

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 23, 2016

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 23rd day of August 2016 at the hour of 9:00 a.m. Present: Denise J. Carter, Chair, Mark D. Marshall, Gary J. Evans, and John D. Loudon. Absent: Kim Dolbow Vann.

Present: Marcos Kropf, County Counsel.
Wendy Tyler, CAO/Clerk to the Board/Risk Manager.
Cindy Lovelace, Director, Human Resources.
Robert Zunino, Auditor's Office.
Elizabeth Kelly, Director, Health and Human Services.
Joe Garofalo, Jim Saso, Neil Pearson, Russell Jones,
Sheriff's Office.
Arnie Gross, Assessor Office.
Terri Rooney, Director, Behavioral Health.
Scott Lanphier, Mike Azevedo, Public Works.
John Contreras, Director, Child Support.
Greg Plucker, Director, Planning and Building.
Greg Hinton, Ag Commissioner.
Bill Fenton, Chief Probation Officer.
Debbie Hickel, Purchasing and Procurement.
Jake Abbott, Sun Herald.
Ann Nordyke, Patricia Rodriguez, Board Clerk.

Opening Prayer - Pledge of Allegiance

MINUTES APPROVAL

1. Minutes Approval
Board of Supervisors – Regular Meeting – August 9, 2016.

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

PERIOD OF PUBLIC COMMENT

None.

ANNOUNCEMENT OF CLOSED SESSION

Chair Carter makes times for the announcement of Closed Session.

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

- 1. LIABILITY CLAIM
California Government Code section 54956.95. One matter.
- 2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
California Government Code 54957(b)(1);Title: County Counsel.

Mr. Kropf states an item arose after the posting of August 23, 2016 Agenda regarding a bankruptcy case for Colusa Regional Medical Center, and further requests the item to be placed on the Agenda for consideration and possible action. Brief discussion is held.

Consider an item that arose after the posting of August 23, 2016 Agenda, regarding a bankruptcy case for Colusa Regional Medical Center. Further, the item will be place under Closed Session as Item No. 3.

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

I. STAFF REPORTS

Chair Carter introduces Mr. Greg Plucker, the new Planning and Building Director and welcomes him.

Mr. Gross updates the Board members on items as they pertain to his department.

Ms. Lovelace updates the Board members on items as they relate to her Department. She further states the Employee Picnic will be held on October 11th, 2016 with the Board of Supervisors approval.

Ms. Kelly updates the Board members on items as they pertain to her Department. She further states so far this year there has been one confirmed case of West Nile..

II. AUDITOR

- 1. Consider approving 2015-16 Revenue and Appropriations Inter-Budget Adjustments #070-072 as follows: **Requires 4/5 vote.**

DEPT. NAME	FUND #	DEPT. #	ACCT. #	AMOUNT
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Sheriff	00101	2021	454608	\$21,735.00
Sheriff	00101	2021	51012	\$20,190.00
Sheriff	00101	2021	51022	\$1,545.00
Sheriff	00101	2021	59390	(\$4,148.00)
Sheriff	00101	2021	51012	\$942.00
Sheriff	00101	2021	53050	\$439.78
Sheriff	00101	2021	53120	\$728.55
Sheriff	00101	2021	53220	\$433.09
Sheriff	00101	2021	53253	\$1,604.58
Sheriff	00101	2021	467505	\$6,424.88
Sheriff	00101	2021	51012	\$5,968.30
Sheriff	00101	2021	51022	\$456.58

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

III. COUNTY COUNSEL

1. Consider and consent to the bankruptcy court's approved assignment, through a sale agreement, of a lease to American Specialty Healthcare, contingent on entering into an amended lease with American Specialty for the real property and improvements which were previously leased to the Colusa Regional Medical Center.

Mr. Kropf states that on June 3, 2016 Colusa Regional Medical Center filed for bankruptcy, and at that time had a lease agreement with the County for the property which included the two medical clinics, and the physical therapy building. Lengthy discussion is held.

Approve assignment, through a sale agreement, of a lease to American Specialty Healthcare, contingent on entering into an amended lease with American Specialty for the real property and improvements which were previously leased to the Colusa Regional Medical Center.

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

IV. ADMINISTRATION

1. Consider continuing to September 6, 2016 a Continued appeal of the Zoning Administrator's determination of November 20, 2015 that the proposed project by Neighborhood Housing Services Inc. to build homes in a partially built out subdivision in the Arbuckle area, does not comply with County' Zoning Code, Chapter 44, Section 44-3.70.040, subsections C, D, E, and G. **(Continued from the July 26, 2016, Board meeting)**

Ms. Tyler states that Neighborworks has requested the appeal be continued to the September 6, 2016 Board of Supervisors meeting.

CONTINUED TO SEPTEMBER 6, 2016

CONSENT AGENDA

Approve Consent Agenda Item No's 1 through 14 as follows:

1. SHERIFF

Approve 1st Modification to previously approved FY 2015 Homeland Security Grant Program Spending Plan, initially made effective on December 15, 2015, with terms and conditions as set forth in the attached Modification and authorize the Sheriff to sign.

2. SHERIFF

Adopt **Resolution No. 16-033** Of The Colusa County Board Of Supervisors Certifying The Continuance Of A Local Drought Emergency and authorize the Chair to sign.

3. TREASURER

Accept the July 2016 Treasurer Monthly Investment Report.

4. PURCHASING AND PROCUREMENT/BEHAVIORAL HEALTH SERVICES

Approve Contract No. **C16-146**, Fourth modification to contract C13-143 between the County of Colusa and **BHC Sierra Vista Hospital, Inc. dba Sierra Vista Hospital ("Sierra")**, for certain hospital based psychiatric inpatient services, increasing compensation rates and ending date of the contract, effective August 23, 2016 through June 30, 2017 with terms and conditions as set forth in the contract and authorize the Chair to sign.

5. PURCHASING AND PROCUREMENT/CORTINA COMMUNITY SERVICES DISTRICT

Approve Contract No. **C16-147**, first modification to contract C16-070 between the County of Colusa and **United Landscape Resource Inc., a California Corporation dba Botanica Landscapes** for the additional landscape maintenance services at the Reddington Ranch/Honey Grove area located in Arbuckle, California, with terms and conditions as set forth in the contract and authorize the Chair to sign.

6. PUBLIC WORKS/ROAD DEPARTMENT

Consider approving bid package containing plans, specifications and working details for a road striping project and authorize the Chair to sign. **Further**, set September 14, 2016 at 10:00 a.m. to receive and open sealed bids and direct the Clerk to publish and post notice of same.

7. PURCHASING AND PROCUREMENT/PUBLIC WORKS

Approve Contract No. **C16-148** between the County of Colusa and **Three29 Media** for on call web support services for the current Colusa County East Park Reservoir reservation website, effective August 23, 2016 through June 30, 2017 in an amount not to exceed \$10,000, with terms and conditions set forth in the contract and authorize the Chair to sign.

8. PURCHASING AND PROCUREMENT/HEALTH & HUMAN SERVICES
Approve Contract No. **C16-149**, first modification to agreement C16-061 between the County of Colusa and **Technique Communications**, extending the termination date and modifying terms of payment, effective August 23, 2016, 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.

9. PUBLIC WORKS/ROAD DEPARTMENT
Approve Contract No. **C16-150**, Change Order No. 2 in the amount of \$150,000.00 for **Baldwin Contracting Company dba Knife River Construction**, for road construction contract C16-024, and authorize the Director of Public Works to sign on behalf of the County.

10. SHERIFF
Approve Agreement No. **C16-151**, Equitable Sharing Agreement, and Certification documents (OMB Number 1123-0011) for FY 2015/16 between the Colusa County Narcotics Enforcement Team and **the Federal Government**, effective August 23, 2016, with terms and conditions set forth in the agreement and authorize the Chair and Sheriff to sign as necessary.

11. SHERIFF
Approve Agreement No. **C16-152** between Colusa County Narcotic Enforcement Team (COCONET) and the **Organized Crime Drug Enforcement Task Forces (OCDEF) program**, permitting reimbursement for overtime and authorized expenses in providing assistance to the DEA related to a multi-agency drug operation, effective October 1, 2015 through August 11, 2016, with terms and conditions set forth in the agreement and authorize COCONET Advisory Council Chairperson (Sheriff) to sign on behalf of COCONET/County.

12. COUNTY COUNSEL
Approve Contract No. **C16-153**, first modification to contract C16-072, between the County of Colusa and **Best Best & Krieger**, for legal services, increasing the annual not-to-exceed amount to \$100,000, with all other terms and conditions to remain in full force and effect and authorize the Chair to sign.

13. CHILD SUPPORT
Approve Contract No. **C16-154**, a short term no-cost Memorandum of Understanding between Colusa County Department of Child Support Services and **Yuba County Department of Child Support Services** to provide attorney services in support of Colusa County Child Support matters, effective August 1, 2016 through September 30, 2016 and authorize the Child Support Director to sign on behalf of the County.

14. COUNTY COUNSEL
Approve Agreement No. **C16-155** between the County of Colusa and **Porter Scott (Attorney)**, A Professional Corporation, for legal services, in an amount not to exceed \$75,000 per fiscal year and authorize County Counsel to sign on behalf of the County.

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

VI. CLAIMS/ADMINISTRATION

1. Consider approving Special Claims.

<u>Claim #</u>	<u>Fund/Department</u>	<u>Vendor</u>	<u>Amount</u>
588230	Human Resources	Adventist Health	\$1,224.00
588231	DHHS	Colusa County One-Stop Partnership	\$9,755.58
588232	Water Management	Davids Engineering	\$6,900.00
588233	Behavioral Health	Heritage Oaks	\$810.00
588234	Human Resources	Madeira Group International	\$895.00
588235	County Counsel	Best Best & Krieger LLP	\$50,928.27

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

ADMINISTRATION

2. Consider approving Claim Register Sheets for period August 9, 2016 through August 22, 2016.

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

Chair Carter declares a recess at 9:47 a.m. and reconvenes at 10:02 a.m. in Regular Session with all Supervisors present, except Supervisor Vann.

Present:

- Marcos Kropf, County Counsel.
- Wendy Tyler, CAO/Clerk to the Board/Risk Manager.
- Cindy Lovelace, Director, Human Resources.
- Robert Zunino, Auditor's Office.
- Elizabeth Kelly, Director, Health and Human Services.
- Joe Garofalo, Jim Saso, Neil Pearson, Russell Jones, Sheriff's Office.
- Arnie Gross, Assessor Office.
- Terri Rooney, Director, Behavioral Health.
- Scott Lanphier, Mike Azevedo, Public Works.
- John Contreras, Director, Child Support.
- Greg Plucker, Director, Planning and Building.
- Greg Hinton, Ag Commissioner.
- Bill Fenton, Chief Probation Officer.

Debbie Hickel, Purchasing and Procurement.
 Jake Abbott, Sun Herald.
 Ann Nordyke, Patricia Rodriguez, Board Clerk.

VII. 10:03 a.m. (10:00 a.m. Item on Agenda)

PUBLIC HEARING

Chair Carter makes time for a Public Hearing/second reading by title only and adoption of a proposed Un-Codified Ordinance Of The Board Of Supervisors Of The County Of Colusa. Further, Authorizing An Amendment To The Contract Between The Board Of Supervisors Of The County Of Colusa And The Board Of Administration Of The California Public Employees' Retirement System and authorize the Chair to sign.

10:06 a.m. Chair Carter opens the Public Hearing and calls for public comment. Hearing none, Chair Carter closes the Public Hearing.

1. Adopt **Ordinance No. 779** an Un-codified Ordinance Of The Board Of Supervisors Of The County Of Colusa and approve Contract No. **C16-156** An Amendment To The contract Between The Board Of Supervisors Of The County Of Colusa And The **Board Of Administration Of The California Public Employees' Retirement System** and authorize the Chair to sign.

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

2. HUMAN RESOURCES

10:15 a.m. Chair Carter makes time for Employee Recognition Presentation honoring County Employees reaching milestone years of service for the County of Colusa between January 1, 2016 and June 30, 2016. Reception immediately following in the Board of Supervisors Conference Room, First Floor Room 102B, Historic Courthouse.

EMPLOYEE	JOB TITLE	YEARS OF SERVICE
Dena Downing	Dispatcher	10
Sam Juarez	IT Technician	10
Veronica Lara	Account Clerk II	10
Linda Lausten	Office Assistant II	10
Alfredo Medina	Building Maintenance Worker II	10
Paul Rainsbarger	Deputy Probation Officer II	10
Jerry Seaver	Work Crew Supervisor	10
Benny Strickland	Info systems Analyst II	10
Brizia Tafolla	Therapist II	10
Martinez		
Norma Avila	Accounting Technician	15
Donna Davis	Therapist III	15
Deabel		
Heather Hass	Correctional Officer	15
Russell Jones	Lieutenant	20

Ezequiel Tapia	Migrant Housing Resident Manager	20
Robert Norman	Public Works Superintendent	25
Jeanne Broderman	Fiscal Administrative Officer	30
Mary Anne Azevedo	Asst Ag Comm/Sealer of Weights and Measures	35

Chair Carter present those employees present with a certificate and thanks all for their years of service.

VIII. SUPERVISORS' REPORTS OR COMMENTS

Supervisor Loudon

Meetings/functions attended:

- Behavioral Health Board meeting.
- VFW meeting.
- Fundraiser for Assemblyman Gallagher.
- Sac River Fund Raiser, Monte Carlo Night.
- CCC Action Partnership meeting.

Supervisor Evan

Meetings/functions attended:

- Sites meeting.

Supervisor Evans states that Mr. Azevedo received a letter from Pardigm Shift Collaborations, LLC stating that "Once Upon a Festival" or "Lakeout 2016" is cancelled. (Letter on file with Clerk's Office)

Supervisor Marshall

Meetings/functions attended:

- CSAC meeting.
- Williams Music in Park.
- CDBG meeting.
- Enloe Ambulance meeting.
- Williams Fire Dept.
- Colusa Canal Fish.
- Met with Congressman LaMalfa, Senator Neilson, and Assemblyman Gallagher regarding Hospital.

Supervisor Carter

Meetings/functions attended:

- GSA meeting.
- Eagle Scout Celebration.
- Ag Commission meeting.
- Agriculture Floodplain Ordinance.
- Water Resources Coordinator meetings.
- County Counsel meeting.
- Enloe Ambulance.

IX. STATE OR FEDERAL LEGISLATION/GENERAL BUDGETARY MATTERS

Supervisor Marshall states that there are a number of people standing outside of local stores asking individuals to sign a petition related to gun safety.

Chair Carter declares a recess at 10:25 a.m. to convene in Closed Session and reconvenes Regular Session at 11:55 a.m. with all Supervisors present, except Supervisor Vann.

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

X. CLOSED SESSION

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

Ms. Tyler announces the Board considered Closed Session matters as follows:

1. COUNTY COUNSEL
LIABILITY CLAIM
California Government Code section 54956.95. One matter. She states there is no reportable action.
2. COUNTY COUNSEL
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
California Government Code 54957(b)(1); Title: County Counsel. She states there is no reportable action.
3. COUNTY COUNSEL
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. She states there is no reportable action.

Chair Carter adjourned the meeting at 11:57 a.m. to reconvene in Regular Session on September 6, 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