

Board of Supervisors

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



County of Colusa

Robert J. Muszar, Interim Clerk to
the Board of Supervisors/Risk/Safety
Manager
Yolanda Tirado, Chief Deputy Clerk
to the Board
Ann Nordyke, Deputy Clerk to the
Board II
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Minutes

December 16, 2014

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 16th day of December 2014 at the hour of 9:00 a.m. Present: Supervisors Kim Dolbow Vann, Chair, Mark D. Marshall, Gary J. Evans, Denise J. Carter and John D. Loudon. Absent: None.

Chair Vann calls to order the Regular meeting of December 16, 2014 at 9:00 a.m., with all Supervisors present.

Present: Marcos Kropf, Matt Bently, County Counsel's Office.
Bob Muszar, Interim CAO/Clerk to the
Board/Risk/Safety Manager.
Mary Winters, Colusa citizen.
John Contreras, Director, Child Support.
Chris Fritz, Berry O'Regan, Mid & Upper Sac Regional Flood
Management Plan.
John Poyner, Dave Salm, District Attorney's Office.
Keith Hathaway, Lew Manor, State of Jefferson.
Kaline Moore, Purchasing & Procurement.
Peggy Scroggins, Margaret VanWarmerdam, Auditor's
Office.
Yolanda Tirado, Ann Nordyke, Board Clerks.

Opening Prayer - Pledge of Allegiance.

MINUTES APPROVAL

Board of Supervisors – Special Meeting – December 1, 2014

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, District V
SECONDER:	Gary J. Evans, District IV
AYES:	Loudon, Evans, Carter, Marshall, Vann

PERIOD OF PUBLIC COMMENT

Messrs. Hathaway and Manor speak to the State of Jefferson movement, noting

the goal is to make the Board of Supervisors aware of the movement and possibly gain support for same. Discussion is held, with no action taken.

ANNOUNCEMENT OF CLOSED SESSION

Mr. Kropf announces the Board will consider Closed Session items as follows:

1. COUNTY COUNSEL

LIABILITY CLAIM

California Government Code section 54956.95. One matter.

2. ADMINISTRATION

PUBLIC EMPLOYMENT - California Government Code 54957. One (1) matter.

I. STAFF REPORTS

Mr. Azevedo states a matter arose after the posting of the December 16, 2014 agenda regarding waiving the County bid process for the emergency repair of a bridge located in Stonyford.

The Board finds that a matter arose after the posting of the December 16, 2014 agenda regarding waiving the County bid process for the emergency repair of a bridge located in Stonyford. Further, the matter will be considered under Public Works as Item Number 3.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark D. Marshall, District III
SECONDER:	Gary J. Evans, District IV
AYES:	Loudon, Evans, Carter, Marshall, Vann

Mr. Lanphier updates the Board members on items as they pertain to his Department.

II. PERSONNEL

1. DISTRICT ATTORNEY - 2016

Consider adding the flexibly staffed position of Deputy District Attorney I/II/III, PFT, PF Range 43/48/51, \$4,836.00 - \$6,173.00/\$5,459.00 - \$6,968.00/\$5,879.00 - \$7,506.00 per month, effective January 1, 2015.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark D. Marshall, District III
SECONDER:	Denise J. Carter, District V
AYES:	Loudon, Evans, Carter, Marshall, Vann

2. PERSONNEL

Consider the following position changes as a result of the recommendation approved during the December 9, 2014 Board of Supervisors meeting:

CAO - Personnel Department - 1040

Delete: Personnel Director, PFT, UDH Range 35, \$7,027.00 - \$8,971.00

per month, effective December 31, 2014.
 2-Personnel Analysts, PFT, CNF Range 32, \$3,659.00 – \$4,672.00 per month, effective December 31, 2014.
 Confidential Office Assistant III, PFT, CNF Range 10, \$2,136.00 – \$2,728.00 per month, effective December 31, 2014.

CAO - Risk Management - 1101

Delete: Safety Officer, PFT, PFA Range 34, \$3,861.00 - \$4,930.00 per month, effective December 31, 2014.
 Risk Management Specialist, PFT, MSC Range 22, \$2,865.00 - \$3,659.00 per month, effective December 31, 2014.

CAO - Human Resources - 1040

Add: Human Resources Director - Assistant Risk Manager, PFT, UDH Range 35, \$7,027.00 - \$8,971.00 per month, effective January 1, 2015.
 2- Human Resources Analysts, PFT, CNF Range 32, \$3,659.00 - \$4,672.00 per month, effective January 1, 2015.
 Confidential Office Assistant III, PFT, CNF Range 10, \$2,136.00 –\$2,728.00 per month, effective January 1, 2015.

CAO - Human Resources - Risk Management - 1101

Add: Safety Officer, PFT, PFA Range 34, \$3,861.00 - \$4,930.00 per month, effective January 1, 2015.
 Risk Management Specialist, PFT, MSC Range 22, \$2,865.00 - \$3,659.00 per month, effective January 1, 2015.

Further, rename the CAO-Personnel Department **to** CAO-Human Resources Department.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, District V
SECONDER:	John D Loudon, Board Member
AYES:	Loudon, Evans, Carter, Marshall, Vann

III. AUDITOR

1. AUDITOR

Consider approving 2014-15 Revenue and Appropriations Inter-Budget Adjustments #010 as follows:

DEPT. NAME	FUND #	DEPT. #	ACCT. #	AMOUNT
Building Fund	00121	1080	479910	\$10,000.00
Building Fund	00121	1080	57350	\$10,000.00

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary J. Evans, District IV
SECONDER:	Mark D. Marshall, District III
AYES:	Loudon, Evans, Carter, Marshall, Vann

2. AUDITOR
Consider approving Intra Budget Adjustments Nos: 15001 & 15002.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary J. Evans, District IV
SECONDER:	Denise J. Carter, District V
AYES:	Loudon, Evans, Carter, Marshall, Vann

3. AUDITOR
Discussion and direction regarding revised loan documentation for Premier Mushrooms, Inc., for revised payment terms.

Ms. Van Warmerdam states the County has received a request to change payment terms in the existing loan contract and associated documents between the County of Colusa and Premier Mushrooms, Inc., for revised payment terms. She states individually, the County CDBG Committee and Revolving Loan Fund Advisor Committee held meetings and discussed the details on the request and after careful review of the facts and documentation, both Committees have recommended a revision of the loan contract and associated documents. She states further Farm Credit West, another lender, will also make related changes to their loan documents if the County approves this request. She states changes to Premier Mushroom, Inc.'s loan contracts and associated documents are as follows:

Item	Original Term	Revised Term
Payments	24 payments of \$3,833.33 beginning March 1, 2013 and 215 payments of \$25,376.68 beginning on March 1, 2015 and one payment of \$25,378.27 on February 1, 2033	22 monthly payments of interest only \$3,833.33 (paid to date) 2 monthly payments of interest only \$3,833.33 (per original loan) 10 monthly payments of interest only \$3,833.33(new) new amortization schedule new maturity date beyond February 1, 2033
New Debt		County to subordinate to additional advance on RLOC of \$300,000 and new \$125,000 term loan with Farm Credit West.

Approve request to change payment terms in existing loan contract and associated documents between the County of Colusa and Premier Mushrooms, Inc. **Further**, following legal review by County Counsel, staff is directed to return to the Board of Supervisors for approval of new loan contract.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark D. Marshall, District III
SECONDER:	Gary J. Evans, District IV
AYES:	Loudon, Evans, Carter, Marshall, Vann

4. AUDITOR

Discussion and direction regarding revised loan documentation for Advanced PVA for revised payment terms.

Ms. Van Warmerdam requests direction regarding the recommendation to change loan terms and revise the loan contract and associated documents between the County of Colusa and Advanced PVA. She states if the Board of Supervisors supports the revisions to the loan terms, a draft loan contract and the associated documents will be prepared for County Counsel's legal review then staff will return to the Board for approval of the new loan contract. She states further changes to Advanced PVA's loan contracts and associated documents are as follows:

Item	Original Terms	Revised Terms
Payments	179 payments of \$1,558.65 and irregular payment of \$1,559.58 with final payment will be due on June 1, 2028	15 payments of \$1,558.65 (paid to date) 6 months of deferred payments (zero) 6 months interest only payment (est. \$685.00) remaining monthly payments of \$1,558.65 final irregular payment to be calculated if necessary new amortization schedule new maturity date to be calculated beyond June 1, 2028

Approve request to change payment terms in existing loan contract and associated documents between the County of Colusa and Advanced PVA. **Further**, following legal review by County Counsel, staff is directed to return to the Board of Supervisors for approval of new loan contract.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark D. Marshall, District III
SECONDER:	Denise J. Carter, District V
AYES:	Loudon, Evans, Carter, Marshall, Vann

IV. PURCHASING AND PROCUREMENT

1. AG DEPARTMENT

Consider a finding that a request for publicly solicited bids for the purchase of a vehicle for the Ag. Department would not be in the best interest of the County because of the use of a trade-in vehicle and the need to deal directly with vendors to secure proper pricing.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, District V
SECONDER:	Gary J. Evans, District IV
AYES:	Loudon, Evans, Carter, Marshall, Vann

2. AG DEPARTMENT

Consider accepting the vehicle bids for the purchase of a 2015 Ford F-150 for the Ag Department as follows:

Hoblit Colusa - \$28,681.00 - \$11,750.00 trade-in = \$16,931.00
 Sankey Auto - \$28,564.79 - \$11,000.00 trade-in = \$17,564.79

Further, award the sale to the lowest responsible bidder, Hoblit Motors Colusa, in the amount of \$16,931.00 after deduction for trade-in of Ford Taurus of \$11,750.00 and authorize purchase of same.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary J. Evans, District IV
SECONDER:	Mark D. Marshall, District III
AYES:	Loudon, Evans, Carter, Marshall, Vann

3. DISTRICT ATTORNEY

Consider approving the purchase of a law enforcement utility vehicle for the District Attorney's Office from Folsom Lake Ford in an amount not to exceed \$28,167.30, utilizing California Multiple Award Schedule (CMAS).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark D. Marshall, District III
SECONDER:	Denise J. Carter, District V
AYES:	Loudon, Evans, Carter, Marshall, Vann

V. ADMINISTRATION

1. SHERIFF'S OFFICE

Consider adopting a Proclamation of the Colusa County Board of Supervisors Honoring Scott D. Marshall Upon His Retirement as the Colusa County Sheriff and authorize the Chair to sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark D. Marshall, District III
SECONDER:	John D Loudon, Board Member
AYES:	Loudon, Evans, Carter, Marshall, Vann

2. COUNTY CLERK-RECORDER'S OFFICE

Consider adopting a Proclamation of the Board of Supervisor of the County of Colusa Honoring Kathleen Moran Upon Her Retirement As County Clerk-Recorder of Colusa County and authorize the Chair to sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark D. Marshall, District III
SECONDER:	Gary J. Evans, District IV
AYES:	Loudon, Evans, Carter, Marshall, Vann

3. ADMINISTRATION
Update on Mid Upper Sacramento River Regional Flood Plan.

Mr. O'Regan speaks to the following:

Regional Flood Management Planning (RFMP).
Regional Flood Management Goals.
Regional Flood Management Approach.
Project Prioritization.
Implementation Strategies.
Small Community Investigations.
Existing Levees.
Regional Flood Management Plan Investigation.
Downstream Breach Scenario.
Upstream Breach Scenario.
Colusa South Levee Deficiencies.
Colusa North Levee Deficiencies.
Colusa RFMP 100-Year Investigative Results.
City of Colusa Financial Analysis.
Next Steps.

Discussion is held, with no action taken.

4. ADMINISTRATION
Consider designation of Michael J. Azevedo as the 2015 Delegate and Kim Dolbow Vann as the Alternate for the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) and direct the Clerk to complete Forms for same and authorize the Chair to sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, Kim Dolbow Vann
SECONDER:	Gary J. Evans, District IV
AYES:	Loudon, Evans, Carter, Marshall, Vann

5. ADMINISTRATION
Consider designation of Kim Dolbow Vann as the Delegate and Mark D. Marshall as the Alternate for RCRC and CHF for 2015, and direct the Clerk to complete Forms for same and authorize the Chair to sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, Kim Dolbow Vann
SECONDER:	Gary J. Evans, District IV
AYES:	Loudon, Evans, Carter, Marshall, Vann

6. ADMINISTRATION

Discussion/direction to Staff regarding a future CAO-Board of Supervisor's Workshop.

Mr. Muszar speaks briefly to scheduling a Department Head/Board of Supervisors Workshop in January or February 2015. Discussion is held, with no action taken.

VI. PUBLIC WORKS

1. PUBLIC WORKS/ROAD DEPARTMENT

Discuss the proposed speed limit increase on SR45 through the town of Princeton based on the speed study conducted by CalTrans and potential traffic calming measures to be put in place, **and, further**, consider allocation of funds for analysis and design of potential traffic calming measures on State Route 45 through the Town of Princeton.

Mr. Lanphier states in the Spring of 2014, CalTrans District 3 Traffic Operations updated a Traffic and Engineering Study to determine speeds along State Route 45 in the Community of Princeton and according to CalTrans Traffic Operations, the resulting speeds justified the need to raise the speed limit from 35mph to 40mph through Princeton. He states further a public meeting was held in August 2014 to allow the residents of Princeton to voice their concerns, and have their input considered in the final decision to raise the speed limit. He states letters have been mailed to CalTrans officials and State representatives in an effort to have CalTrans consider the concerns of Princeton residents. He states further during the October Colusa County Transportation Commission meeting, CalTrans once again presented the results of their study to members of the public in an open discussion and indicated they still intended to raise the speed limit.

Discussion is held regarding design of potential traffic calming measures on State Route 45 through the town of Princeton as follows:

- Geometric (speed hump, speed table, etc.)
- Surface treatments and markings (in road light)
- Signs (radar warning, radar speed, enhanced warnings)
- Gateway entrance arch, cornerstone.

Following discussion, direction is given to Mr. Lanphier, Director of Public Works to move forward with a plan for traffic calming measures and return with a preliminary design of same for further Board consideration.

2. PUBLIC WORKS/ROAD DEPARTMENT

Discussion and direction to the Department of Public Works to apply for The Housing and Urban Development (HUD) Home Investment Partnerships Program (HOME) grant for 2015 when the grant application becomes available.

Mr. Azevedo states the County of Colusa in the past, applied for and received grant funds from the Housing and Urban Development (HUD), Home Investment Partnerships Program (HOME) and it is anticipated that grant funds will become available in 2015 and that a Notice of Funding Availability (NOFA) will be issued from the State of California Department of Housing and Community Development (HCD). He states the Department of Public Works requests that the Board of Supervisors direct staff to apply for the grant when the NOFA is issued. Discussion is held.

Following discussion, Public Works staff is directed to submit, when necessary, any grant application documents to apply for grant funds from the Housing and Urban Development, Home Investment Partnerships Program when the NOFA is issued.

3. PUBLIC WORKS/ROAD DEPARTMENT

Consider a finding that it is in the best interest of the County to waive the County bid process and authorize Public Works to negotiate emergency repairs on the bridge located on Leesville-Lodoga Road at Little Indian Creek, 1/4 mile south of Cooks Springs Road in Stonyford.

Mr. Azevedo states he has met with the State Bridge Inspectors regarding the immediate repairs needed on the bridge.

Discussion is held regarding a 10 ton load limit, if load limit is placed on the bridge fire trucks will not be able to cross if emergency arises, waiving the County bid process and allowing Public Works to negotiate with contractor to expedite the immediate repairs needed on the bridge.

Authorize waiving the County bid process and direct Public Works to negotiate emergency repairs on the bridge located on Leesville-Lodoga Road at Little Indian Creek.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gary J. Evans, District IV
SECONDER:	Denise J. Carter, District V
AYES:	Loudon, Evans, Carter, Marshall, Vann

CONSENT AGENDA

Approve Consent Agenda Items 1 through 16 as follows:

1. PUBLIC WORKS/ROAD DEPARTMENT

Adopt **Resolution No. 14-045** a Resolution Of The Colusa County Board of Supervisors Appointing Daryl K. Pride, LS 9150, as the Colusa County Surveyor, and authorize the Chair to sign.

C14-245 2. PUBLIC WORKS/ROAD DEPARTMENT

Approve the second modification of Contract C11-272 between the County of Colusa and **Community Development Services** for administrative services for the County of Colusa’s Economic Development Allocation Community Development Block Grant (CDBG) Business Loan Program, modifying "Term" to be effective through May 29, 2015, with

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

C14-246 3. DISTRICT ATTORNEY

Approve First Modification of Forensic Interviewing Services Contract C14-162 between the County of Colusa and **Cindy DeWoody** modifying Section 1 "Services to be Performed" and Section 3 "Compensation" as set forth in the Modification, with all other terms and conditions to remain in full force and effect and authorize the Board Chair to sign.

C14-247 4. COUNTY COUNSEL

Approve contract modification between the County of Colusa and Attorney **Tedd Mehr** to provide court appointed legal representation for indigent parties, in certain criminal, juvenile and conservatorship matters, extending an existing contract to February 28, 2015 at the same rate of monthly compensation and authorize the Chair to sign.

C14-248 5. COUNTY COUNSEL

Approve a contract modification between the County of Colusa and Attorney **Albert Smith** to provide court appointed legal representation for indigent parties, in certain criminal, juvenile, Proposition 36, and conservatorship matters, extending an existing contract to February 28, 2015 at the same rate of monthly compensation and authorize the Chair to sign.

C14249 6. COUNTY COUNSEL

Approve second modification to C14-219 of the Plan of Cooperation, between the County of Colusa and the **Superior Court of California, County of Colusa** and modifying "TERM" to be effective July 1, 2014 through June 30, 2015, with all other terms and conditions to remain in full force and effect and authorize the Chair to sign.

7. AUDITOR

Authorize the County Auditor-Controller to pay claims as she deems necessary for the time period between December 16, 2014, through January 13, 2015.

C14-250 8. HEALTH AND HUMAN SERVICES

Approve the annual update of the Children's Medical Services (CMS) Plan for 2014/15 and authorize the Chair to sign all related documents. Further, approve the Interagency Agreement for the 2014/16 fiscal year, between the Colusa County Health and Human Services, Public Health Division, Colusa Human Services-Social Services Division and the **Colusa County Probation Department**, with terms and conditions as set forth in the Interagency Agreement and authorize the following individuals to sign the agreement portion of the CMS Plan: Elizabeth Kelly, Director; Gregory Burt, MD, Health Officer; William Fenton, Chief Probation Officer.

9. TREASURER

Accept Treasurer's Monthly Investment Report for November 2014.

10. LIBRARY

Approve/accept a California Library Literacy Services Final grant award

from the California State Library to support costs for the Library Adult Literacy and Mobile Literacy Services program staff, supplies and events, in the amount of \$7,164.00 and authorize the County Librarian to sign the Claim Form for same.

C14-251 11. AG COMMISSIONER
Ratify contract #14-0455-SF for 15-16 Fiscal Year, for Light Brown Apple Moth Detection Trapping, between the County of Colusa and **California Department of Food and Agriculture**, effective October 1, 2014 through September 30, 2015, in the amount of \$3,198.00 and authorize the Board Chair to sign all documents pertaining to the contract.

12. PURCHASING AND PROCUREMENT
Approve the Request for Bids for the purchase of two (2) pick-ups for the Department of Planning & Building and set January 5, 2015 at 3:00 p.m. to receive RFBs.

13. PURCHASING AND PROCUREMENT
Approve Request for Proposal for Professional Services firms to schedule and facilitate meetings to support the Community Engagement and Risk Communication (CERC) activities in support of the FEMA re-mapping process and direct Clerk to publish and post Notice. Further, set January 14, 2015 at 4:00 p.m. to open and receive RFPs.

14. PURCHASING AND PROCUREMENT
Approve RFP for administration and implementation of CDBG business loan program activities and CDBG general administration activities; further, set January 30, 2015 at 4:00 p.m. to receive an open RFPs and direct the Clerk to publish and post Notice.

15. COUNTY ADMINISTRATIVE OFFICE
Approve Letters to Senator Diane Feinstein; Senator Barbara Boxer and Congressman John Garamendi in support of full federal funding of the Payment In Lieu of Taxes (PILT) Program and the Secure Rural Schools and Self Determination Act (SRS) in Fiscal Year 2015 and authorize the Chair to sign.

16. ADMINISTRATION
Appoint Kathleen M. Engrahm to the Williams Cemetery District, effective December 16, 2014 through December 15, 2018. **(Applications received: Kathleen M. Engrahm)**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gary J. Evans, District IV
SECONDER:	Denise J. Carter, District V
AYES:	Loudon, Evans, Carter, Marshall, Vann

VIII. SUPERVISORS' REPORTS OR COMMENTS

Supervisor Loudon

Meeting/functions attended:

Met with Health & Human Services and Behavioral Health.

Met with Child Support Services, Director.

Attended Annual Fire Fighters Association Dinner.
Attended Chocolate Festival.

IX. STATE OR FEDERAL LEGISLATION/GENERAL BUDGETARY MATTERS Chair
Vann speaks briefly to PILT and SRS funds, with no action
taken.

X. CLAIMS
1. AUDITOR
Consider approving Claims Register Sheets for period December 10, 2014
through December 16, 2014.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, District V
SECONDER:	Mark D. Marshall, District III
AYES:	Loudon, Evans, Carter, Marshall, Vann

Chair Vann declares a recess at 10:48 a.m. to convene in Closed Session and reconvenes Regular Session at 11:42 a.m., with all Supervisors present.

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

XI. Mr. Kropf announces the Board considered the following Closed Session matters:

CLOSED SESSION

1. COUNTY COUNSEL
LIABILITY CLAIM

California Government Code section 54956.95. One matter.

He states Supervisor Gary Evans recused himself from consideration of a liability claim by John Huttman Jr., which the Board has chosen to not take action on and thus reject by operation of law. He states further County Counsel will send the claimant notice of the Board's rejection by operation of law.

2. ADMINISTRATION

PUBLIC EMPLOYMENT - California Government Code 54957. One (1) matter. He states there was no reportable action.

Chair Vann adjourned the meeting at 9:00 a.m. to reconvene in Regular Session on January 13, 2015 at the hour of 9:00 am.

Kim Dolbow Vann, Chair

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

BY _____
Ann Nordyke, Deputy Clerk