

## Board of Supervisors

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



## County of Colusa

Wendy G. Tyler, CAO/Clerk to the  
Board of Supervisors/Risk Manager  
Ann Nordyke, Chief Deputy Clerk to  
the Board of Supervisors  
Patricia Rodriguez, Deputy Clerk  
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**Board Chambers**  
**546 Jay Street Suite 108**  
**Colusa, CA 95932**

### Minutes

August 9, 2016

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 9<sup>th</sup> day of August 2016 at the hour of 9:00 a.m. Present: Denise J. Carter, Chair, Mark D. Marshall, Gary J. Evans, Kim Dolbow Vann, and John D. Loudon. Absent: None.

Present: Marcos Kropf, County Counsel.  
Wendy Tyler, CAO/Clerk to the Board/Risk Manager.  
Scott Lanphier, Mike Azevedo, Public Works.  
John Contreras, Director, Child Support.  
Greg Hinton, Ag Commissioner.  
Elizabeth Kelly, Director, Health and Human Services.  
Terry Rooney, Director, Behavioral Health.  
Kaline Moore, Budget Management Analyst.  
Neil Pearson, Sheriff's Office.  
Serena Morrow, Yareli Mora, Human Resources.  
Andrea Correa, Management Coalition.  
Rose Gallo-Vasquez, Clerk-Recorder.  
Jake Abbott, Sun Herald.  
Mary Winters, Colusa citizen.  
Ann Nordyke, Patricia Rodriguez, Board Clerks.

Opening Prayer - Pledge of Allegiance

### MINUTES APPROVAL

1. Minutes Approval  
Board of Supervisors – Regular Meeting – July 26, 2016.

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	Mark D. Marshall, District III
<b>SECONDER:</b>	John D. Loudon, District II
<b>AYES:</b>	Mark D. Marshall, Gary J. Evans, John D. Loudon, Denise J. Carter
<b>ABSTAIN:</b>	Kim Dolbow Vann

PERIOD OF PUBLIC COMMENT

None.

ANNOUNCEMENT OF CLOSED SESSION

Chair Carter makes time for announcement of Closed Session.

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

1. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9(a), In re Lela Martinez, Workers' Compensation Appeals Board, Claim Number TIBQ-551048.
2. CONFERENCE WITH LEGAL COUNSEL-SIGNIFICANT EXPOSURE TO LITIGATION  
Significant exposure to litigation pursuant to California Government Code section 54956.9(d)(2): One Matter.
3. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9(a), Colusa Regional Medical Center Bankruptcy, United States Bankruptcy Court for the Eastern District of California, Case Number 16-23655-B-7.

I. STAFF REPORTS

None.

II. HUMAN RESOURCES/SHERIFFS

1. Consider authorizing two Deputy Sheriff Trainee positions, Limited Term, Full time, \$2,459.00 per month while attending a POST Academy effective January 1, 2017. Upon successful completion of the Academy the trainees will promote into vacant Deputy Sheriff Positions.

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

III. AUDITOR

1. Approve Intra Budget Adjustments Nos. 16141 through 16142.

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

IV. COLUSA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

Chair Carter declares a recess at 9:06 a.m. to sit as the Cortina Creek Flood Control and Flood Water Conservation District and states there is a quorum present.

Present: Marcos Kropf, County Counsel.

Wendy Tyler, CAO/Clerk to the Board/Risk Manager.  
Scott Lanphier, Mike Azevedo, Public Works.  
John Contreras, Director, Child Support.  
Greg Hinton, Ag Commissioner.  
Elizabeth Kelly, Director, Health and Human Services.  
Terry Rooney, Director, Behavioral Health.  
Kaline Moore, Budget Management Analyst.  
Neil Pearson, Sheriff's Office.  
Serena Morrow, Yareli Mora, Human Resources.  
Andrea Correa, Management Coalition.  
Rose Gallo-Vasquez, Clerk-Recorder.  
Jake Abbott, Sun Herald.  
Mary Winters, Colusa citizen.  
Ann Nordyke, Patricia Rodriguez, Board Clerks.

Chair Carter makes time to consider re-appointment of Braly Zumwalt to the Cortina Creek Flood Control and Water Conservation District.

ADMINISTRATION

1. **Sitting as the Cortina Creek Flood Control and Flood Water Conservation District**

Consider re-appointment of Braly Zumwalt to the Cortina Creek Flood Control and Water Conservation District, effective July 26, 2016 through July 25, 2020. (Application received: Braly Zumwalt) **(Continued from July 26, 2016)**

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

Chair Carter adjourns as the Cortina Creek Flood Control and Flood Water Conservation District at 9:07 a.m. and reconvenes in Regular Session with all Supervisors present.

Present: Marcos Kropf, County Counsel.  
Wendy Tyler, CAO/Clerk to the Board/Risk Manager.  
Scott Lanphier, Mike Azevedo, Public Works.  
John Contreras, Director, Child Support.  
Greg Hinton, Ag Commissioner.  
Elizabeth Kelly, Director, Health and Human Services.  
Terry Rooney, Director, Behavioral Health.  
Kaline Moore, Budget Management Analyst.  
Neil Pearson, Sheriff's Office.  
Serena Morrow, Yareli Mora, Human Resources.  
Andrea Correa, Management Coalition.  
Rose Gallo-Vasquez, Clerk-Recorder's Office.  
Jake Abbott, Sun Herald.  
Mary Winters, Colusa citizen.  
Ann Nordyke, Patricia Rodriguez, Board Clerks.

**V. PUBLIC WORKS/ROAD DEPARTMENT**

1. Consider Introduction, by title only, Of An Ordinance Of The Colusa County Board Of Supervisors Amending Colusa County Code Chapter 12, Section 12.17.2 Adding A Stop Intersection At Wyler Road And Wisconsin Avenue And Amending Chapter 12a, Section 12a.11 Adding A No-Parking Zone Extending North From The Intersection Of Putnam Way And Freeway Under-crossing Road. **Further**, set September 6, 2016 at 9:30 a.m. for a Public Hearing and direct Clerk to publish and post notice of same.

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

**CONSENT AGENDA**

Approve Consent Agenda Items No's. 1 through 13 as follows:

1. **PURCHASING AND PROCUREMENT/BEHAVIORAL HEALTH**

**C16-137** Approve a contract between the County of Colusa and **Colusa Indian Community Council**, for behavioral health services, effective June 28, 2016 through May 31, 2019, with terms and conditions as set forth in the contract and authorize the Chair to sign.

2. **BEHAVIORAL HEALTH**

**C16-138** Approve Amendment No. 4 to Agreement 14-90052 (C14-241) between the County of Colusa and the **State of California Department of Health Care Services**, for the Alcohol and Drug Program modifying the terms and conditions and maximum amount as outlined in the original contract, effective July 1, 2014 through June 30, 2017, with all other terms and conditions as set forth in the agreement to remain in full force and effect and authorize the Chair to sign.

3. **AG COMMISSIONER**

**C16-139** Approve contract #16-0454-SF between the County of Colusa and **California Department of Food and Agriculture**, for Light Brown Apple Moth Detection Trapping, effective October 1, 2016 through June 30, 2017, in the amount of \$3,078.00 and authorize the Chair to sign.

4. **PURCHASING AND PROCUREMENT/CHILD SUPPORT**

**C16-140** Approve the first modification to Contract C13-216 between the County of Colusa and **Ralph L. Keeley, III**, for the lease of office space for Child Support Services, located at 217 9<sup>th</sup> Street, Ste. A, Colusa, CA, modifying Section 2.1 "Lease Term", extending the termination date of the lease to February 28, 2018 and further modifying the contract for consistency in term usage of "tenant" and "landlord"; with all other terms and conditions as set forth in the contract to remain in full force and effect and authorize the Chair to sign.

5. **PURCHASING AND PROCUREMENT/PUBLIC WORKS**

**C16-141** Consider approving a contract between the County of Colusa and **Alta Planning + Design, Inc.**, to assist with the preparation of a County Wide Safe Routes to Schools Plan, effective August 9, 2016 through April 1, 2017, with terms and conditions as

set forth in the contract and authorize the Chair to sign.

6. PUBLIC WORKS/ROAD DEPARTMENT

Accept, as complete, the construction project: County road reconstruction at various locations, project number 3000RC2016, and authorize the Director of Public Works to sign the Notice of Completion, and direct the Clerk to record.

7. SHERIFF

**C16-142** Consider approving Ongoing Emergency Management Performance Grant (EMPG) Application and spending plan for FY16 and authorize the Sheriff to sign the Application and expend EMPG funds for FY 16 budget.

8. SHERIFF

**C16-143** Ratify Modification No. 3 of Master Agreement No. 16-LE-11051360-005, between the Colusa County Sheriff's Department and the **USDA, Forest Service Mendocino National Forest**, for patrol coverage in forest on high use weekends and support with marijuana suppression and eradication, modifying "Change in Funding" by adding FY 16 Drug/Controlled Substance funding in the amount of \$4000.00 and Revised Financial Plan, effective through September 30, 2020, with all other terms and conditions as set forth in the Agreement to remain in full force and effect.

9. SHERIFF

**C16-144** Approve Memorandum of Understanding (MOU) between the County of Colusa and the **California State Parks, Division of Boating and Waterways (DBW)** for reimbursement of personnel costs and personnel training in boating safety skills and enforcement of boating safety laws and regulations, effective July 1, 2016, with terms and conditions as set forth in the MOU and authorize the Sheriff to sign on behalf of the County.

10. ADMINISTRATION/COLUSA CEMETERY DISTRICT

Accept the Colusa Cemetery District Conflict of Interest Code, as adopted by the Colusa Cemetery District Board on June 13, 2016. **(Continued from July 26, 2016)**

11. HEALTH AND HUMAN SERVICES

Approve Out-of-State travel for Department of Health and Human Services' (DHHS) Social Worker IV, Benet Guidera, to conduct a court-ordered visit to a youth in foster care in the Portland, Oregon area in August 2016.

12. ADMINISTRATION

Acknowledge receipt of Resolutions requesting consolidation of Municipal and District Elections with the General Election to be held on Tuesday, November 8, 2016 and direct the County Clerk- Registrar of Voters to provide election services to cities and districts and to collect actual election costs from each consolidation jurisdiction.

13. COUNTY ADMINISTRATIVE OFFICE

**C16-145** Consider First Modification to C16-059 a Memorandum of Understanding (MOU) between the County of Colusa and the **Colusa County Management Coalition**, modifying Article VII, subsection I "Partial Day Absences" to provide clarification, with all other terms and conditions as set forth in the MOU to remain in full force and effect and authorize the Chair to sign.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kim Dolbow Vann, District I
<b>SECONDER:</b>	Mark D. Marshall, District III
<b>AYES:</b>	Marshall, Evans, Vann, Loudon, Carter

**VII. SUPERVISORS' REPORTS OR COMMENTS**

Supervisor Loudon

Meetings/functions attended:

Oversight Meeting.  
Butte City Highway 162 Bridge replacement, Public meeting.  
Treasury Oversight meeting.  
Leaders Breakfast.  
VFW BBQ.  
C.I.P. meeting.  
Grimes Fire Dinner.  
Chamber of Commerce meeting.  
Rural Fire Dinner.  
LAFCo meeting.  
Airport Advisory Meeting.  
Colusa Partners Meeting.  
Colusa One-Stop Meeting.

Supervisor Vann

Meetings/functions attended:

Sites Meeting.

Supervisor Marshall

Meetings/functions attended:

Meetings regarding the Hospital.  
Leadership Training.  
Tri-County Juvenile Meeting.  
Sites Meeting.

Supervisor Evans

Meetings/functions attended:

Sites Meeting.

Supervisor Carter

Meeting/functions attended:

Airport Advisory Committee Meeting.  
Sac Valley BCC.  
City of Colusa Redevelopment Oversight Committee.  
Farm Bureau Dirt Days Reception.  
Ag Floodplain Ordinance Task Force Meeting.

**VIII. STATE OR FEDERAL LEGISLATION/GENERAL BUDGETARY MATTERS**

Supervisor Marshall states that there are some significant risk management bills coming through the legislative agenda. Brief discussion is held.

**IX. CLAIMS/ADMINISTRATION**

1. Consider approving Special Claims.

<u>Claim #</u>	<u>Fund/Department</u>	<u>Vendor</u>	<u>Amount</u>
587803	DHHS	CDW	\$969.78
587804	Central Services	CDW	\$235.72
587805	Personnel	Cordico Psychological Corp	\$400.00
587806	Human Resources	Diane Davis Investigations	\$616.25
587807	Public Defender	Mehr Law Office	\$270.00
587808	Public Defender	Mehr Law Office	\$135.00
587809	Public Defender	Mehr Law Office	\$45.00

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

2. ADMINISTRATION

Consider approving Claim Register Sheets for period July 26, 2016 through August 8, 2016.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mark D. Marshall, District III
<b>SECONDER:</b>	Kim Dolbow Vann, District I
<b>AYES:</b>	Marshall, Evans, Vann, Loudon, Carter

**VI. 9:33 a.m. (9:30 a.m. Item on Agenda)****PUBLIC HEARINGS**

Chair Carter makes time for a Public Hearing to consider adoption of a Resolution Of The Colusa County Board Of Supervisors Amending Policy AG 14 Of Goal AG-1 In The Agricultural Element Of The General Plan Of Colusa County, To Provide A Limited Exception To The Parcel Acreage Minimums In Those Limited Cases In Which A Parcel Is Physically Divided By A Public Work Of Improvement Or Public Project and authorize the Chair to sign.

Mr. Kropf updates the Board on the reason for the Amendment to Agricultural General Plan. Brief discussion is held.

9:36 a.m. Chair Carter open the Public Hearing, and calls for public comment. Hearing none, Chair Carter closes the Public Hearing.

1. COUNTY COUNSEL

Consider adopting **Resolution No. 16-032** a Resolution Of The Colusa County Board Of Supervisors Amending Policy AG 14 Of Goal AG-1 In The Agricultural Element Of The General Plan Of Colusa County, To Provide A Limited Exception To The Parcel Acreage Minimums In Those Limited Cases In Which A Parcel Is Physically Divided By A Public Work Of Improvement Or Public Project and authorize the Chair to sign.

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

9:40 a.m. Chair Carter makes time for a Public Hearing/second reading by title only to consider adoption of An Ordinance Of The Colusa County Board Of Supervisors Adding Section 44-1.20.095 To The County Zoning Code To Create A Limited Exception To Minimum Parcel Size Requirements For Those Parcels Which Have Been Physically Divided Or Split By An Authorized Public Work Of Improvement Or Public Project and authorize the Chair to sign, direct the Clerk to post and publish same.

Mr. Kropf states this proposed Ordinance works in conjunction with the previous item. Brief discussion is held.

9:41 a.m. Chair Carter opens the Public Hearing and calls for public comment. Hearing none, Chair Carter closes the Public Hearing.

2. COUNTY COUNSEL

Consider adopting **Ordinance No. 778** Of The Colusa County Board Of Supervisors Adding Section 44-1.20.095 To The County Zoning Code To Create A Limited Exception To Minimum Parcel Size Requirements For Those Parcels Which Have Been Physically Divided Or Split By An Authorized Public Work Of Improvement Or Public Project and authorize the Chair to sign, direct the Clerk to post and publish same.

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

9:42 am Chair Carter makes time for a Public Hearing/second reading by title only to consider adoption Of An Ordinance Of The Board Of Supervisors Of The County Of Colusa Amending Chapter 45, Sections 45.5.2, 45.5.4, 45.5.5, 45.5.6.1.2, 45.5.6.1.3, And adding Section 45.5.4.1 to The Colusa County Code Regarding The Use of Department Only Recruitments, and other non-substantive cleanup of the Chapter and authorize the Chair to sign, direct the Clerk to post and publish same.

Ms. Tyler states that this Amendment is for the purpose of filling vacancies within the department versus outside recruiting for the County. She also states that she has received non-supportive feedback from Department Heads regarding this issue. **(Letter from DSA in opposition of proposed Ordinance on file in the Board Clerk's Office)**

9:47 a.m. Chair Carter opens the Public Hearing and calls for public comment. Lengthy discussion is held regarding the following:

- Succession planning,
- Promoting within the department,
- Advertising outside of the County family,
- Benefits gained by outside and inside candidate pool, and



- Intent of Added section.

9:58 am Chair Carter calls for any further comment. Hearing none, Chair Carter closes the Public Hearing.

3. ADMINISTRATION

Consider adopting Ordinance Of The Board Of Supervisors Of The County Of Colusa Amending Chapter 45, Sections 45.5.2, 45.5.4, 45.5.5, 45.5.6.1.2, 45.5.6.1.3, And adding Section 45.5.4.1 to The Colusa County Code Regarding The Use of Department Only Recruitments, and other non-substantive cleanup of the Chapter and authorize the Chair to sign, direct the Clerk to post and publish same.

<b>RESULT: DIES DUE TO LACK OF MOTION</b>
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Chair Carter declares a recess at 10:09 a.m. to convene in Closed Session and reconvenes Regular Session at 10:45 a.m. with all Supervisors present.

Present: Marcos Kropf, County Counsel.  
Wendy Tyler, CAO/Clerk to the Board/Risk Management.  
Ann Nordyke, Patricia Rodriguez, Board Clerks.

X. CLOSED SESSION

1. COUNTY COUNSEL

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9(a), *In re Lela Martinez*, Workers' Compensation Appeals Board, Claim Number TIBQ-551048.

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

Mr. Kropf announces the Board considered Closed Session matters as follows:

1. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9(a), *In re Lela Martinez*, Workers' Compensation Appeals Board, Claim Number TIBQ-551048. He states there is no reportable action.

2. CONFERENCE WITH LEGAL COUNSEL-SIGNIFICANT EXPOSURE TO LITIGATION

Significant exposure to litigation pursuant to California Government Code section 54956.9(d)(2): One Matter. He states there is no reportable action.

3. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Government Code Section 54956.9(a), Colusa Regional Medical Center Bankruptcy, United States Bankruptcy Court for the Eastern District of California, Case Number 16-23655-B-7. He states there is no reportable action.

Chair Carter adjourned the meeting at 9:00 AM to reconvene in Regular Session on August 23, 2016 at the hour of 9:00 a.m.

\_\_\_\_\_  
Denise J. Carter, Chair

Attest: Wendy G. Tyler,  
Clerk to the Board of Supervisors

BY \_\_\_\_\_  
Patricia Rodriguez, Deputy Clerk