

Board of Supervisors

Kim Dolbow Vann District I
John D. Loudon, District II
Mark D. Marshall, District III,
Chair
Gary J. Evans, District IV,
Vice-chair
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
(530) 458-0508
(530) 458-0510
colusacountyca.iqm2.com
www.countyofcolusa.org

Minutes

February 24, 2015

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 24th day of February 2015 at the hour of 9:00 a.m. Present: Gary J. Evans, Vice-chair, Denise J. Carter, Kim Dolbow Vann and John D. Loudon: Absent: Mark D. Marshall.

Vice Chair Evans calls to order the February 24, 2015 Regular Session at 9:00 a.m., with all Supervisors, except Supervisor Marshall present.

Present: Marcos Kropf, County Counsel.
Bob Muszar, CAO/Clerk of the Board/Safety/Risk
Management.
Elizabeth Kelly, Director, Health & Human Services.
Peggy Scroggins, Auditor-Controller.
Bill Fenton, Chief Probation Officer.
Terry Rooney, Director, Behavioral Health.
Cindy Lovelace, Edith Stafford, Human Resource
Department.
Scott Lanphier, Michael Azevedo, Public Works Department.
Joe Damiano, Ag Commissioner.
Steve Hackney, Director, Planning & Building.
John Poyner, Matthew Beauchamp, District Attorney's
Office.
Richard L. Bowen, Williams citizen.
Diana Corkell, Stonyford citizen.
John Contreras, Director, Child Support Services.
Kaline Moore, Purchasing & Procurement.
Yolanda Tirado, Ann Nordyke, Board Clerks.

Opening Prayer - Pledge of Allegiance.

MINUTES APPROVAL

1. Minutes Approval
Board of Supervisors – Regular Meeting – February 10, 2015

RESULT:	APPROVED [UNANIMOUS]
VOTER:	Kim Dolbow Vann, District I
SECONDER:	John D. Loudon, District I
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

Vice-chair Evans calls for a period of public comment.

Ms. Corkell speaks to the need to maintain the Maxwell grade, stating it is dangerous for drivers who use the road. She further states with the events being planned in the Stonyford area there will be more traffic on that road and encourages the Supervisors to maintain the road.

Hearing no further comment, Vice-chair Evans closes the period of public comment.

ANNOUNCEMENT OF CLOSED SESSION

Mr. Kropf states Closed Session item 3, CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9(a), Rominger v. Colusa County, et al. In the Colusa County Superior Court, case no. CV23899, will be pulled from the Agenda.

He announces the Board will consider Closed Session matters as follows:

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Gov. Code § 54957 Title: Agricultural Commissioner/Sealer of Weights & Measures/Director of Air Quality Standards/Director of Migrant Housing Program/Director of Airport Operations.
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Gov. Code §54957 Title: Director of Behavioral Health Services.
4. CONFERENCE WITH LABOR NEGOTIATOR California Government Code Section 54957.6

Agency Negotiator: Bob Muszar
Employee Organization: All

Mr. Kropf requests that Consent Agenda Item Nos. 8 and 9 regarding public defender contracts with Mr. Albert Smith and Mr. Sukhraj S. Pamma be removed from the Consent Agenda and considered separately.

Vice-chair Evans so directs, stating these items will be considered after Staff Reports.

I. STAFF REPORTS

Mr. Lanphier updates the Board as to matters pertaining to his department, noting he is in receipt of letters issued by FEMA regarding Flood Maps for the communities of Colusa, Arbuckle and Williams. Brief discussion is held. He also updates the Board on the matter regarding the Princeton speed reduction.

Mr. Azevedo informs the Board the Williams Yard will be collecting passenger vehicle tires every Saturday during the month of March 2015.

Mr. Damiano updates the Board as to matters pertaining to his department.

Mr. Contreras updates the Board as to matters pertaining to his department.

Vice-chair Evans makes time to consider Consent Agenda Item 8 and 9, Public Defender contracts with Mr. Albert Smith and Mr. Pamma.

Mr. Kropf speaks to concerns regarding the public defender contracts, stating he has spoken to both Messrs. Smith and Mehr. He states Mr. Mehr is no longer interested in providing these services to the County and Mr. Smith is still interested in providing services with the exception of Felony cases. He states after talking to Mr. Smith, Mr. Smith is willing on a short-term basis to continue with felony cases, with Mr. Pamma doing misdemeanor cases, drug court and child support proceedings. Discussion is held.

CONSENT AGENDA ITEM NO. 8

C15-016 Approve a modified contract between the County of Colusa and Attorney **Albert Smith** of the Smith Law Firm to provide court appointed legal representation for indigent parties, in certain criminal, juvenile, Proposition 36, and conservatorship matters, effective March 1, 2015 through April 30, 2015, with terms and conditions as set forth in the modified contract and authorize the Chair to sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John D. Loudon, District II
SECONDER:	Kim Dolbow Vann, District I
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

CONSENT AGENDA ITEM NO. 9

C15-017 Approve a modified contract between the County of Colusa and **Sukhraj S. Pamma**, doing business as the Pamma Law Firm to provide court appointed legal representation for indigent parties, in certain criminal and juvenile matters, effective March 1, 2015 through April 30, 2015, with terms and conditions as set forth in the modified contract and authorize the Chair to sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kim Dolbow Vann, District I
SECONDER:	Denise J. Carter, District V
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

II. PERSONNEL

1. **Health and Human Services – Public Health Division - 4012**

Consider approving the following:

Delete: Registered Nurse (RN), PFT, PF Range 35, \$3,977.00 – \$5,078.00 per month, effective December 31, 2014,

and

Add: Public Health Nurse (PHN) I/II/III, PF Range 38/42/45, \$4,276.00 - \$5,459.00/\$4,715.00 - \$6,019.00/\$5,078.00 – \$6,482.00 per month, effective January 1, 2015.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kim Dolbow Vann, District I
SECONDER:	Denise J. Carter, District V
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

III. AUDITOR

1. Consider approving Intra Budget Adjustments Nos: 15046 through 15050.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kim Dolbow Vann, District I
SECONDER:	Denise J. Carter, District V
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

9:30 A.M. PUBLIC HEARING

Vice-chair Evans makes time for a Public Hearing to consider issuing a permit to Forever Everland Festival Producer for an outdoor assembly/event known as "Forever Everland" a fairy tale themed art and music festival scheduled for June 12, 2015 through June 14, 2015 to be held at the East Park Reservoir.

Mr. Azevedo speaks in support of the event.

9:33 a.m. Vice-chair Evans opens the Public Hearing and calls for public comment. Hearing none, he closes the Public Hearing.

Supervisor Loudon expresses concern regarding amount of funds allocated to the Sheriff's Department and questions whether it is sufficient to cover all costs.

Lt. Jones states they will make it work, but does not cover all costs associated with this event.

Supervisor Vann suggests having one location for vendors to get their permits. Further, discussion is held.

2. PUBLIC WORKS

Consider approving/denying issuance of a permit to Forever Everland Festival Producers for an outdoor assembly/event known as "Forever Everland" a fairy tale themed art and music festival scheduled for June 12 through June 14, 2015, to be held at the East Park Reservoir.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kim Dolbow Vann, District I
SECONDER:	Denise J. Carter, District V
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

Vice-chair Evans makes time to consider a proposed Ordinance of the Colusa County Board of Supervisors Amending Section 46-01, 46-03, 46-04, 46-05, 46-06 and 46-08 of Chapter 46 of the Colusa County Code Prescribing the Rules, Regulations and Fees for the East Park Reservoir.

Mr. Kropf speaks to making minor changes to the proposed Ordinance and states he will supply the Clerk with the modified Ordinance. Brief discussion is held.

IV. PUBLIC WORKS

1. Consider introduction and first reading, by title only, of a Proposed Ordinance Of The Colusa County Board Of Supervisors, State Of California, Amending Sections 46-01, 46-03, 46-04, 46-05, 46-06, And 46-08 Of Chapter 46 Of The Colusa County Code Prescribing The Rules, Regulations And Fees For The East Park Reservoir.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kim Dolbow Vann, District I
SECONDER:	Denise J. Carter, District V
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

2. PUBLIC WORKS

Consider providing the Department of Public Works temporary authorization to make changes to the fee structure and related definitions for the East Park Reservoir effective until December 1, 2015 or until changes are made to Chapter 46 of the Colusa County Code, whichever is earlier and direct staff to adopt temporary rules and regulations consistent with the adjusted fee structure.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kim Dolbow Vann, District I
SECONDER:	Denise J. Carter, District V
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

V. PURCHASING AND PROCUREMENT

1. PURCHASING AND PROCUREMENT

Consider and approve the purchase of a 25,000 pound vehicle lift for the Public Works Department Williams Yard from Mohawk Lifts, in the amount of \$18,576.90 and utilizing State Contract (#4-13-56-0055A) from the California Department of General Services.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, District V
SECONDER:	John D. Loudon, District II
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

VI. COUNTY ADMINISTRATIVE OFFICE

1. Consider adopting **Resolution No. 15-007**, a Resolution Of The Colusa County Board Of Supervisors Modifying The By-Laws Of The Colusa County Revolving Loan Fund Advisory Committee and authorize the Chair to sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kim Dolbow Vann, District I
SECONDER:	John D. Loudon, District II
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

VII. APPOINTMENTS

1. **Colusa Cemetery District**

Consider appointment to the Colusa Cemetery District effective February 24, 2015 through February 23, 2019. (**Application received: Paul J. Olivarez and Wendy MacKaben**)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, District V
SECONDER:	John D. Loudon, District II
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

2. **Fish and Game Commission**

Consider re-appointment of Richard O. Grove, Member at Large,

to the Fish & Game Commission effective February 24, 2015 through February 23, 2019.
(Applications received: **Richard O. Grove**)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, District V
SECONDER:	Kim Dolbow Vann, District I
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

CONSENT AGENDA 1 through 7 & 10 through 11

Approve Consent Agenda Items 1 through 7 and 10 through 11 as follows:

1. BEHAVIORAL HEALTH

Approve MHSA Housing Program County Funding Release Form and authorize the Director of Behavioral Health, Terence M. Rooney, to sign.

2. BEHAVIORAL HEALTH

C15-018 Approve modification of a lease between the County of Colusa and **John A. Rogers, Catherine A. Abel and S. William Abel** (collectively "Landlord") to extend the term of a lease for a premises located at 131 5th Street, Colusa, California, effective February 28, 2015 through February 29, 2016 at a rate of \$940.00 per month, with all other terms and conditions to remain in full force and effect and authorize the Chair to sign.

3. BEHAVIORAL HEALTH

C15-019 Approve a contract between the County of Colusa and **Johnson's House of Sobriety** to provide clean and sober living environment services, effective February 1, 2015 through June 30, 2015 in an amount not to exceed \$25,000.00, with a fifteen (15) day written termination clause by either party and authorize the Chair to sign.

4. DISTRICT ATTORNEY

Approve out of state travel for Investigator Sara Martin to attend the California Homicide Investigators Association Conference in Las Vegas, NV from March 3-6, 2015.

5. AUDITOR

C15-020 Approve Professional Auditing Services Contract between the County of Colusa and **Smith & Newell Certified Public Accountants** for the 2014-15, 2015-16, and 2016-17 fiscal years, effective February 24, 2015, in the amount of \$162,900, with a fifteen (15) day written termination clause by either party and authorize the Board Chair to sign all documents pertaining to contract.

6. TREASURER

Accept Treasurer's Monthly Investment Report for January 2015.

7. SHERIFF

Approve modification to current 2013-14 Supplementary Law Enforcement Services Account (SLESA) Spending Plan by re-allocating current specified line item funding amount towards alternate SLESA purchase(s) as follows:

SPECIFIC LINE ITEM FROM CURRENT SPENDING PLAN:

"G.I.S. CAD", \$25,000 (NOTE: G.I.S.=GEOGRAPHIC INFORMATION SYSTEM)

PROPOSED MODIFICATION/RE-ALLOCATION OF LINE ITEM FUND AMOUNT IDENTIFIED ABOVE:

- \$10,000.00 PATROL RIFLES & RELATED ACCESSORIES
- \$ 8,600.00 OFFICE DOOR SECURITY EQUIPMENT UPGRADES (I.E., ELECTRONIC SECURITY DOOR LOCKS IKEYPAD-CODE-CARD SYSTEM}
- \$1,000.00 DUTY GEAR IEQUIPMENT (REPLACE WORN OUT DUTY GEAR SUCH AS HOLSTERS, BELTS, CLIPS, KEEPERS, ETC.)
- \$ 800.00 PORTABLE GPS DEVICES (LOCATION ID FOR CRIME SCENES, ILLEGAL GROWS, AND TRAVEL}.
- \$4,600.00 PATROL CAR EQUIPMENT (I.E., CONSOLES, LIGHTING, SIREN, EMERGENCY LIGHTS, RADIO, ETC.)

10. COUNTY COUNSEL

Approve terminating contract C14-244 between the County of Colusa and Colusa Industrial Properties for removal and transfer of Princeton Ferry.

11. ADMINISTRATION

Approve 2015 membership dues in the amount of \$750.00 for the Central Valley Project Water Association and direct the Clerk to submit Claim to the Auditor for payment of same.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Denise J. Carter, District V
SECONDER:	Kim Dolbow Vann, District I
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

IX. ADMINISTRATION

1. Vice-chair Evans makes time for discussion of the Joint Cities and County Meeting tentatively set for April 23, 2015. Brief discussion is held, with those Board Members present concurring to continue this matter to the March 10, 2015 Meeting for further consideration.

2. ADMINISTRATION

Consider adopting **Resolution No. 15-008**, A Resolution Of The Colusa County Board Of Supervisors (1) Authorizing Application To The United States Forest Service Seeking A Special Use Permit For The Approximate Seventy-Four Acres Of Forest Service Land Known As Fouts Springs Youth Facility And (2) Authorizing Application To The California State Parks Off-Highway Motor Vehicle Recreation Division To Make Modifications And Improvements To The Fouts Springs Youth Facility to Enhance Off-Highway Vehicle Recreation Opportunities At The Facility and authorize the Chair to sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, District V
SECONDER:	John D. Loudon, District II
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

3. ADMINISTRATION

Consider adopting **Resolution No. 15-009**, a Resolution of the Colusa County Board of Supervisors Approving the Applicant to Apply for Grant Funds for the State of California, Department of Parks and Recreation, Off-Highway Vehicle Grant Funds and authorize the Clerk to sign.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Denise J. Carter, District V
SECONDER:	John D. Loudon, District II
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT:	Mark D. Marshall

Present: Richard Bowen, Mark Contreras, Neil Pearson, Sheriff's Office.
 Cindy Garza, Transit.
 Lawrence Harris, Public Works.
 Linda Walker, Assessor's Office.
 Albert Bumgarner, Kent Johanns, Planning & Building.
 Jill Rablin, Human Resources.
 John Poyner, District Attorney.

10:15 a.m. Vice-chair Evans makes time for an Employee Recognition presentation honoring County Employees reaching milestone years of service for the County of Colusa between July 1, 2014 and December 31, 2014, with a Reception immediately following in the Board of Supervisors Conference Room, First Floor Room 102B, Historic Courthouse.

Richard Bowen	Deputy Sheriff	10 years
Estella Dudman	Child Support Supervisor	10 years
Cynthia Garza	Transit Driver	10 years
Yolanda Tirado	Chief Deputy Clerk-Board Of Supervisors	10 years
Albert Bumgarner	Building Inspector	15 years
Mark Contreras	Sergeant	15 years
Lawrence Harris	Traffic Control Technician II	15 years
Kent Johanns	Associate Planner	15 years
Carina Padilla	Account Clerk III	15 years
Leeann Price	Administrative Secretary	15 years
Jill Rablin	Risk Management Specialist	15 years
Linda Walker	Assessment Technician	15 years
Janet Dawley	Property Tax Manager	20 years

Bryan Dollins	Correctional Corporal	20 years
Rose Gallo-Vasquez	County Clerk/Recorder	20 years
John Poyner	District Attorney	30 years
Peggy Scroggins	Auditor/Controller	30 years

Vice-chair Evans declares a recess at 10:26 a.m. and reconvenes in Regular Session at 10:56 a.m. with all Supervisors, except Supervisor Marshall present.

Present: Marcos Kropf, County Counsel.
Peggy Scroggins, Auditor-Controller.
Bob Muszar, CAO.
Ann Nordyke, Yolanda Tirado, Board Clerks.

X. SUPERVISORS' REPORTS OR COMMENTS

Supervisor Vann

Meetings/functions attended:

Arbuckle Parks & Recreation meeting.
Youth Football Event.
CSAC-Chair of Prop 1 Water User Committee.
OHV Grants work – Colusa.
OHV Grant work – Colusa.
Fair 14th Red & White Fundraising Event.
OHV Grant work – Colusa.
Jail Facility Project Interviews – Colusa.
CHP Fundraising Event.
Tour of Sites with Supervisors throughout the State scheduled for March 11, 2015.
CHP representative to State.

Correspondence:

Sites Water User.
Contract for DA.
OHV.

Supervisor Loudon

Meetings/functions attended:

Bagna-Cauda, February 10, 2015.
Behavioral Health Board meeting, February 10, 2015.
Farm Bureau presentation-Economist Milo Hamilton, February 10, 2015 at 6:30 p.m.
Chamber of Commerce Board meeting, February 11, 2015.
Met with Governor Brown, February 16, 2015.
Colusa Golf – Board of Directors Meeting, February 17, 2015.
Met with Governor Brown, February 18, 2015.
Met with Mike Azevedo for Tour of Sites and Fouts Springs Youth Facility, February 19, 2015.
Met with Governor Brown, February 19, 2015.
Met with Senator Jim Nielsen and Laura Nicholson, February 20, 2015.

Visited the Presbyterian Church – “A hand up” meals for homeless, February 23, 2015.

XI. STATE OR FEDERAL LEGISLATION/GENERAL BUDGETARY MATTERS
Supervisor Vann speaks to Board of Equalization (BOE) voting on percentage take down of gas tax and the State process for fairs to compete for infrastructure money.

XII. CLAIMS
1. AUDITOR

Consider approving Claims Register Sheets from February 10, 2015 to February 23, 2015.

RESULT: APPROVED [UNANIMOUS]
MOVER: Denise J. Carter, District V
SECONDER: Kim Dolbow Vann, District I
AYES: Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT: Mark D. Marshall

2. AUDITOR

Consider approving Special Claims as follows:

<u>Claim #</u>	<u>Fund/Department</u>	<u>Vendor</u>	<u>Amount</u>
568665	Public Defender	Charles Henry Lee	\$292.50
568666	Public Defender	Steidlmayer Law	\$1,246.50
568667	Public Defender	James Rokop PhD	\$1,500.00
568668	Behavioral Health	Heritage Oaks	\$4,750.00
568669	Behavioral Health	Sierra Vista Hospital	\$2,850.00

RESULT: APPROVED [UNANIMOUS]
MOVER: Denise J. Carter, District V
SECONDER: Kim Dolbow Vann, District I
AYES: Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, John D. Loudon
ABSENT: Mark D. Marshall

Vice-chair Evans declares a recess at 11:03 a.m. to convene into Closed Session and reconvenes in Regular Session at 12:33 p.m., with all Supervisors, except Supervisor Marshall present.

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

XIII. CLOSED SESSION

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

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Gov. Code § 54957 - Title: Agricultural Commissioner/Sealer of Weights & Measures/Director of Air Quality Standards/Director of Migrant Housing Program/Director of Airport Operations. He states there was no reportable action.

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Gov. Code § 54957 - Title: Director of Behavioral Health Services. He states there was no reportable action.

4. CONFERENCE WITH LABOR NEGOTIATOR - California Government Code Section 54957.6

Agency Negotiator: Bob Muszar
Employee Organization: All

He states there was no reportable action.

Vice-chair Evans adjourns the meeting at 12:33 p.m. to reconvene in Regular Session on March 10, 2015 at the hour of 9:00 a.m.

Gary J. Evans, Vice-Chair

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

BY _____
Ann Nordyke, Deputy Clerk