

Board of Supervisors

Kim Dolbow Vann, District I,
Chairman

Thomas A. Indrieri, District II

Mark D. Marshall, District III,
Vice-chairman

Gary J. Evans, District IV,

Denise J. Carter, District V



COUNTY OF COLUSA

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Minutes

April 20, 2010

The Board of Supervisors of the County of Colusa, State of California meets in Regular Session this 20th day of April 2010 at the hour of 9:00 a.m., with Closed Session scheduled for 10:48 a.m. Present: Supervisors Kim Dolbow Vann, Chairman, Denise J. Carter, Thomas A. Indrieri, Mark D. Marshall and Gary J. Evans. Absent: None.

Present: Henry Rodegerdts, County Counsel.
Jim White, Colusa Heritage Committee.
Barbara LaDoucer, Laurie Dowden, Princeton Veterans Hall.
Shane Maxey, Sheriffs' Department.
Donna Critchfield, City of Colusa Councilmember.
Brian Ring, Personnel Director.
Michael Laffin, Behavioral Health.
Mary Winters, Colusa citizen.
Harry Krug, Jon Richter, Ag Commissions' Office.
Patty Turner, Mary Fahey, Colusa Basin Watershed.
Katherine Ferreira, Purchasing Coordinator.
Yolanda Tirado, Ann Nordyke, Board Clerks.

9:00 a.m. Prayer by Chairman Vann. Pledge of Allegiance.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Marshall to approve the Minutes of the April 13, 2010 Regular Session. Motion carried: All yes. Absent: None.

Chairman Vann declares time for a period of public comment.

Mr. White invites the Board members to a celebration by the Colusa Heritage Preservation Committee on May 16, 2010 at the gazebo on the Courthouse lawn, honoring individuals, and businesses, for rebuilding buildings and homes, noting that of the five individuals nominated will be honored at this celebration.

Hearing no further public comment, Chairman Vann closes the period of public comment.

9:05 a.m. STAFF REPORTS

Mr. Ring states a Personnel matter arose after the posting of the April 20, 2010 Regular Board of Supervisor's Agenda regarding appointment of extra help Interim Director for Behavioral Health Services and requests the item be brought on for consideration and possible action.

ADMINISTRATION/PERSONNEL/BEHAVIORAL HEALTH SERVICES: It is moved by Supervisor Indrieri, seconded by Supervisor Evans that the Board finds a Personnel matter arose after the posting of the April 20, 2010 Regular Agenda regarding the appointment of extra help Interim Director for Behavioral Health Services and the matter will be considered under the Personnel Items scheduled at 9:10 a.m., as item "B". Motion carried: All yes. Absent: None.

Mr. Zoller updates the Board members on items that pertain to his Department.

Chairman Vann makes time to consider Claim Register Sheets and Special Claims.

AUDITOR: It is moved by Supervisor Marshall, seconded by Supervisor Evans to approve Claim Register Sheets for the period April 13, 2010 through April 19, 2010. Motion carried: All yes. Absent: None.

AUDITOR: It is moved by Supervisor Evans, seconded by Supervisor Marshall to approve Special Claims as follows:

<u>Fund/Department</u>	<u>Vendor</u>	<u>Amount</u>
Child Support	PFI Inc	\$75.00
Child Support	R & J Process Servers	\$136.75
Public Defender	Ed Martinez	\$445.00
Jail	Valley Clinical & Consulting	\$450.00

Motion carried: All yes. Absent: None.

CONSENT AGENDA: It is moved by Supervisor Indrieri, seconded by Supervisor Marshall to approve Consent Agenda Item Nos. 1 through 8 as follows:

C10-059 1. AG COMMISSION: Approve Agreement between the County of Colusa Ag Commission Office and **California Rice Commission** for increased rice herbicide regulatory surveillance, effective May 1, 2010 through July 15, 2010, in an amount not to exceed \$9,000.00, with a fifteen (15) day written termination clause by either party and authorize the Chair to sign.

C10-060 2. AG COMMISSION: Approve Standard Agreement No. 10-0006, between the County of Colusa Ag Commission and **State of California, Department of Food and Agriculture** for Weigh master and Petroleum Inspection, effective July 1, 2010 through June 30, 2011, in an amount not to exceed \$3,075.00, with a thirty (30) day written termination clause by either party and authorize the Ag Commissioner to sign on behalf of the Board of Supervisors.

C10-061 3. AG COMMISSION: Approve Standard Agreement No. 09-0788, between the County of Colusa Ag Commission and the **State of California Department of Food and Agriculture** for the European Grapevine Moth Trapping and Survey Activities, effective March 1, 2010 through June 30, 2010, in an amount not to exceed \$2,753.00, with terms and conditions as set forth in the Agreement and authorize the Ag Commissioner to sign on behalf of the Board of Supervisors.

C10-062 4. SHERIFF/BOATING: Approve Boating Safety and Enforcement Financial Aid Program Contract between the County of Colusa Sheriff's Department and **the California Department of Boating and Waterways**, for the purpose of performing boating safety and enforcement activities, effective July 1, 2010 through June 30, 2011, in an amount not to exceed \$107,210.00, with a sixty (60) days written termination clause by either party and authorize the Sheriff or his designee to sign on behalf of the Board of Supervisors.

C10-063 5. HEALTH AND HUMAN SERVICES: Approve Agreement NA#137, School Nursing Agreement, between the County of Colusa Health and Human Services and **California State University, Chico**, effective April 1, 2010 through March 31, 2013, with terms and conditions as set forth in the Agreement and authorize the Director of Health and Human Services to sign on behalf of the Board of Supervisors.

6. ADMINISTRATION/NIELSON HIGH SCHOOL/COLUSA COUNTY OFFICE OF EDUCATION: Approve "California State Fair, 2009 Counties Exhibits Entry Form" for the California Exposition and State Fair in Sacramento, CA for 2010 and authorize the Chairman to sign.

C10-064 7. CLERK-RECORDER/ELECTIONS: Approve Standard Agreement 09G30305, between the County of Colusa Clerk-Recorder/Elections and **the Secretary of State** for receipt of federal funds administered by the U.S. Election Assistance Commission to assist the County in, or reimburse the County for, complying with the requirements of Section 303(a) of the Help America Vote Act of 2002 (VoteCal Statewide Voter Registration Project), effective March 30, 2010 through December 31, 2011, in an amount not to exceed \$92,567.76, and authorize the County Clerk-Registrar of Voters to sign on behalf of the Board of Supervisors.

C10-065 8. CLERK-RECORDER/ELECTIONS: Ratify Standard Agreement 09G26114, "HAVA Polling Place Accessibility Training Program", between the County of Colusa Clerk-Recorder/Elections and **the Secretary of State** to provide the County of Colusa with federal reimbursement funds (HAVA funds) CFDA Number 93.617, administered by the U.S. Department of Health and Human Services (DHHS), to assist in implementing HAVA Section 261, effective March 16, 2010 through December 31, 2010, in an amount not to exceed \$5,000.00, and signed by the County Clerk-Registrar of Voter on behalf of the Board of Supervisors. **Consent motion carried: All yes. Absent: None.**

9:10 a.m. PERSONNEL/PROBATION – 2035: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to authorize bilingual pay of \$50.00 per month for Norma Navarro, Chief Deputy Probation Officer, effective April 15, 2010. Motion carried: All yes. Absent: None.

PERSONNEL/BEHAVIORAL HEALTH: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to appoint Ed Smith, as extra help, Interim Director of the Behavioral Health Services Department, Range 38, Step 5, effective April 20, 2010. Motion carried: All yes. Absent: None.

9:15 a.m. Chairman Vann makes time to consider a Proclamation of the Colusa County Board of Supervisors Declaring May 2010 Watershed Awareness Month in Colusa County.

Ms. Fahey speaks to the work currently being done in the watershed. She speaks to how important watersheds are and how important the health of the watershed is to our health, our economy, public health, water supply, water quality, agriculture, fisheries, economic development, wildlife and recreation in Colusa County. Further, invites those present to Cache Creek Discovery Day, a watershed celebration on May 1, 2010, and states a kick off meeting for the Colusa Basin Watershed Management Plan is scheduled for April 21, 2010 at the Colusa Industrial Properties (CIP) at 3:00 p.m.

Chairman Vann reads the Proclamation into the record as follows:

“DECLARING MAY 2010 WATERSHED AWARENESS MONTH IN COLUSA COUNTY

WHEREAS, the Colusa County Resource Conservation District and other watershed partnerships are celebrating Watershed Awareness Month in May 2010; and

WHEREAS, calling attention to the importance of Colusa County watersheds will increase the awareness that we all live in a watershed and how we impact the health and viability of watersheds through our everyday activities; and

WHEREAS, keeping our watersheds healthy protects public health, water supply and quality, agriculture, economic development, fisheries, wildlife, and recreation activities in Colusa County; and

WHEREAS, a steadfast dedication to watershed awareness represents a worthy commitment to future generations;

NOW, THEREFORE, BE IT RESOLVED that the Colusa County Board of Supervisors hereby declare May 2010 as **Watershed Awareness Month** in Colusa County and urge the citizens of the County to recognize the importance of watersheds and commit to learning and identifying how resource stewardship can make a positive difference in our quality of life.

COLUSA COUNTY RESOURCE CONSERVATION DISTRICT/PROCLAMATION: It is moved by Supervisor Indrieri, seconded by Supervisor Marshall to adopt a Proclamation of the Colusa County Board of Supervisors Declaring May 2010 Watershed Awareness Month in Colusa County and authorize the Chairman to sign. Proclamation passed and adopted by the following vote:

AYES: Supervisors, Carter, Indrieri, Marshall, Evans, and Vann.

NOES: None.

ABSENT: None.

Supervisor Evans requests an update on matters of a recent meeting with the Century Ranch Board of Directors regarding the development of a Community Wildfire Protection Plan.

Ms. Turner states she met with the Century Ranch Board of Directors along with about four (4) landowners from the east park loop area of Stonyford to discuss how the Resource Conservation District (RCD) could assist Century Ranch in developing a Community Wildfire Protection Plan, and states the Century Ranch Board of Directors seemed to be receptive and indicated they would be contacting Supervisor Evans to discuss the plan further. Brief discussion is held, with no action taken.

C10-066 9:20 a.m. SHERIFF/JAIL: It is moved by Supervisor Marshall, seconded by Supervisor Carter to approve and accept a two year Anti-Drug Abuse Enforcement Team Recovery Act Program Grant award in the amount of \$286,232.00 to supplement the current ADA Grant. Further, approve Colusa County Narcotic Enforcement Team Memorandum of Understanding between the Colusa County and the following:

- **Colusa County Sheriff's Department**
- **Colusa Police Department**
- **Williams Police Department**
- **Colusa County Probation Department**
- **Colusa County District Attorney's Office**
- **California Highway Patrol**

effective March 1, 2010 through February 28, 2012, with terms and conditions as set forth in the MOU and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

Present: Beth Meyerson, Director, Health & Human Services.

C10-067 9:25 a.m. AG COMMISSION: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve Agreement Number 10-73-06-0250-RA, between the County of Colusa Ag Commission and **United States Department of Agriculture Animal and Plant Health Inspection Services Wildlife Services (APHIS-WS)**, effective July 1, 2010 through June 30, 2011, with terms and conditions as set forth in the Agreement and authorize the Ag Commissioner to sign on behalf of the Board of Supervisors. Motion carried: All yes. Absent: None.

Mr. Krug requests authorization to go out for informal local bids for replacement of three (3) vehicles. He states the Department received an unanticipated increase in pesticide mill fees and unclaimed gas tax. Noting the Department will work with Central Services on the specifications and getting the informal bid out to local Dealers.

Discussion is held regarding the formal/informal bid process, the 5% local bidders preference, time constraints, the need to replace the vehicles, and meeting requirements under the County Code.

AG COMMISSION: It is moved by Supervisor Marshall, seconded by Supervisor Indrieri to authorize the Ag Commissioner to commence with the informal bid process for the purchase of unbudgeted fixed assets, including two (2) pickup trucks and one vehicle with unanticipated pesticide mill fee and unclaimed gas tax revenue. Motion carried: All yes. Absent: None.

C10-068 9:30 a.m. CENTRAL SERVICES/INFORMATION TECHNOLOGY DEPARTMENT/BOARD OF SUPERVISORS: It is moved by Supervisor Indrieri, seconded by Supervisor Marshall to approve amendment to C06-276, approved November 16, 2006, between the County of Colusa Central Services and **Advance Document Concepts** to upgrade the Board of Supervisor's existing equipment and add to the equipment maintenance services agreement, effective July 1, 2010, with terms and conditions as set forth in the amendment and all other terms and conditions to remain in full force and effect and authorize the Chairman to sign. Motion carried: All yes. Absent: None.

CENTRAL SERVICES/INFORMATION TECHNOLOGY DEPARTMENT/BOARD OF SUPERVISORS: It is moved by Supervisor Indrieri, seconded by Supervisor Marshall to authorize the purchase of two (2) Optiplex 380 Desktop Computers for the Board of Supervisors from Dell Incorporated, in an amount not to exceed \$2,317.68, utilizing the state contracted pricing (WSCA Agreement #B27160). Motion carried: All yes. Absent: None.

9:35 a.m. AUDITOR-CONTROLLER: It is moved by Supervisor Indrieri, seconded by Supervisor Marshall to approve Intra Budget Transfer Numbers 10027 through 10029. Motion carried: All yes. Absent: None.

AUDITOR-CONTROLLER: It is moved by Supervisor Carter, seconded by Supervisor Indrieri to approve changes in Revenue and Appropriations as follows:

DEPARTMENT NAME	FUND #	DEPT #	ACCT#	AMOUNT
To Increase (Decrease) Appropriations:				
JAIL FY 2008/09	02341	222341	53130	\$974.25
Sheriff	00101	2021	53120	\$1,440.00
Total				\$1,440.00
Sheriff-SLESF	02340	002340	53120	\$3,731.14
Sheriff-SLESF	02340	002340	53170	\$900.66
Sheriff-SLESF	02340	002340	53230	\$5,448.01
Sheriff-SLESF	02340	002340	57011	\$1,513.08
Sheriff-SLESF	02340	002340	57014	\$103.92
Sheriff-SLESF	02340	002340	57039	\$20,573.91
Sheriff-SLESF	02340	002340	57057	\$1,298.94
Sheriff-SLESF	02340	002340	57064	\$5,834.88
TOTAL				\$39,404.54

Motion carried: All yes. Absent: None.

9:40 a.m. HEALTH AND HUMAN SERVICES: It is moved by Supervisor Marshall , seconded by Supervisor Vann to authorize Department of Health and Human Services to join "Protect our Children our Future" a coalition of organizations and individuals committed to protecting California's abused and neglected children. Motion carried: All yes. Absent: None.

Chairman Vann declares a recess at 9:49 a.m. and reconvenes at 10:00 a.m., with all Supervisors and County Counsel present.

Present: Steve Hackney, Jon Sullivan, Planning & Building.
Ashley Indrieri, Family Water Alliance.
Beth Meyerson, Director, Health & Human Services.
Carol Pearson, Assistant Veterans Officer.
Mary Winters, Colusa citizen.
Barbara LaDoucer, Laurie Dowden, Princeton American Legion Auxiliary.
Yolanda Tirado, Ann Nordyke, Board Clerks.

9:50 a.m. Chairman Vann makes time for discussion regarding the Princeton Vet's Hall.

Supervisor Carter gives a brief history of the Princeton Veterans Hall stating the County purchased the property April 1931 and on October 19, 1931 the Veterans Hall was dedicated and it has served as a Veterans Hall since that time. She further states in 1993 the American Legion provided a list of items that needed to be repaired and nothing was done at that point and the American Legion continued to use the building. In November 2006 the building was red tagged. At the November 14, 2006 Regular Board of Supervisors meeting, the Planning & Building Director was directed to demolish the building and obtain grant/funding for a new facility. This funding obviously has not been found. Representatives from the Princeton American Legion Auxiliary have suggested the west half of the building and kitchen is still useable. Supervisor Carter had Building and Planning take another look at the building as it stands today.

Mr. Hackney states in 2006 Planning & Building staff was directed by the Board to look into the condition of the Princeton Veteran's Hall and to make a recommendation to the Board. He further states the Department sent a building inspector to determine the physical state of the structure, and the Building & Grounds-Maintenance manager, Mr. Brookins was asked to check into the matter thoroughly. He further states Mr. Brookins consulted with a local contractor, regarding the rehabilitation of the building, and contacted Clark Pest Control to perform an inspection. He states the Inspector determined the building "to be uninhabitable," and Mr. Brookins found severe dry rot throughout the entire building and no foundation under half the structure, the contractor after inspecting the structure concluded it was not feasible to put a foundation under the present existing building, and the Pest Control inspector concluded that extensive work, both surface, subsurface, and roofing would be required.

Supervisor Carter states County Counsel has researched the legal obligation of the County, and refers to Section 1266 of the Military and Veterans code, and reads the following code into the record:

“Whenever a county has provided, maintained, or provided and maintained any building, memorial hall, meeting place, memorial park, or recreation center for the use or benefit of one or more veterans' associations, pursuant to Section 1262, the provision of that facility and its acceptance by the veterans' association constitutes a dedication of that property to a public purpose, and the county may not revoke the dedication, so long as the veterans' association has not violated the terms and conditions of the dedication, unless it dedicates substitute facilities or unless the veterans' organization has either consented to the proposed county action or has abandoned its use of the facilities.”

Lengthy discussion is held regarding the disrepair the building is currently in, the building being red tagged in 2006, fundraisers held by the Legion, the County's obligation if any to furnish a meeting place, selling the building, demolishing the building, and dedicating a substitute facility as a meeting place.

Following discussion it is the consensus of the Board members to agendize for the May 18, 2010 Regular Agenda dedication of a substitute facility for the Legion to meet.

Present: Gregg Werner, Jake Jacobson, Nature Conservancy.

10:30 a.m. (10:00 a.m. item on Agenda) Chairman Vann makes time to discuss the purchase of a 23-acre property located in the Sacramento River floodway in the northern portion of Colusa County by the Nature Conservancy.

Mr. Werner states the property in question is entirely in native riparian habitat, and the property is subject to flooding on a very frequent basis and not used for agricultural purposes. He further states no restoration activity is proposed and the land will stay just as it is with no changes proposed. Noting the purpose of this acquisition is to preserve the wildlife habitat value of the property and to square off the boundary between their property and the crop land to the south. Lengthy discussion is held, with no action taken.

11:03 a.m. (10:45 a.m. item on Agenda) Chairman Vann announces the Board will consider the following Closed Session matters:

- A. Under the Provisions of Government Code Section 54957(b) (1), the Board will discuss the applications for the position of County Counsel.
- B. Under the Provisions of Government Code Section 54956.9(a), County Counsel will discuss with the Board pending litigation in a personnel matter of a confidential nature.

Chairman Vann states for the record the Board will discuss item “B” first.

Chairman Vann declares a recess at 11:05 a.m. and convenes in Closed Session at 11:10 a.m. and reconvenes at 12:13 p.m. in Regular Session with all Supervisors present.

Present: Henry Rodegerdts, Marge Kemp-Williams, County Counsel's Office.
Brian Ring, Personnel Director.
Yolanda Tirado, Ann Nordyke Board Clerks.

12:13 a.m. Mr. Rodegerdts announces the Board considered the following Closed Session matters:

Under the Provisions of Government Code Section 54956.9(a), discussed pending litigation in a personnel matter of a confidential nature and instructions were given.

Under the Provisions of Government Code Section 54957(b)(1), discussed the applications for the position of County Counsel and decided to interview all six (6) candidates at a Special Meeting to be held May 11, 2010, at 8:00 a.m. and proceed until all interviews are completed.

SUPERVISORS' REPORTS OR COMMENTS

Supervisor Carter

Meetings/Functions attended
Chamber of Commerce Dinner.
Princeton Veterans' issues.

Supervisor Marshall

Meetings/Functions attended
Chamber of Commerce Dinner.
Retirement Dinner Jan Redenbaugh.
Colusa Fair Dinner.

Supervisor Evans

Meetings/Functions attended
Met with Supervisor Vann and Assemblyman Jim Nielsen regarding SRCAF issues.

Supervisor Vann

Meetings/Functions attended
Met with Assemblyman Jim Nielsen regarding Williamson Act, Labor issues, Boat Ramp Budget issues.
Met with Supervisor Evans and Assemblyman Jim Nielsen regarding SRCAF issues.
Conference call on Cortina Landfill issues.
Meeting with PG&E on SB 1398.
Meeting with Statewide Williamson Act working group.
First Five Board meeting.
Chamber of Commerce Dinner.

Calls:
Berryessa National Conservation Area.

Chairman Vann inquires as to any State or Federal Legislation/General Budgetary Matters and speaks to the Williamson Act matter, with no action taken.

ADMINISTRATION: It is moved by Supervisor Indrieri, seconded by Supervisor Marshall to appoint Supervisors Kim Vann and Gary J. Evans to the Sphere of Influence Committee for the City of Colusa. Motion carried: All yes. Absent: None.

Chairman Vann makes time for discussion regarding the Joint Powers Agreement/Bylaws for the Colusa County Economic Development Commission. She states a draft of the JPA/Bylaws has been provided to each Supervisor for review/comments. Noting she would like to roll the JPA out at the upcoming Joint Cities/County meeting to be held May 20, 2010 in Arbuckle, CA.

Ms. Tirado apprises the Board members of items set for the May 4, 2010 Board Meeting.

The Board adjourns at 12:23 p.m., to reconvene in Regular Session on May 4, 2010 at the hour of 9:00 a.m.

Kim Dolbow Vann, Chairman

Attest: Kathleen Moran, County Clerk and
ex-officio Clerk to the Board of Supervisors

BY _____
Ann Nordyke, Board Clerk