

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JUNE 5, 2007

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:00 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Dan Logue, John Nicoletti, Mary Jane Griego, Donald Schrader, and Hal Stocker. Also present were County Administrator Robert Bendorf, County Counsel Daniel Montgomery, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Stocker presided.

CONSENT AGENDA

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

- A. Bi-County Cooperative Extension: Authorized a Budget Transfer in the amount of \$8,000 from Account No. 101-0000-371-9899 (Miscellaneous Revenue) to Account No. 101-0101-411-5240 (4HCamp Contribution) for completion of shower house and incidental costs for camp maintenance and repairs. AUTHORIZE
BGT. TRNSFR.
- B. Board of Supervisors
- 1) Appointed Mr. John Hollis to the Yuba County Commission on Aging as the District Two representative for a term to expire December 31, 2008. APPOINT
REP.
- 2) Rejected request for appeal of Transient Occupancy Tax assessment from Environmental Alternatives as not timely filed pursuant to Section 5.30.120 of the Yuba County Ordinance Code and directed Clerk of the Board to issue notification. REJECT
REQUEST
- C. Clerk of the Board of Supervisors
- 1) Approved minutes of the regular meetings of May 8, 15, and 22, 2007 as written. APPROVE
MINUTES
- 2) Authorized a Budget Transfer in the amount of \$300 from Account No. 101-1701-411-2300 (Professional Services) to Account No. 101-1701-411-2900 (Travel) to cover year-end shortage. AUTHORIZE
BGT. TRNSFR.

- D. District Attorney: Authorized a Budget Transfer in the total amount of \$12,500 to appropriate \$4,500 from Department Fund 074 (D.A. Seized Assets) and transfer to various line items to cover year end expenditures. AUTHORIZE BGT. TRNSFR.
- E. Library: Authorized a Budget Transfer in the amount of \$5,000 from Account No. 101-0000-361-62-23 (Library Literacy) to Account No. 101-6000-462-23-04 (Library Grants) for First Five Yuba Commission Grant. AUTHORIZE BGT. TRNSFR.
- F. Public Guardian: Approved a contract with Panoramic Software, Inc. for software programs, training and maintenance and authorized the Chairman to execute same. APPROVE CONTRCT.
- G. Sutter Yuba Mental Health: Approved County Certification for the annual license renewal of two local narcotic treatment programs. APPROVE CERT.
- H. Treasurer-Tax Collector
- 1) Authorized the transfer of unclaimed monies in the total amount of \$4,899.49 to General Fund Account No. 101 per Government Code §50055. AUTHORIZE TRANSFER
 - 2) Approved discharging accountability for collection of taxes, penalties, and interest on Unsecured Property Taxes. DISCHARGE ACCTBLTY.
 - 3) Authorized the Treasurer and County Auditor to pay any related fees regarding Tobacco Securitization from Fund No. 229. AUTHORIZE PAYMENT

SPECIAL PRESENTATION

Yuba Sutter Microenterprise Training Program: Director Mary Hansen and Instructor Ken Freeman recapped program highlights, with Board members commending the program and following graduates:

- | | |
|----------------------|------------------------------|
| • Esperanza Arellano | • Terry Castleberry-Peterson |
| • Karen Compton | • Floyd Crist |
| • Ricardo Diaz | • Terri Pittman |
| • Brianna Shannon | • Thomas Snider |
| • Valentina Tacchi | • Sergy Troshchenko |
| • Rudy Villalpando | • Rose Mary Avila |
| • Manuel Avila | • Ana Maria Cardoso |
| • Ann Case | • Blanca Cruz |
| • Doran Ganske | • Lorna Yatman |

PUBLIC COMMUNICATIONS

Ms. Freda Calvert, Hammonton Road, urged Board support to address maintenance of Hammonton Road.

Supervisor Griego advised the ad hoc committee has met regarding this issue and a proposal will be forthcoming.

Ms. Marina Bolshakoff, Plumas Lake, commented on the excessive train whistles blowing during the night and urged Board support for a quiet zone from 10 p.m. to 7 a.m.

Mr. Ted Lowe, Marysville, read into the record a letter sent to the Attorney General regarding the condition and maintenance of Hammonton Road.

Mr. Greg Crompton, Dobbins, supported repair of Hammonton Road.

BOARD OF SUPERVISORS

1) Measure G/Off-Reservation Gaming: Supervisor Schrader recapped the results of Measure G and current status of the environmental impact study (EIS) for the proposed gaming facility. NO ACTION TAKEN

Following Board discussion and in response to specific inquiries, County Counsel Daniel Montgomery advised special counsel would review the final EIS when released and provide comments which would include results of election for Board approval.

Following further Board discussion, no action taken.

2) Yuba Highlands Project/Ballot Measure (Continued from May 22, 2007): County Counsel Daniel Montgomery advised after consulting with special counsel the Board could not place the project on the ballot due to the lack of certification of the Environmental Impact Report (EIR) and further advised the certification and project agreements and plan would come to the Board for consideration on July 10, 2007. Mr. Montgomery responded to Board inquiries. NO ACTION TAKEN

Mr. Greg Crompton, Dobbins; Mr. Tom Foley, Yuba City; and Ms. Freda Calvert, Hammonton Road, expressed opposition to the project.

Mr. Josh Cook, representing project applicant, addressed water issues and due process of the applicant.

Following Board discussion, no action was taken.

COUNTY ADMINISTRATOR

1) Proposed Fiscal Year 2007/2008 Budget: County Administrator Robert Bendorf recapped inclusions within the proposed budget and responded to Board inquiries.

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board accepted the Proposed Budget for Fiscal Year 2007/2008, directed the County Administrative Office to make copies available for public inspection, and directed budget hearings to begin June 12, 2007 at 1:30 p.m. ACCEPT BUDGET

2) Assembly Bill 1019 – Land Use, Annexation, and Housing: Following a brief recap from Legislative and Public Affairs Coordinator Russ Brown, upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried the Board approved supporting Assembly Bill 1019 and authorized the Chairman to execute letters of support to Senator Aanestad and Assemblyman Keene. SUPPORT AB 1019

COUNTY COUNSEL

Joint Powers Agreement/Three Rivers Levee Improvement Authority/Second Amendment: County Counsel Daniel Montgomery recapped the proposed amendment and responded to Board inquiries.

Upon motion of Supervisor Griego, seconded by Supervisor Logue, and unanimously carried the Board approved Amendment No. Two to the Joint Powers Agreement to provide explicit authority for Three Rivers Levee Improvement Authority to retain General Counsel and authorized the Chairman to execute same. APPROVE AMNDMNT.

HEALTH AND HUMAN SERVICES

1) Miles Treaster and Associates Agreement/Amendment: Health and Human Services Director Suzanne Nobles recapped the proposed amendment and responded to Board inquiries.

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried the Board approved an amendment to the agreement with Miles Treaster and Associates for delivery, installation, and move services and authorized the Chairman to execute same. APPROVE AMNDMNT.

2) Adult Protective Services Program Funding: Following a brief recap from Legislative and Public Affairs Coordinator Russ Brown, upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and unanimously carried, the Board approved correspondence to Senators Aanestad and Ducheny and Assemblyman Keene urging support to provide a \$20 million State general fund augmentation for the adult protective services program and authorized the Chairman to execute same. APPROVE SUPPORT

RISK MANAGEMENT/PERSONNEL

Public Health Nurse: Interim Personnel Director Martha Wilson recapped the classification study and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried the Board approved salary recommendations for Supervising Public Health Nurse classification, Public Health Nurse Intern classification, and re-title of Senior Public Health Nurse; adopted Resolution No. 2007-72, which is on file in Resolution Book No. 38, which is entitled: "RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE NO. 2007"; and adopted Resolution NO. 2007-73, which is on file in Resolution Book No. 38, which is entitled: "RESOLUTION AMENDING CLASSIFICATION SYSTEM - BASIC SALARY SCHEDULE 2006-124." ADOPT RESOLUTION NOS. 2006-72 AND 2006-73

ORDINANCES AND PUBLIC HEARINGS

Chairman Stocker read the disclaimer.

Ordinance - Hold public hearing, waive first reading, and introduce ordinance amending Chapter 7.07 as it relates to sewage systems (First Reading): Environmental Health Supervisor Paul Donoho recapped the proposed ordinance and responded to Board inquiries. Chairman Stocker opened the public hearing. No one came forward.

Upon motion Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, the reading was waived, and the Board introduced an ordinance amending Chapter 7.07 relating to sewage systems. WAIVE READING

CORRESPONDENCE

Upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti, and unanimously carried, the Board accepted the following correspondence:

A. Six News Releases from United States Department of Agriculture/Forest Service regarding cause of blaze in eastern Plumas County, new Regional Deputy Forest Supervisor Bernie Weingardt, Greenville Campground and Plumas National Forest Campground, Plumas National Forest Open House in Paradise, and Herger Feinstein Quincy Library Group Pilot Project monitoring tours.

B. Letter from Verizon Wireless regarding removal/installation of wireless telecommunications facility located in Smartville.

C. Letter from Yuba Community College District enclosing General Obligation Bond Election Results.

D. Letter from National Association of Counties regarding election of second vice-president at the annual conference to be held July 13 through 17, 2007 in Richmond, Vermont.

E. Letter from Ms. Aileen Stevens expressing concerns regarding turn lanes on Marysville Road at Fruitland Road and Gettys Court.

REFER
TO STAFF

Referred to Public Works, Community Development, and County Administrator

F. Letter from Governor's Office of Emergency Services advising of disaster designation due to unseasonably high temperatures and low humidity that occurred March 7, 2007 through March 15, 2007 in Yuba County.

G. Letter from Mr. Dana Hubbard urging support for creation of a county history and genealogical museum.

H. Letter from State of California Department of Health Services advising of Child Health and Disability Prevention Program Allocations for Fiscal Year 2007/2008.

I. Two Letters from United States Federal Emergency Management Agency regarding letters of map revision within Edgewater Subdivision.

REFER
TO STAFF

Referred to Community Development and Three Rivers Levee Improvement Authority

J. Notice from California Department of Forestry and Fire Protection regarding public hearings on proposed map updates which designates fire hazard severity zones in the state responsibility area.

K. Letter from California Fish and Game Commission enclosing notice of proposed regulatory action relating to Upland Game Bird Hunting. REFER TO STAFF

Referred to Fish and Game Commission

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Schrader:

- Memorial adjournment in memory of Mr. Ernie Vickrey
- Article in Wall Street Journal regarding dams, energy and water supplies which included Yuba County

Supervisor Griego:

- Goldfields ad hoc committee meeting held June 5, 2007
- Memorial adjournment in memory of Mrs. Martha Gilstrap

Supervisor Nicoletti:

- Peach Tree Clinic Board of Directors meeting of 2007
- Regional Park Plan meeting held June 4, 2007
- Opening of Air Force Week on the State Capitol Steps June 4, 2007
- Grounds maintenance at Fourteenth Street by Quest
- Emergency Services Operational Area Council meeting held June 5, 2007

Supervisor Logue:

- Consideration of waiver extension of levee fee for manufacturing and industrial development
- RD 784 drainage fees and meeting with RD 784 to consider options

Chairman Stocker formed an advisory committee named Industrial Impact Fees to address levee and drainage fees appointing Supervisors Logue and Griego to meet through December 31, 2007. FORM AD HOC

Supervisor Stocker:

- Memorial adjournment in memory of Mr. Henry Jones and Mrs. Margie Moore
- Ordinances addressing noise issue of semi-trucks within urban areas, parking trailers on private property, and curfews on county parks would be brought forward in the near future

Chairman Stocker formed an advisory committee named ACLUS to address noise contours of Beale Air Force Base and County Airport appointing Supervisors Schrader and Nicoletti to meet through December 31, 2007.

Three Rivers Levee Improvement Authority Director Paul Brunner:

- County and Yuba County Water Agency loan repayment
- Financial plan for funding projects
- State Reclamation Board meeting on June 8, 2007, in Sacramento addressing County levee projects

CLOSED SESSION

The Board retired into closed session at 8:36 p.m. to discuss the following:

A. Labor negotiation pursuant to Government Code §54957.6(a) - DSA/MSA and County of Yuba/Martha Wilson

B. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 010-185-015 (603 B Street, Marysville)/Negotiating Parties: Hub Partners and County of Yuba-Steve Androvich/Negotiation: Price and Terms of Payment

C. Threatened litigation pursuant to Government Code §54957.9 (a) - Two Cases

The Board returned from closed session at 9:13 p.m. with all Board and staff members present as indicated above.

There was no announcement from closed session.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 9:13 p.m. in memory of Mrs. Margie Moore, Mrs. Martha Gilstrap, Mr. Henry Jones, and Mr. Ernie Vickrey by Chairman Stocker.


Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Donna Stottlemeier Approved: June 19, 2007