

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

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the Board of Supervisors/Risk/Safety
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Minutes

March 24, 2015

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 10th day of March 2015 at the hour of 9:00 AM. Present: Mark D. Marshall, Chair, Denise J. Carter, Gary J. Evans, Kim Dolbow Vann and John D. Loudon. Absent: None.

Chairman Marshall calls to order the March 24, 2015 Regular Session at 9:00 a.m., with all Supervisors present.

Present: Marcos Kropf, County Counsel.
Bob Muszar, CAO/Clerk to the Board/Safety/Risk
Management.
Elizabeth Kelly, Director, Health & Human Services.
Peggy Scroggins, Auditor-Controller.
Terry Rooney, Director, Behavioral Health.
Cindy Lovelace, Director, Human Resources Department.
Scott Lanphier, Michael Azevedo, Public Works Department.
Joe Damiano, Ag Commissioner.
Kaline Moore, Purchasing & Procurement.
Mary Winters, Rob Moriconi, Colusa citizens.
Greg Pankey, IT Director.
Yolanda Tirado, Ann Nordyke, Board Clerks.

Opening Prayer - Pledge of Allegiance

MINUTES APPROVAL

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

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

Chairman Marshall makes time for a Period of Public comment. Hearing

none, Chairman Marshall closed the period of Public Comment.

ANNOUNCEMENT OF CLOSED SESSION

Mr. Kropf announces the Board will consider the following Closed Session matters:

1. 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.
2. PUBLIC EMPLOYMENT
California Government Code 54957. Two matters.

I. STAFF REPORTS

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

II. HUMAN RESOURCES

1. **Health and Human Services – 5011 - 5010**

Consider approving the change in budget unit for the non-Merit Systems position of DHHS Budget Analyst, PFT, PF Range 35, \$3,977.00 - \$5,078.00 per month, effective January 1, 2014 to the Department of Health and Human Services - allocated positions from budget unit 5011 to budget unit 5010.

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

2. **Health and Human Services – Environmental Health**

Consider changing the title of the position of Environmental Health Director to Environmental Health Manager effective April 1, 2015.

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

3. **Ag Commission**

Consider reappointment of Joseph Damiano as the Agricultural Commissioner and the County Sealer of Weights and Measures for another 4 year term.

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

III. PUBLIC WORKS/ROAD DEPARTMENT

1. Consider approving bid package, containing the plans, specifications and working details for an anticipated County road reconstruction project at various locations, proposed contract number 3000RC2015 and authorize the Chair to sign Notice to Bidders and direct the Clerk to publish and post same. Further, set April 16, 2015 at 10:00 a.m. to receive and open bids and direct the Clerk to publish and post Notice of same.

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

IV. COUNTY ADMINISTRATIVE OFFICE

C15-025 1. Consider approving contract between County of Colusa and **First Carbon Solutions** to provide the National Environmental Policy Act Environmental Assessment and Finding in support of County's special use permit application with the U.S. Forest Service to establish the Fouts Springs Off-Highway Vehicle Park, in an amount not to exceed \$97,400, effective March 25, 2015 and authorize the Chair to sign.

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

V. PROCLAMATION-AMERICAN RED CROSS

1. ADMINISTRATION

Consider adopting a Proclamation of the Colusa County Board of Supervisors Declaring March 2015 American Red Cross Month and authorize the Chair to sign.

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

VI. APPOINTMENTS

1. **Williams Cemetery District**

Consider re-appointment of DeEtta Mayberry to the Williams Cemetery District, effective March 24, 2015 through March 23, 2019.

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

2. **Cypress Hill Cemetery District**

Consider re-appointment of Conella B. Edgerly, Sr., to the Cypress

Hill Cemetery District, effective March 24, 2015 through March 23, 2019. **(Applications received: Conella B. Edgerly, Sr.)**

Chairman Marshall states another application has been received for consideration of appointment to the Cypress Hill Cemetery District. Brief discussion is held.

RESULT: CONTINUED to the April 7, 2015 Regular Board meeting.

3. **Groundwater Management Commission**

Consider appointment to the Groundwater Management Commission, effective March 24, 2015 through March 23, 2019. **(Applications received: Mark Morris and Robert Moriconi)**

Chairman Marshall states another application has been received for consideration of appointment to the Colusa County Groundwater Management Commission. Brief discussion is held.

RESULT: CONTINUED to the April 7, 2015 Regular Board meeting.

4. **Planning Commission**

Consider approving appointment of Richard Barry Morrell as District II Planning Commissioner, effective March 24, 2015 through January 31, 2016. **(Applications received: Robert Moriconi and Richard Barry Morrell)**

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

VII. AUDITOR

1. AUDITOR

Consider approving Intra Budget Adjustments Nos: 15054 through 15058.

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

2. AUDITOR

Consider approving 2014-15 Revenue and Appropriations Inter-Budget Adjustments #042-044 as follows: **Requires 4/5 vote.**

DEPT. NAME	FUND #	DEPT. #	ACCT. #	AMOUNT
SHERIFF	00101	2021	51012	\$17,909.34
SHERIFF	00101	2021	51013	\$140.00
SHERIFF	00101	2021	51022	\$1,380.77
SHERIFF	00101	2021	53180	\$845.81
CSA1	02660	002660	452900	\$8,000.00
CSA1	02660	002660	53180	\$8,000.00
CSA 1	02660	002660	410510	(\$17,398.00)
CSA 1	02660	002660	410512	\$8,857.00
CSA 1	02660	002660	410513	\$6,403.00
CSA 1	02660	002660	53180	(\$2,138.00)

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

Present: Jeff Lucas, Community Development Services.
 Don Stone, Jack Clark, Westside Anglers.
 Julie Lazarus, Stonyford citizen.
 Yolanda Tirado, Ann Nordyke, Board Clerks.

9:30 A.M. PUBLIC HEARING
Public Works/Road Department

Public Hearing to consider a possible Community Development Block Grant (CDBG) application for the 2015 Notice of Funding Availability (NOFA).

Mr. Azevedo states this is one of the required public hearing that need to be held to allow the public comment before any action is taken.

9:31 a.m. Chairman Marshall opens the Public Hearing and calls for public comment. Hearing none, Chairman Marshall closes the Public Hearing.

Mr. Jeff Lucas gives a brief summary of some of the potential projects.

Chairman Marshall thanks Mr. Lucas and staff.

C15-026 3. AUDITOR

Consider approving purchase of a software upgrade to the County's existing eFinance software, related training and consulting services. Further, approve amendments to Software License Agreement C05-256, between the County of Colusa and **SunGard Pentamation, Inc.**, in the following amounts:

- \$22,297 for Migration Upgrade Costs
- \$25,600 for Training and Consulting
- \$ 7,500 for Travel Expense - **Estimate - Will be billed actual cost**
- \$ 5,435 for Add-on products and services, and
- \$ 1,280 for Professional Service

effective March 24, 2015, with terms and conditions as set forth in the Amendments and all other terms and conditions to remain in full force and effect and authorize the County Auditor-Controller to sign the appropriate contract amendments and quotes.

In addition, approve the following purchases necessary for the upgrade:

\$1,689 for Windows Server Operating System (Base & 50 users)
\$7,470 for Microsoft SQL Server Licenses (Base & 50 users)
\$2,875 4% contingency for additional programs/training

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

Chairman Marshall makes time to consider Consent Agenda Items 1 - 11.

Supervisor Carter states Consent Item No. 8 should read as follows:

“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 Williams and Maxwell. Brief discussion is held. He also updates the Board on the matter regarding the Princeton speed reduction”.

CONSENT AGENDA

1. PLANNING & BUILDING

C15-027 Approve first modification of contract #C14-053, between the County of Colusa and **Botanica Landscaping** for the lawn maintenance for the River Glen Subdivision located in Arbuckle, CA, and modifying Section 2 Termination date to be effective through March 31, 2016, with all other terms and conditions to remain in full force and effect and authorize the Chair to sign.

2. TREASURER

Accept Treasurer's Monthly Investment Report for February 2015.

3. ADMINISTRATION

Approve 2015 California Clerk of the Board of Supervisors Association Membership Due in the amount of \$200.00.

4. PURCHASING AND PROCUREMENT

C15-028 Approve **revision** to the first modification to contract C13-260 between the County of Colusa and **CSUC's Research Foundation** to increase compensation by \$39,731.19, for a total of \$207,689.72, for the purpose of providing nutrition education services to low-income residents under the Get Fresh Project, effective October 1, 2013 through September 30 2015, with all other terms and conditions to remain in full force and effect and authorize the Board Chair to sign.

5. ADMINISTRATION

Adopt a **Resolution No. 15-012** a Resolution of the Colusa County Board of

Supervisors Designating the Colusa County Arts Council as the Official Arts Organization for Colusa County and authorize the Chair to sign.

6. ADMINISTRATION

Accept the resignation of Rosalinda Curiel from the Colusa County Local Child Care Planning Council effective March 24, 2015 and direct the Clerk to publish and post Notice of Vacancy.

7. ADMINISTRATION

Approve the Certification Statement regarding the Composition of the LPC (Local Child Care Planning Council) and authorize the Chair to sign.

8. ADMINISTRATION

CORRECT THE MINUTES OF FEBRUARY 24, 2015 AS FOLLOWS:

"1. 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 Williams and Maxwell. Brief discussion is held. He also updates the Board on the matter regarding the Princeton speed reduction."

9. ADMINISTRATION

Adopt a Proclamation of the Colusa County Board of Supervisors Declaring April 2015 as National Child Abuse Prevention Month and authorize the Chair to sign.

10. ADMINISTRATION

Adopt a Proclamation of the Colusa County Board of Supervisors Declaring April 19, 2015 through April 25, 2015 as National Crime Victims' Rights Week and authorize the Chair to sign.

11. PUBLIC WORKS/ROAD DEPARTMENT

Hold public Hearing for April 7, 2015 at 9:30 a.m. to consider submittal of a Community Development Block Grant (CDBG) application for the 2015 Notice of Funding Availability (NOFA) and direct the Clerk to publish and post Notice of same.

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

IX. ADMINISTRATION

1. Consider appointment of Supervisor Denise J. Carter to the Northern Sacramento Valley Integrated Regional Water Management Planning Group (IRWMP), as, the County's Alternate/representative, which would enable Supervisor Carter to attend in place of any member on the IRWMP.

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

9:45 A.M. PUBLIC HEARING/Public Works

Public hearing to consider waiving second reading, by title only, of an ordinance 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.

Mr. Kropf speaks in support of the proposed Ordinance.

9:46 a.m. Chairman Marshall opens the Public Hearing and calls for Public comment.

Mr. Stone states the Westside Anglers are holding a bass tournament this weekend and expresses concern they will not be able to access the area in time to set up for the tournament. He states the donations that are received from this event are given back 100% to various charities.

Mr. Clark expresses concern regarding the fees being charged to the people and suggests having senior discounts and a reduced rate for the people who are not actually going to use the facility.

Ms. Lazarus expresses concern regarding the fees being charged. Brief discussion is held.

9:52 a.m. Chairman Marshall again calls for further public comment. Hearing none, Chairman Marshall closes the Public Hearing.

COUNTY COUNSEL/PUBLIC WORKS/ORDINANCE

Consider waiving second reading, by title only, of an 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 45 of the Colusa County Code Prescribing the Rules, Regulations and Fees for the East Park Reservoir.

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

COUNTY COUNSEL/PUBLIC WORKS/ORDINANCE

Adopt **Ordinance No. 769**, an 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 authorize the Chair to sign the Ordinance and direct the Clerk to publish and post same.

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

IX. ADMINISTRATION CONTINUED

2. ADMINISTRATION

Consider proposed Agenda for the upcoming Joint Cities and County meeting to be held at the Steel Head Lodge, 3249 Butte Slough Road, Colusa on April 29, 2015.

Brief discussion is held regarding the upcoming Joint Cities and County Meeting, with no action taken.

X. SUPERVISORS' REPORTS OR COMMENTS

Supervisor Carter

Meetings/functions attended:

USACE Long-term Sacramento Valley Watershed study.
Groundwater Commission meeting.
Sierra Sacramento Valley Emergency Medical Services Board meeting.
CCVFCAS Annual Flood Forum.
Flood Ad-hoc meeting.
Ambulance contract meeting.
Board Workshop.

Supervisor Vann

Meetings/functions attended:

Sites Conference call.
Groundwater-CSA meeting.
TCCC-Weekly update meeting.
RCRC Board meeting.
Flood Ad-hoc Committee meeting.
Sites Committee meeting.
Meeting with Congressman LaMalfa.
CSAC Prop 1 working group meeting.
Sites Tour and meeting with RD 1004.
Board Workshop.

Supervisor Loudon

Meetings/functions attended:

Met with Human Resource Director.
VFW meeting.
CSAC mini summit AB 109.
Met with John Benoit re: LAFCo.
Colusa City Council meeting.
Water Works District #1 meeting, Grimes.
Attended James Gallagher fund raiser/dinner, Yuba City.
Department Head reviews.

XI. STATE OR FEDERAL LEGISLATION/GENERAL BUDGETARY MATTERS

Supervisor Vann states there are currently 17 different bills in legislation regarding groundwater issues and briefly speaks to same. She also states Indian Gaming Funds are not going to be available to the County. She states those funds are going into the States General funds.

Supervisor Vann speaks briefly to Federal legislation regarding the following:

- 2014- SRA possibly being the last payment,
- 7 - Bills addressing the 40 mile rule for Veterans Medical; providing health care services to Vets that are not within 40 miles of a VA facility,
- HR 249 - Indian Fee to trust issue
- S 228 - Changes in the way national monuments can be approved and
- HR 1060 – Sites Federal Bill – Water Infrastructure bill.

She also speaks briefly to State legislation regarding the following:

- Two dozen Ground Water bills introduced,
- AB 1390 - Sponsored by the Farm Bureau to allow land owners ability to adjudicated individually when they don't like what the GSA's are doing,
- AB 1243 - Ground Water Recharge Grant program and
- SB 13 technical Clean up.

Brief discussion is held, with no action taken.

XII. CLAIMS

1. AUDITOR

Consider approving Claims Register Sheets from March 10, 2015 through March 23, 2015.

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

2. AUDITOR

Consider approving Special Claims as follows:

<u>Claim #</u>	<u>Fund/Department</u>	<u>Vendor</u>	<u>Amount</u>
569652	Public Defender	Charles Henry Lee	\$135.00
569653	Public Defender	Law Offices of John K Hinely	\$427.50
569654	Public Defender	Law Office of Davis R. Nelson	\$1,440.00
569655	Public Defender	Law Office of William Conwell	\$2,880.00
569656	Public Defender	Albert Smith	\$11,950.00
569657	Road	Sycamore Environmental	\$1,259.37

569658	Personnel	Pinnacle Investigations	\$800.00
569659	East Park Reservoir	Scott Lanphier	\$45.00
569784	Board of Supervisors	John Loudon	\$31.00

RESULT:	APPROVED [4 TO 0]
MOVER:	Gary J. Evans, District IV
SECONDER:	Denise J. Carter, District V
AYES:	Denise J. Carter, Gary J. Evans, Kim Dolbow Vann, Mark D. Marshall
ABSTAIN:	John D. Loudon

Chairman Marshall declares a recess at 10:15 a.m. to convene into Closed Session and reconvenes at 10:55 a.m. into Regular Session with all Supervisors present.

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

XIII. CLOSED SESSION

1. COUNTY COUNSEL

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. He states there was no reportable action.

2. HUMAN RESOURCES
PUBLIC EMPLOYMENT

California Government Code 54957. Two matters. He states there was no reportable action.

Chair Marshall adjourns the meeting at 10:56 a.m. to reconvene in Regular Session on April 7, 2015 at the hour of 9:00 a.m.

Mark D. Marshall, Chair

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

BY _____
Ann Nordyke, Deputy Clerk