment between the County of Colusa Sheriff's Department and the **State of California Department of Parks and Recreation**, effective January 15, 2014 through June 30, 2029, with terms and conditions as set forth in the Grant Agreement and authorize the Sheriff to sign. Further, approve the Spending Plan for same.

C14-025 6. SHERIFF: Approve FS Agreement 11-LE-11051360-208, Mod 007, Cooperative Law Enforcement Annual Patrol Operations Plan & Financial Plan between the County of Colusa Sheriff's Department and **the USDA, Forest Service Mendocino National Forest**, effective October 1, 2013 through September 30, 2014, in the amount of \$5,000.00, with terms and conditions as set forth in the Cooperative Agreement and authorize the Chair to sign.

C14-026 7. SHERIFF: Approve FS Agreement 11-LE-11051360-208, Mod 008, Cooperative Law Enforcement Annual Patrol Operations Plan & Financial Plan between the County of Colusa Sheriff's Department and **the USDA, Forest Service Mendocino National Forest**, effective October 1, 2013 through September 30, 2014, in the amount of \$13,578.75, with terms and conditions as set forth in the Cooperative Agreement and authorize the Chair to sign.

C14-027 8. SHERIFF: Approve Standard Agreement 14C155000, between the County of Colusa Sheriff's Department and **Department of California Highway Patrol** to allow the CHP to use the Sheriff's Office pistol range, effective July 1, 2014 through June 30, 2017, in an amount not to exceed \$6,000.00, with a thirty (30) day written termination clause by either party and authorize the Sheriff to sign the contract and any accompanying documents.

11. PUBLIC WORKS: Approve out-of-state travel for Scott Lanphier, Director of Public Works to attend the National Association of Counties Legislative Conference, Washington, DC from February 28, 2014 through March 4, 2014.

C14-028 12. AG COMMISSION: Approve Modification to Contract C06-021, between the County of Colusa Ag Commission and the **California Bee Breeders Association**, to allow County to provide inspection of incoming bees for Small Hive Beetle and modifying "Term of Agreement" to be effective January 1, 2014 through December 31, 2017, with all other terms and conditions to remain in full force and effect and authorize the Chair to sign.

13. COUNTY ADMINISTRATIVE OFFICE: Approve final transition of the Clerk of the Board function from the Clerk-Recorder's office to the County Administrative Office, designate the Interim County Administrative Officer as the Interim Clerk of the Board and place the function under the operational control of the Interim County Administrative Officer. **Consent motion carried: All yes. Absent: Supervisor Vann.**

Vice-chair Indrieri makes time to consider Consent Agenda Item Nos. 9 and 10 regarding an agreement with Taber Consultants for geotechnical services and Avila Associates Consulting Engineers for engineering services for the Margurite Street to Highway 20 Project.

9:20 a.m. Supervisor Marshall states he is disqualifying himself due to a potential conflict of interest regarding Consent Agenda Item Nos. 9 and 10 and vacates his seat and leaves the room.

CONSENT AGENDA: It is moved by Supervisor Carter, seconded by Supervisor Evans to approve Consent Agenda item Nos. 9 and 10 as follows:

C14-029 9. PUBLIC WORKS: Approve Professional Services Agreement 1314-11, between the County of Colusa Public Works and **Taber Consultants** for Geotechnical Services for the Margurite Street to Highway 20 Project, effective January 14, 2014 through December 31, 2014, with terms and conditions as set forth in the Agreement and authorize the Chair to sign.

C14-030 10. PUBLIC WORKS: Approve Professional Services Agreement 1314-12, between the County of Colusa Public Works and **Avila Associates Consulting Engineers** for Engineering Services for the Margurite Street to Highway 20 Project, effective January 14, 2014 through December 31, 2014, with terms and conditions as set forth in the Agreement and authorize the Chair to sign. **Consent motion carried: All yes. Absent: Supervisors Marshall and Vann.**

9:21 a.m. Supervisor Marshall is now present.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Carter to approve payment of the Sites Project Joint Powers Authority Invoice in the amount of \$5,000.00. Motion carried: All yes. Absent: Supervisor Vann.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Carter to approve a request by Sites Project JPA that the Board of Supervisors replace the annual audits ending September 2012 and September 2014 with a single bi-annual audit ending September 2014, as provided by Government Code Section 26909(f). Motion carried: All yes. Absent: Supervisor Vann.

ADMINISTRATION: It is moved by Supervisor Marshall, seconded by Supervisor Evans to approve Special Claims as follows:

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>
Public Defender	Calvo Investigations	\$1,790.00
Public Defender	Steidlmayer Law	\$850.50
Elections	Transcend	\$135.00

Motion carried: All yes. Absent: Supervisor Vann.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Carter to approve the Claims Register Sheets for the period of January 28, 2014 through February 10, 2014. Motion carried: All yes. Absent: Supervisor Vann.

9:28 a.m. (9:25 a.m. item on Agenda) APPOINTMENTS/COLUSA MOSQUITO ABATEMENT DISTRICT: It is moved by Supervisor Carter, seconded by Supervisor Marshall to re-appoint Bill Ash to the Colusa County Mosquito Abatement District, effective March 19, 2014 through March 18, 2018. Motion carried: All yes. Absent: Supervisor Vann.

APPOINTMENTS/COLUSA COUNTY PLANNING COMMISSION: It is moved by Supervisor Carter, seconded by Supervisor Marshall to re-appoint Gail Beduhn to the Colusa County Planning Commission, effective February 1, 2014 through January 31, 2015. Motion carried: All yes. Absent: Supervisor Vann.

9:30 a.m. Vice-chair Indrieri makes time for a Public Hearing to consider a proposed Resolution of the Colusa County Board of Supervisors Dissolving the Walnut Ranch Units #1, #2, and #3 Street Lighting Maintenance Districts and Designating the City of Colusa the Successor Agency.

Mr. Hackney expresses his thanks to Supervisors Carter and Indrieri for their help on this project. He further states LAFCo has approved the annexation subject to the dissolution of the street lighting districts.

9:32 a.m. Vice-chair Indrieri opens the Public Hearing and calls for Public Comment.

Mr. Leonard states he wants to thank everyone who has been involved in this project, noting he is very glad to see the transfer moving forward.

9:33 a.m. Vice-chair Indrieri calls for any further comment. Hearing none, Vice-chair Indrieri closes the Public Hearing.

PLANNING & BUILDING/RESOLUTION: It is moved by Supervisor Carter, seconded by Supervisor Marshall to adopt **Resolution No. 14-004**, a Resolution of the Colusa County Board of Supervisors Dissolving the Walnut Ranch Units #1, #2 and # 3 Street Lighting Maintenance Districts and Designating the City of Colusa the Successor Agency and authorize the Chair to sign. Resolution passed and adopted by the following vote:

AYES: Supervisors Evans, Carter, Marshall and Indrieri.

NOES: None.

ABSENT: Supervisor Vann.

Vice-chair Indrieri inquires as to any State or Federal Legislation/General Budgetary Matters.

Supervisor Carter states PILT is now in the FARM bill. Brief discussion is held.

Following discussion, it is the consensus of the Board members presents that Supervisor Marshall is to work with Supervisor Vann on a letter to Congressman LaMalfa and Senators Boxer and Feinstein regarding allocation of monies for PILT.

Present: Casey Ryan, Ag Department.
Arnold Gross, Ed Salacup, Assessors' Office.

9:35 a.m. Vice-chair Indrieri makes time for a presentation and discussion of Revenue and Expenditures Status Reports for the County operating funds for the month ended December 31, 2013.

Ms. Scroggins states at December 31, 2013 the General Fund Revenue was at 39% which is in line for that time of year and expresses concern regarding Surveyor, Public Defender, Coroner and Burial of Indigents. Brief discussion is held, with no action taken.

9:43 a.m. (9:40 a.m. Item on Agenda) PUBLIC WORKS: It is moved by Supervisor Marshall, seconded by Supervisor Evans to approve an Application for Federal Assistance SF-424 to the US Department of Interior, Bureau of Reclamation for Recreation Operations, Maintenance, Construction and Planning – East Park Reservoir, in the total amount of \$2,382,201.00 and authorize the Vice-chair to sign. Motion carried: All yes. Absent: Supervisor Vann.

Vice-chair Indrieri makes time for Introduction and first reading, by title only, of an Ordinance of the Colusa County Board of Supervisors Repealing Section 14-17 of Chapter 14 of the Colusa County Code and Adding Chapter 46 to the County Code, Setting Rules Regulations and Fees for the East Park Reservoir.

Mr. Lanphier states on September 24, 2013 the Board of Supervisors approved a Recreation Management agreement for the administration, operation, and maintenance of recreational opportunities at East Park Reservoir. He further states the proposed Ordinance stipulates the fee structure.

Supervisor Evans states on Page 8, 46-08 FEES AND CHARGES,
(f) Park Fee Schedule reads as follows:

(5) Unlimited, annual season pass (January 1 through December 31): \$99.00

He states it should read as follows:

(5) Unlimited annual **day use** season pass (January 1 through December 31): \$99.00

He further states on Page 6, 46-04 PROHIBITED ACTIVITIES AND USES,

(s) Possessing or discharging firearms reads as follows:

(2) The use of muzzle loaders only (as defined in Section 353 of Title 14, California Code of Regulations) is allowed during those periods designated by the State Department of Fish and Game as the time and place for the purpose of a special East Park Reservoir Tule Elk hunt.

He states it should read as follows:

(2) The use of muzzle loaders only (as defined in Section 353 of Title 14, California Code of Regulations) is allowed during those periods designated by the State Department of Fish and Game as the time and place for the purpose of **any special hunts in the East Park Reservoir Tule Elk hunt.**

Supervisor Marshall states on Page 7, 46-5 NOISE RESTRICTIONS reads as follows:

(b) Live bands, disc jockeys and amplified sound systems are prohibited at all times.

He states it should read as follows:

(b) Live bands, disc jockeys and amplified sound systems are prohibited at all times **unless otherwise authorized by a special use permit.**

Supervisor Carter states on Page 8, 46-08 FEES AND CHARGES reads as follows:

(e) Fees shall be required of the following persons or under the following circumstances.

She states it should read as follows:

(e) Fees shall **not** be required of the following persons or under the following.

PUBLIC WORKS/ORDINANCE: It is moved by Supervisor Evans, seconded by Supervisor Marshall to approve Introduction and First Reading, By Title Only, of an Ordinance of the Colusa County Board of Supervisors Repealing Section 14-17 of Chapter 14 of the Colusa County Code and Adding Chapter 46 to the County Code, Setting Rules Regulations and Fees for the East Park Reservoir. Further, set March 11, 2014 at 9:30 a.m., for a Public Hearing and adoption of same and direct the Clerk to publish and post Notice. Motion carried: All yes. Absent: Supervisor Vann.

Vice-chair Indrieri makes time to consider a Modification to contract C05-112 with Recology Butte Colusa Counties modifying the Scope of Services to include improvements to the Maxwell Transfer Station and changes to collection in the County of Colusa.

Mr. Azevedo states in October of 2013 the Board of Supervisors approved a proposal submitted by Recology Butte Colusa to provide improvements to the Maxwell Transfer Station to address requirements of the Siting Element included in the Colusa County Integrated Waste Management Plan. He further states there was a typo on the effective date that was given to the Clerk and it should have read effective February 11, 2014 through July 1, 2037. Noting a corrected agreement has been given to the Board Clerks for processing. Brief discussion is held.

C14-031 PUBLIC WORKS: It is moved by Supervisor Marshall, seconded by Supervisor Evans to approve Modification to contract C05-112, between the County of Colusa Public Works and **Recology Butte Colusa Counties** modifying the Scope of Services to include improvements to the Maxwell Transfer Station and changes to collection in the County of Colusa, as set forth in the Modification, effective February 11, 2014 through

July 1, ~~2034~~ 2037, with all other terms and conditions to remain in full force and effect and authorize the Chair to sign. Motion carried: All yes. Absent: Supervisor Vann.

Vice-chair Indrieri declares a recess at 10:11 a.m. to convene as the Board of Equalization, with all Directors, except Director Vann present.

Present: Marcos Kropf, County Counsel.
Bob Muszar, Interim CAO.
Chuck Niepoth, Interim Assessor.
Yolanda Tirado, Ann Nordyke, Board Clerks.

10:11 a.m. (9:45 a.m. item on Agenda) BOARD OF EQUALIZATION/ASSESSOR: It is moved by Director Marshall, seconded by Director Carter to set April 8, 2014 at 10:45 a.m. for an Assessment Appeal Hearing, for Olam Tomato Processors, Inc., - Application #13-02, APN #017-090-062-000, regarding assessed values and direct the Clerk to send Notice of Hearing to Applicants. Motion carried: All yes. Absent: Director Vann.

Vice-chair Indrieri adjourns as the Board of Equalization at 10:13 a.m. to convene as the Governing Board of the Colusa County Air Pollution Control District with all Directors, except Director Vann present.

Present: Marco Kropf, County Counsel.
Bob Muszar, Interim CAO.
Casey Ryan, Ag Department.
Yolanda Tirado, Ann Nordyke, Board Clerks.

10:13 a.m. (9:50 a.m. item on Agenda) COLUSA COUNTY AIR POLLUTION CONTROL DISTRICT/RESOLUTION: It is moved by Director Marshall, seconded by Director Carter to adopt **Resolution No. 14-005**, a Resolution of the Governing Board of the Colusa County Air Pollution Control District Approving and Authorizing the Application to Administer the Carl Moyer Program and the Rural Assistance Program and authorize the Chair to sign. Resolution passed and adopted by the following vote:

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

NOES: None.

ABSENT: Director Vann.

Vice-Chair Indrieri adjourns as the Colusa County Air Pollution Control District at 10:15 a.m., and reconvenes as the Board of Supervisors, with all Supervisors except Supervisor Vann present.

Present: Marcos Kropf, County Counsel.
Bob Muszar, Interim CAO.
Yolanda Tirado, Ann Nordyke, Board Clerks.

The Board adjourns at 10:16 a.m. to reconvene in Regular Session on February 25, 2014 at the hour of 9:00 a.m.

Thomas A. Indrieri, Vice-chair

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

BY _____
Ann Nordyke, Deputy Board Clerk II