

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

NOVEMBER 10, 2009

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:41 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, and Hal Stocker. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Nicoletti presided.

CONSENT AGENDA

Upon motion of Supervisor Stocker, seconded by Supervisor Griego, and unanimously carried, the Board took the following actions:

- A. Agricultural Commissioner: Approved funding in the amount of \$1,200 from Account No. 104-9100-427-2300 (Fish and Game Advisory Commission Expenditure) for a Wildlife Resource Scholarship for distribution at Yuba Community College for the 2009-2010 Fiscal Year. APPROVE FUNDS
- B. Clerk of the Board of Supervisors: Approved the minutes of the regular meetings of October 20 and 27, 2009, as written. APPROVE MINUTES
- C. Community Development and Services: Adopted Resolution No. 2009-104 on file in Yuba County Resolution Book No. 40 entitled: "RESOLUTION AUTHORIZING SUBMISSION OF TRANSPORTATION OF CLAIM FOR FUNDS FROM THE TRANSPORTATION AND DEVELOPMENT ACT OF 1971 AS AMENDED." ADOPT RESOLUTION NO. 2009-104
- D. Personnel/Risk Management
- 1) Authorized catastrophic leave for an employee in Health and Human Services Department. AUTHORIZE LEAVE
- 2) Approved the Workplace Violence Prevention Policy. APPROVE POLICY
- E. Sheriff-Coroner: Approved replacement of the 911 system and radio equipment in the Sheriff's Department Dispatch Center; and authorized a budget transfer in the total amount of \$132,000 from Account No. 108-0000-372-99-03 (Operating transfers) to AUTHORIZE PURCHASE

Account No. 108-2700-422-62-01 (Fixed Assets Communications Equipment) for the purchase of Dispatch radio equipment.

#### SPECIAL PRESENTATION

Pimentel, John/Retirement from Marysville Joint Unified School District (MJUSD): Supervisor Griego read and presented a proclamation to Mr. John Pimentel on his retirement from MJUSD. Mr. Pimentel thanked the Board and advised he was still working part-time as a counselor at the Charter Academy and recapped future plans for the academy.

#### PUBLIC COMMUNICATIONS

Mr. Christopher King, Compassionate Use Co-op, advised the co-op located on North Beale Road was red tagged which forced closing and questioned how to become compliant with county regulations.

Chairman Nicoletti recommended working through the Sheriff and District Attorney's office to become compliant. Counsel advised she would also meet with Mr. King.

Mr. Tom Sherry, Sutter Yuba Mental Health Director, recapped the proposal to Sutter County to establish fees for the crisis clinic to continue services within a balanced budget and responded to Board inquiries.

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- 1) Olivehurst Public Utilities District (OPUD)/County Liaison Committee: Upon motion of Supervisor Nicoletti, seconded by Supervisor Stocker, and unanimously carried the Board established the OPUD Liaison Committee and appointed Supervisor Griego as the representative. Upon motion of Supervisor Vasquez, seconded by Supervisor Griego, and unanimously carried the Board, the Board appointed Supervisor Nicoletti as the committee alternate representative. ESTABLISH COMMITTEE AND APPOINT REPS.
- 2) Treasurer/Tax Collector/Fill Vacancy/Dan Mierwza: Upon motion of Supervisor Stocker, seconded by Supervisor Vasquez, and unanimously carried, the Board adopted Resolution No. 2009-105 on file in Yuba County Resolution Book No. 40 entitled: "RESOLUTION APPOINTING DAN MEIRZWA AS THE YUBA COUNTY TREASURER AND TAX COLLECTOR TO FILL THE VACANCY OF SUCH OFFICE UPON THE EFFECTIVE DATE OF THE VACANCY, DECEMBER 31, 2009 AND TO SERVE AND HOLD SUCH OFFICE UNTIL HIS SUCCESSOR IS ELECTED AND TAKES OFFICE IN ACCORDANCE WITH STATE LAW." ADOPT RESOLUTION NO. 2009-105

3) Out-of-State-Travel Reimbursement/Supervisor Nicoletti: Following Board discussion upon motion of Supervisor Vasquez, seconded by Supervisor Griego, and carried with Supervisor Stocker voting in opposition, the Board approved the proclamation that was presented to Cotton Rosser at his induction to the National Cowboy and Western Heritage Museum Rodeo Hall of Fame and authorized the reimbursement of expenses in the amount of \$1,520.05 for Chairman Nicoletti's out of state travel on October 23-25 to present said proclamation to Cotton Rosser. APPROVE EXPENDITURE

At the request of Supervisor Abe, and upon motion of same, seconded by Supervisor Stocker, and unanimously carried, the Board reconsidered the approval of said expenditure. RECONSIDER APPROVAL

Upon motion of Supervisor Abe, seconded by Supervisor Stocker, and unanimously carried, Board approved the proclamation that was presented to Cotton Rosser at his induction to the National Cowboy and Western Heritage Museum Rodeo Hall of Fame. APPROVE PROC

Following further Board discussion, upon motion of Supervisor Vasquez, seconded by Supervisor Griego, and carried with Supervisors Abe and Stocker voting in opposition, the Board authorized the reimbursement of expenses in the amount of \$1,520.05 for Chairman Nicoletti's out of state travel on October 23-25 to present said proclamation to Cotton Rosser. AUTHORIZE REIMBURS.

#### COMMUNITY DEVELOPMENT AND SERVICES

Parks Master Plan Recreation Programming Status Report: Chairman Nicoletti continued the matter to the meeting of November 17, 2009. CONTINUE TO 11/17/09

#### CORRESPONDENCE

A. Notice of Petition from State Water Resources Control Board regarding change and extension of time for Nevada Irrigation District water right permits. No action taken.

B. Notice of Findings from Fish and Game Commission regarding the American pika. No action taken.

C. Letter from Auditor Controller Dean Sellers enclosing independent audit report for First 5 Yuba Commission dated June 30, 2009. No action taken.

#### BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Vasquez:

- Mental Health Committee meeting regarding crisis center
- Linda School family dinner held November 5, 2009
- Hmong New Year celebration held November 7, 2009

Supervisor Stocker:

- Memorial Adjournment - Mr. Carl E. Ferguson, Ms. Betty Jo Allan, Ms. Mary Jane Young
- The Quilters Group fundraiser in Brownsville
- Loma Rica Lions Halloween celebration

Supervisor Abe:

- Wheatland Cleanup held November 7, 2009 sponsored by Yuba Sutter Disposal Inc.
- First Thursday dinner held October 30, 2009 regarding Andres Duany
- Memorial services for Mr. Stephen Brammer

Supervisor Griego:

- CaLAFCO conference held October 27 - 30, 2009
- Feather River Air Quality Management District funding for clean air projects
- Senior Fair held October 23, 2009
- Town Hall meeting in Plumas Lake area held October 30, 2009
- Movie premiere which included Yuba County and future opportunity for filming within County
- Feather River Setback Ribbon Cutting Ceremony held October 26, 2009
- Loss of citizens due to H1N1 virus and receiving update from the Health Officer
- Sutter County DVD regarding 1955 flood event

Supervisor Nicoletti:

- Memorial Adjournment - Mr. Stephen Brammer
- Office of Economic Adjustment seminar held in Orlando, November 2-5, 2009
- Sutter Yuba Juvenal Hall meeting held October 30, 2009
- Hmong New Year celebration November 7, 2009
- Sikh parade and festival held November 1, 2009
- Yuba City Mayor Gash Gill
- California Water Bond
- Commended Economic Development Coordinator John Fleming regarding billboard project
- Yuba Sutter Disposal Inc. cleanup projects in Yuba and Sutter counties and diversion rates

Assistant County Administrator Randy Margo: Commended Chief Rich Webb and Mr. John Fleming regarding permitting issue

CLOSED SESSION

The Board retired into closed session at 11:00 a.m. to discuss the following:

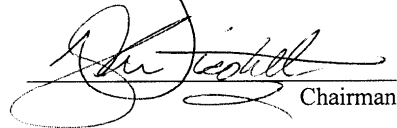
- 1) Pending litigation pursuant to Government Code 54946.9(a) - State of California vs. Hoang et al
- 2) Personnel pursuant to Government Code §54957 - Department Head Evaluation - Agricultural Commissioner

Supervisor Abe left closed session at 11:15 a.m. during discussion of the personnel matter.

The Board returned from closed session at 12:00 p.m. with all Board and staff members present. There was no announcement.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, Chairman Nicoletti adjourned the meeting at 12:00 p.m. in memory of Mr. Carl E. Ferguson, Ms. Betty Jo Allan, Ms. Mary Jane Young, and Mr. Stephen Brammer.

  
Chairman

ATTEST: DONNA STOTTEMEYER  
CLERK OF THE BOARD OF SUPERVISORS



Approved: December 1, 2009