

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JANUARY 27, 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 John Nicoletti, Roger Abe, and Hal Stocker. Supervisor Mary Jane Griego was absent. Also present were County Administrator Robert Bendorf, Deputy County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Laura DeShazer. Chairman Nicoletti presided.

Chairman Nicoletti continued the following items to the meeting of February 3, 2009:

- Out-of-state travel for Supervisor Griego to attend Cap to Cap event
- Appointment of Plumas Lake Specific Plan Design Review Committee Resident Representative
- Contract with the Butte County Community Action Agency approved to receive Community Services Block Grant Funding

CONTINUED
TO 2/3/2009

CONSENT AGENDA

Upon motion of Supervisor Stocker, seconded by Supervisor Abe, and carried with Supervisor Griego being absent, the Board took the following actions:

A. Administrative Services: Authorized County participation in the 2009 California State Fair Counties Exhibits program; awarded any premium monies to the exhibit builder, Marysville Future Farmers of America; appointed Airport Manager Mary Hansen as the official County Representative, and authorized the Chairman to execute the entry form. AUTHORIZE ENTRY

B. Auditor-Controller

1) Authorized a Budget Transfer in the total amount of \$61,250 to transfer health insurance refunds back to salaries in the General Fund Departments for a six month period ending December 31, 2008. AUTHORIZE BUDGET TRANSFER

2) Authorized a Budget Transfer in the total amount of \$119,800 to transfer health insurance refunds back to salaries in various operating funds for a six month period ending December 31, 2008. AUTHORIZE BUDGET TRANSFER

C. Board of Supervisors

- 1) Reappointed Mr. Thomas Durham as the District Three Representative to the Community Services Commission for a term to expire on December 31, 2012. REAPPOINT REP.
- 2) Reappointed Ms. Daisy Shelton as the District Three Representative to the Yuba County Commission on Aging for a term to expire on December 31, 2012. REAPPOINT REP.
- 3) Reappointed Mr. Jon Messick as the District Four Representative to the Yuba County Planning Commission for a term to expire on January 10, 2013. REAPPOINT REP.
- 4) Reappointed Ms. Barbara Warren as the District Four Representative to the Yuba County Library Advisory Commission for a term to expire on December 31, 2012. REAPPOINT REP.

D. Clerk of the Board of Supervisors: Approved the minutes from the regular meeting of January 13, 2009, as written. APPROVE MINUTES

E. Community Development and Services

- 1) Adopted Resolution No. 2009-03, which is on file in the Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION AUTHORIZING YUBA COUNTY PUBLIC WORKS DEPARTMENT TO ENTER INTO A SHORT TERM NO-INTEREST LOAN AGREEMENT WITH YUBA COUNTY RESOURCE CONSERVATION DISTRICT AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT," as it relates to the acquisition of 37 acres of real property along the Yuba River south of Marysville. ADOPT RESOLUTION NO. 2009-03
- 2) Authorized a Budget Transfer in the amount of \$189,734.07 from Planning Department Trust Fund 255 to various line items in recognition of work performed and revenues earned for October through December 2008. AUTHORIZE BUDGET TRANSFER

F. Sheriff-Coroner: Approved an agreement with the United States Forest Service to provide campground patrols on United States forest land and authorized the Chairman to execute same. APPROVE AGRMNT.

PUBLIC COMMUNICATIONS

County Administrator Robert Bendorf updated current status of the state budget and financial impacts to county health and human services and transportation projects.

ORDINANCES AND PUBLIC HEARINGS

Deputy Clerk of the Board Laura DeShazer read the disclaimer.

1) Public Hearing/Resolution Increasing Fire Mitigation Fees/Loma Rica Browns Valley Community Services District: Following a brief recap by Battalion Chief Ken Hughes and Board discussion, Chairman Nicoletti opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Abe, and carried with Supervisor Griego being absent, the public hearing was closed and the Board adopted Resolution No. 2009-04, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION ADOPTING INCREASE IN FIRE MITIGATION FEES FOR THE LOMA RICA BROWNS VALLEY COMMUNITY SERVICES DISTRICT."
ADOPT
RESOLUTION
NO. 2009-04

2) Public Hearing/Resolution Increasing Fire Mitigation Fees/Dobbins-Oregon House Fire Protection District: Following a brief recap from District Representative Pete Hammontre and Board discussion, Chairman Nicoletti opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Abe, and carried with Supervisor Griego being absent, the public hearing was closed and the Board adopted Resolution No. 2009-05, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION ADOPTING INCREASE IN FIRE MITIGATION FEES FOR THE DOBBINS-OREGON HOUSE FIRE PROTECTION DISTRICT."
ADOPT
RESOLUTION
NO. 2009-05

CORRESPONDENCE

Upon motion of Supervisor Stocker, seconded by Supervisor Abe, and carried with Supervisor Griego being absent, the Board accepted the following correspondence:

A. Letter from Yuba County Auditor Controller enclosing Foothill Fire Protection District Financial Statement for Fiscal Years 2006 and 2007.

B. Letter from Governor's Office of Emergency Services advising the United States Department of Agriculture granted disaster designation for the counties of Plumas and Sierra and contiguous counties, including Yuba, due to agricultural losses by drought from January 1, 2008 and continuing.

C. Letter from Governor's Office of Emergency Services advising the United States Small Business Administration granted disaster designation for the counties of Plumas and Sierra and contiguous counties, including Yuba, due to agricultural losses by drought from January 1, 2008 and continuing.

D. Notice from State of California Fish and Game Commission advising of Proposed Regulatory Action and Notice of Findings regarding delta smelt uplisting from endangered to threatened species status. REFER TO STAFF

Referred to Fish and Game Advisory Commission

E. Letter from State of California Department of Community Services and Development regarding audit transmittal report for Community Services Block Grant.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:

- Attended Smart Growth Conference January 22-24, 2009
- Welcomed students from New Life Christian School

Supervisor Abe: Attended League of Cities Conference January 22-23, 2009

Supervisor Nicoletti:

- Commended Sheriff Durfor regarding California Sheriff Magazine article "If I Were A Thief" focused on prevention of vehicle break-ins
- National Association of Counties regarding prescription discount card program
- Attended Peach Tree Health Care strategic planning held Friday, January 23, 2009
- Federal Emergency Management Agency workshops regarding Assistance to Firefighters Grant Program scheduled January 21 to March 23, 2009
- Memorial adjournment in memory of Mr. Bernhard Mueck
- Welcomed students from New Life Christian School

County Administrator Robert Bendorf:

- Letter from Department of Interior on proposed casino in the sports entertainment zone
- Regional Water Quality Control Board planning grant opportunities for safe drinking water and wastewater projects

CLOSED SESSION

The Board retired into closed session at 10:21 a.m. to discuss the following:

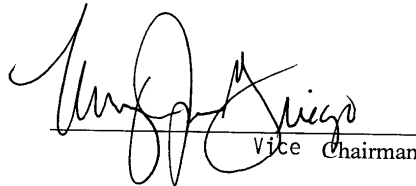
- A. Potential litigation pursuant to Government Code §54956.9(a) - Two Cases
- B. Threatened litigation pursuant to Government Code §54956.9(b) - Two Claims
- C. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property Location: Corner of Erle Road and Griffith Avenue Negotiating Parties: County of Yuba Negotiation: Terms of Payment

The Board returned from closed session at 11:20 a.m. with all Board and staff members present as indicated above. Chairman Nicoletti made the following announcement:

“The Board denied the two claims and will refer them to Porter Scott.”

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, Chairman Nicoletti adjourned the meeting at 11:20 a.m. in memory of Mr. Bernhard Mueck.


Vice Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS


Laura DeShazer, Deputy Clerk

Approved:  February 10, 2009