

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



COUNTY OF COLUSA

ROBERT J. MUSAR, INTERIM CAO
YOLANDA TIRADO, CHIEF DEPUTY CLERK
ANN NORDYKE, DEPUTY CLERK
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March 11, 2014

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 11th day of March 2014 at the hour of 9:00 a.m., Present: Supervisors, Kim Dolbow Vann, Chair, Gary J. Evans, Thomas A. Indrieri, Denise J. Carter and Mark D. Marshall. Absent: None.

Chair Vann calls to order the Regular meeting of March 11, 2014 at 9:00 a.m., with all Supervisors present.

Present: Marcos Kropf, County Counsel.
Robert J. Muszar, Interim CAO.
Peggy Scroggins, Auditor-Controller.
Elizabeth Kelly, Director, Health and Human Services.
Don Parsons, Veterans Service Officer.
John Loudon, Mary Winters, Colusa citizens.
Terrance Rooney, Director, Behavioral Health Services.
Steve Hackney, Director, Planning & Building.
Joe Damiano, Renee McCormick, Ag Department.
Mike Azevedo, Public Works Department.
John Contreras, Director, Child Support Services.
Cindy Lovelace, Director, Personnel.
Wendy Burke, County Librarian.
Greg Pankey, Director, IT.
Yolanda Tirado, Ann Nordyke, Board Clerks.

Prayer by Chair Vann. Pledge of Allegiance.

ADMINISTRATION: It is moved by Supervisor Marshall, seconded by Supervisor Evans to approve the Minutes of the February 25, 2014 Regular Session. Motion carried: All yes. Absent: None.

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

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

Mr. Kropf states the Board will consider Closed Session matters as follows:

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- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9(a), James Rogers v. Colusa County, et al., Case No. CV23971.
 - B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - California
Government Code section 54956.8, under negotiation: Potential purchase and related terms:
Property: An approximate 2-3 acre parcel, located off of Highway 20, near the Colusa County Airport.
Negotiator: Sheriff Scott Marshall
Property Owner: Colusa Industrial Properties
 - C. Under the provisions of Government Code Section 54957, a Public Employee Performance Evaluation will be conducted for the County Librarian.
 - D. Under the provisions of Government Code Section 54957, a Public Employee Performance Evaluation will be conducted for the Agricultural Commissioner, Sealer of Weights and Measures, Director of Air Quality Standards, Director of Airport Operations, Director of Migrant Housing Programs.
 - E. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Robert J. Muszar, California Government Code Section 54956.8, to discuss property located at 250 5th Street, Colusa, CA 95932, regarding possible purchase.

Mr. Kropf states a matter arose after the posting of the March 11, 2014 Agenda regarding a Real Property Purchase Option Agreement for the commercial property and attached parking lot located at 250 5th Street, Colusa, commonly known as the Western Title Company and requests the matter be placed on the Agenda for consideration.

ADMINISTRATION: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri that the Board finds a matter arose after the posting of the March 11, 2014 Agenda regarding a Real Property Purchase Option Agreement for the commercial property and attached parking lot located at 250 5th Street, Colusa, CA., commonly known as the Western Title Company. Further, the matter will be considered at 9:35 a.m. Motion carried: All yes. Absent: None.

Mr. Muszar states a matter arose after the posting of the March 11, 2014 Agenda regarding a Hold Harmless And Indemnity Agreement with Richard's Tree Service for volunteer work located at the Arbuckle Public Utilities Office more commonly referred to as the "Fifth Street Circle" in Arbuckle, CA., and requests the matter be placed on the Agenda for consideration.

ADMINISTRATION: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri that the Board finds a matter arose after the posting of the March 11, 2014 Agenda regarding a Hold Harmless An Indemnity Agreement with Richard's Tree Service, Inc., for volunteer work located at the Arbuckle Public Utilities Office more commonly referred to as the "Fifth Street Circle" in Arbuckle, CA. Further, the matter will

be placed on the Agenda under Administration as Item #14. Motion carried: All yes.
Absent: None.

9:05 a.m. STAFF REPORTS

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

- Scott Silva – Public Works
- Martin Vasquez – Public Works – Transit Division
- Edith Stafford – Personnel
- Val Durbin – Assessor
- Janice Bell – Sheriff's Department
- Mike Cerney - Assessor
- Ed Lazarus – Public Works
- Margaret VanWarmerdam – Auditor/Controller
- Steve Tsolov – Public Works
- Edward Salacup - Assessor
- Jaime Moreno – Planning & Building - Custodians
- Linda Walker – Assessor
- Michelle Savage - Assessor
- Carla Ceccon – Probation

She further states the winner for the month of February 2014 was Martin Vasquez from Public Works, Transit Division. She states Mr. Vasquez will receive a \$25.00 gift card to a Colusa County vendor.

Ms. Kelly updates the Board members on items as they pertain to her Department. She also introduces Mr. Don Parsons the new Veteran's Services Officer.

Mr. Contreras updates the Board member on items as they pertain to his Department.

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

Present: Scott Marshall, Miguel Villasenor, Sheriffs' Department.
Robert Zunino, Assistant Auditor-Controller.

9:12 a.m. (9:10 a.m. item on Agenda) Chair Vann makes time for a Presentation and discussion of Revenue and Expenditures Status Reports for the County operating funds for the month ended January 31, 2014.

Ms. Scroggins expresses concern regarding Surveyor, Public Defender, Coroner and Burial of Indigents. Discussion is held, with no action taken.

Chair Vann makes time for direction regarding a contract extension with Smith and Newell, CPAs.

Mr. Zunino states the current Smith & Newell contract allows the County to enter into a contract extension for up to two (2) years. He speaks to the advantages/benefits of remaining with Smith & Newell for an additional two (2) years as follows:

- Smith & Newell is currently assisting the County with the transition required to comply with new GASB announcements.
- The County will be researching new accounting systems in the near future and with Smith & Newell's knowledge of our current accounting system and accounting structure, they will be a good source of feedback regarding any shortcomings or lax in future accounting procedures and processes with regards to the new system.
- Based on historical data from previous RFP's there has always been a large gap between the financial bids from Smith & Newell and the other bids received.
- Smith & Newell's new bid is less than a 2% increase per year.

Discussion is held regarding shortening the length of the bid packet, how it is determined who the bids are sent to, there being adequate time to look at other audit firms, going through the county's bid process, and contacting surrounding counties and looking at their bid packets.

Following discussion, direction is given to the Auditor-Controller to revise the bid package and bring to the Board in June 2014 for further consideration.

Chair Vann makes time to consider an agreement with Frontier Communications for Ethernet Virtual Private Line and Internet Services for the County Library.

Mr. Pankey states the Library would like to upgrade their services which would give them the ability to integrate with the County telephone system.

Discussion is held regarding financial responsibility should the Library not be awarded the grant for these costs, any upfront payments due, and whether the Budget Committee had seen the request.

Ms. Burke states time is of the essence as the paperwork has to be turned in by March 26, 2014. Further, discussion is held.

RESCINDED G14-035 AUDITOR-CONTROLLER/INFORMATION TECHNOLOGY (IT): It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve an agreement between the County of Colusa Library and **Frontier Communications** for Ethernet Virtual Private Line and internet Services (Schedules 1 through 6, respectively) for the following:

Colusa Library located at 738 Market Street, Colusa, CA.,
Princeton Library, located at 232 Prince Street, Princeton, CA.,
Maxwell Library located at 49 Oak Street, Maxwell, CA.,
Williams Library, located at 901 E Street, Williams, CA.,
Arbuckle Library located at 610 King, Arbuckle, CA.,
Grimes Library, located at 240 Main Street, Grimes, CA.,

effective July 1, 2014, with terms and conditions as set forth in the agreements and authorize the IT Director to sign. Motion carried by the following vote:

AYES: Supervisors Indrieri, Carter, and Vann.

NOES: Supervisors Evans and Marshall.

ABSENT: None.

9:41 a.m. (9:20 a.m. item on Agenda) PUBLIC WORKS/BIDS: It is moved by Supervisor Marshall, seconded by Supervisor Evans to accept bids for the Lenahan Road at Funks Creek Bridge Replacement Project Contract No. 400025J for the Department of Public Works as received and opened on February 10, 2014 as follows:

1.	Franklin Construction	\$ 870,801.00
2.	Viking Construction	\$ 881,880.00
3.	Shasta Constructors, Inc.	\$ 909,656.00
4.	MCM Construction, Inc.	\$ 925,520.00
5.	R.A. Nemetz Construction Company	\$ 942,220.00
6.	CC Meyers, Inc.	\$ 983,060.00
7.	Gordon N. Ball, Inc.	\$ 993,610.00
8.	McGuire and Hester	\$1,009,890.00
9.	Timberworks	\$1,116,003.99

Motion carried: All yes. Absent: None.

C14-036 PUBLIC WORKS: It is moved by Supervisor Carter, seconded by Supervisor Evans to approve Contract No. 400025J between the County of Colusa Public Works Department and **Franklin Construction** in the bid amount of \$870,801.00, for Bridge Replacement on Lenahan Road at Funks Creek, effective March 11, 2014, with terms and conditions set forth in the agreement and authorize the Chair to sign. Motion carried: All yes. Absent: None.

9:43 a.m. (9:25 a.m. item on Agenda) AG COMMISSION/MIGRANT HOUSING/BIDS: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to accept bids for the Migrant Housing Center for the Lift Station, Force Main Improvements and Wastewater Treatment Pond Closure as received and opened on February 28, 2014 as follows:

1.	Pfister Excavating, Inc.,	\$1,110,560.00
2.	Santos Excavating, Inc.,	\$1,056,257.50
3.	RTA Construction, Inc.,	\$ 880,992.00
4.	Myers & Sons Construction, LP	\$ 788,156.00

Motion carried: All yes. Absent: None.

C14-037 AG COMMISSION: It is moved by Supervisor Carter, seconded by Supervisor Marshall to approve an agreement between the County of Colusa and **Myers & Sons Construction, LP** in the bid amount of \$788,156.00 for construction of Colusa County Migrant Center Wastewater System Improvements Project, effective March 11, 2014, with terms and conditions set forth in the agreement and authorize the Chair to sign. Motion carried: All yes. Absent: None.

9:47 a.m. (9:30 a.m. item on Agenda) Chair Vann makes time for a Public Hearing to consider a proposed 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. Azevedo speaks in support of approving the proposed Ordinance and thanks all those involved.

9:47 a.m. Chair Vann opens the Public Hearing and calls for Public comment. Hearing none, Chair Vann closes the Public Hearing.

PUBLIC WORKS/ORDINANCE: It is moved by Supervisor Evans, seconded by Supervisor Marshall to approve second reading, by title only, and adopt **Ordinance No. 762**, 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 and authorize the Chair to sign the Ordinance. Further, direct the Clerk to publish and post same. Ordinance passed and adopted by the following vote:

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

NOES: None.

ABSENT: None.

9:50 a.m. (9:35 a.m. item on Agenda) Chair Vann makes time to consider a Real Property Purchase Option Agreement for the proposed purchase of the property located at 250 5th Street, Colusa, CA and its adjoining parking lot.

Mr. Kropf distributes a copy of the Real Property Agreement and states the property has been offered to the County for \$225,000.00. He states per the agreement the County will pay a \$10,000 option fee to Western Title and in exchange for which Western Title will not market, sell, dispose of, or otherwise offer the property to any other party for a period of sixty (60) days while the County proceeds with due diligence. Discussion is held.

C14-038 ADMINISTRATION/COUNTY COUNSEL: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to approve a Real Property Purchase Option Agreement between the County of Colusa and **Western Title Colusa County, a California Corporation**, for the potential purchase of the building located at 250 5th Street, Colusa, CA and its adjoining parking lot, effective March 11, 2014, with terms and conditions set forth in the agreement and authorize the Chair to sign. Motion carried: All yes. Absent: None.

Ms. Scroggins inquires as to whether a \$10,000.00 check will be required to be issued prior to the next Board meeting. Discussion is held.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Carter that the Board finds that a matter arose after the posting of the March 11, 2014 agenda regarding the issuance of a check in the amount of \$10,000.00 for the abovementioned Real Property Purchase Option Agreement with Western Title. Motion carried: All yes. Absent: None.

ADMINISTRATION/AUDITOR: It is moved by Supervisor Evans, seconded by Supervisor Indrieri to authorize the Auditor-Controller to issue a check in the amount of \$10,000.00 to Western Title Colusa County, California Corporation, per the Real Property Purchase Option Agreement (C14-038) for the potential purchase of the building and adjoining parking lot located at 250 5th Street, Colusa, CA, more commonly known as the Western Title Company. Motion carried: All yes. Absent: None.

CONSENT AGENDA: It is moved by Supervisor Carter, seconded by Supervisor Marshall to approve Consent Agenda Item Nos. 1 through 10 as follows:

1. **AUDITOR:** Approve changes in Revenue and Appropriations as follows:
Requires 4/5 votes

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
To Increase (Decrease) Appropriations:				
Dev Fee-Fac & Mstr	02703	002703	59452	\$23,898.60
Total				\$23,898.60

2. **AUDITOR:** Approve Intra Budget Transfer No. 14029.

3. **HEALTH AND HUMAN SERVICES/RESOLUTION:** Adopt **Resolution No. 14-006**, a Resolution Of The Board Of Supervisors Of The County Of Colusa Appointing Dr. Gregory Burt As Health Officer For The County Of Colusa And Finding By The Board Of Supervisors That It Is In The Best Interest Of The County To Waive The Voter Registration Requirement For Dr. Burt and authorize the Chair to sign.

C14-039 4. **HEALTH AND HUMAN SERVICES:** Approve a contract between the County of Colusa Health and Human Services and **Dr. Gregory Burt**, for Health officer Services, effective March 15, 2014 through June 30, 2014, in an amount not to exceed \$10,500.00, with a twenty-five (25) day written termination clause by either party and authorize the Chair to sign.

C14-040 5. **COUNTY CLERK-RECORDER-ELECTIONS:** Approve an agreement between the County Clerk-Recorder-Elections Department and **Transcend Translations** to provide the county with translation services, effective March 14, 2014 through December 31, 2014, with terms and conditions as set forth in the Agreement and authorize the Chair to sign.

C14-041 6. **PLANNING AND BUILDING:** Approve an agreement between the County of Colusa Planning and Building Department and **Kellco Services, Inc.**, to provide asbestos and lead paint inspection for a county owned building located at 230 Commercial Street, Princeton, CA, APN No. 012-012-007, effective March 11, 2014 through May 30, 2014, in an amount not to exceed \$3,225.00, with a fifteen (15) day written termination clause by either party and authorize the Chair to sign.

C14-042 7. **PLANNING AND BUILDING:** Approve Modification to contract C12-275 between the County of Colusa Planning and Building Department and **NorthStar Environmental** for Colusa Bio Mass, modifying "Time of Performance" from March 31,

2014 to August 1, 2014, with all other terms and conditions to remain in full force and effect and authorize the Chair to sign.

8. SHERIFF/RESOLUTION: Adopt **Resolution No. 14-007**, a Resolution Of The Colusa County Board Of Supervisors Approving An Application For Grant Funding From The Off-Highway Vehicle Trust Fund For Law Enforcement Services; Authorizing The Sheriff Of Colusa County To Negotiate, Execute, And Submit All Necessary Documents In Relation To The Grant Application; And Accept And Appropriately Use Any Awarded Grant Funds, authorize the Sheriff to sign all related documents and authorize the Chair to sign the Resolution.

9. ADMINISTRATION/PROCLAMATION: Ratify and adopt a Proclamation of the Board of Supervisors Honoring Ashley Indrieri For Her Dedication And Leadership To Family Water Alliance And Colusa County.

C14-043 10. AG COMMISSION: Approve Agreement No. 13-73-06-0250-RA, between the County of Colusa Ag Commission and **the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services (WS)** to protect residents, property, livestock, crops, and natural resources from damage caused by predators and other nuisance wildlife, effective July 1, 2013 through June 30, 2018, 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 Carter

Meetings/functions attended:

- Drought issues.
- IRWMP Board meeting.
- First 5 Board meeting.
- SVLA Annual dinner.
- CSAC-EIA meeting.
- CAO Ad-hoc meeting.
- Indian Gaming meeting.

AUDITOR: It is moved by Supervisor Marshall, seconded by Supervisor Evans to approve Claim Register Sheets for the period of February 25, 2014 through March 10, 2014. Motion carried: All yes. Absent: None.

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

<u>Claim #</u>	<u>Fund/Department</u>	<u>Vendor</u>	<u>Amount</u>
555121	Communications	Valley Clinical & Consulting	\$450.00
555122	DHHS	Equifax Information Svcs	\$500.00
555123	DHHS	Richard J Brouette MD	\$1,200.00

Motion carried: All yes. Absent: None.

ADMINISTRATION/SUPERVISOR MARSHALL: It is moved by Supervisor Marshall, seconded by Supervisor Carter to approve a letter of support of a 2014

Specialty Crop Block Grant Program and authorize the Chair to sign. Motion carried: All yes. Absent: None.

Chair Vann makes time to consider an agreement between the County of Colusa and Richard's Tree Service, Inc.

Mr. Muszar states Richard's Tree Service has volunteered to provide certain landscape maintenance services, free of charge, on a piece of County owned property located in Arbuckle, CA commonly referred to as the "Fifth Street Circle" in exchange for permitting Richard's Tree Service to post a sign, which first must be approved by the Board of Supervisors as to size, height, design and content at the same location concerning those services. Discussion is held.

C14-044 ADMINISTRATION: It is moved by Supervisor Marshall, seconded by Supervisor Carter to approve a Hold Harmless And Indemnity Agreement between the County of Colusa and **Richard's Tree Service** for volunteer landscape maintenance services, on County owned property located in Arbuckle, CA commonly referred to as the "Fifth Street Circle", effective March 11, 2014, with terms and conditions set forth in the agreement and authorize the Chair to sign. Motion carried: All yes. Absent: None.

Chair Vann declares a recess at 10:01 a.m. to convene in Closed Session and reconvenes in Regular Session at 12:05 p.m. with all Supervisors present.

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

Chair Vann makes time for announcement of Closed Session matters considered.

Mr. Kropf states the Board considered the following Closed Session matters:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Government Code Section 54956.9(a), James Rogers v. Colusa County, et al., Case No. CV23971. He states there was no reportable action taken.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR - California Government Code section 54956.8, under negotiation: Potential purchase and related terms: Property: An approximate 2-3 acre parcel, located off of Highway 20, near the Colusa County Airport.

Negotiator: Sheriff Scott Marshall
Property Owner: Colusa Industrial Properties

He states there was no reportable action taken.

Under the provisions of Government Code Section 54957, a Public Employee Performance Evaluation was conducted for the County Librarian. He states there was no reportable action taken.

Under the provisions of Government Code Section 54957, a Public Employee Performance Evaluation will be conducted for the Agricultural Commissioner,

Sealer of Weights and Measurers, Director of Air Quality Standards, Director of Airport Operations, Director of Migrant Housing Programs. He states there was no reportable action taken.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Robert J. Muszar, California Government Code Section 54956.8, to discuss property located at 250 5th Street, Colusa, CA 95932, regarding possible purchase. He states there was no reportable action taken.

Chair Vann states due to a misunderstanding during discussion of the Frontier Communications agreements for the County Library, she would like to reconsider this matter. Brief discussion is held.

ADMINISTRATION: It is moved by Supervisor Vann, seconded by Supervisor Carter to reconsider the following matter:

C14-035 AUDITOR-CONTROLLER/INFORMATION TECHNOLOGY (IT): It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve an agreement between the County of Colusa Library and **Frontier Communications** for Ethernet Virtual Private Line and internet Services (Schedules 1 through 6, respectively) for the following:

Colusa Library located at 738 Market Street, Colusa, CA.,
 Princeton Library, located at 232 Prince Street, Princeton, CA.,
 Maxwell Library located at 49 Oak Street, Maxwell, CA.,
 Williams Library, located at 901 E Street, Williams, CA.,
 Arbuckle Library located at 610 King, Arbuckle, CA.,
 Grimes Library, located at 240 Main Street, Grimes, CA.,

effective July 1, 2014, with terms and conditions as set forth in the agreements and authorize the IT Director to sign. Motion carried by the following vote:

AYES: Supervisors Indrieri, Carter, and Vann.

NOES: Supervisors Evans and Marshall.

ABSENT: None.

Motion carried: All yes. Absent: None.

Chair Vann states she was under the impression that this was coming out of this fiscal year's budget. Discussion is held.

ADMINISTRATION: It is moved by Supervisor Vann, seconded by Supervisor Marshall to **RESCIND** the following motion:

C14-035 AUDITOR-CONTROLLER/INFORMATION TECHNOLOGY (IT): It is moved by Supervisor Indrieri, seconded by Supervisor Carter to approve an agreement between the County of Colusa Library and **Frontier Communications** for Ethernet Virtual Private Line and internet Services (Schedules 1 through 6, respectively) for the following:

Colusa Library located at 738 Market Street, Colusa, CA.,
 Princeton Library, located at 232 Prince Street, Princeton, CA.,

Maxwell Library located at 49 Oak Street, Maxwell, CA.,
 Williams Library, located at 901 E Street, Williams, CA.,
 Arbuckle Library located at 610 King, Arbuckle, CA.,
 Grimes Library, located at 240 Main Street, Grimes, CA.,

effective July 1, 2014, with terms and conditions as set forth in the agreements and authorize the IT Director to sign. Motion carried by the following vote:

AYES: Supervisors Indrieri, Carter, and Vann.

NOES: Supervisors Evans and Marshall.

ABSENT: None.

Further, direct the Librarian to re-agendize this matter for the March 25, 2014 Board of Supervisors meeting with financial information for further consideration. Motion carried by the following vote:

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

NOES: Supervisor Indrieri.

ABSENT: None.

The Board adjourns at 12:10 p.m. to reconvene in Regular Session on March 25, 2014 at the hour of 9:00 a.m.

 Kim Dolbow Vann, Chair

Attest: Robert J. Muszar, Interim Clerk to
 the Board of Supervisors

BY _____
 Ann Nordyke, Deputy Clerk