

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JUNE 12, 2007

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:30 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Dan Logue, John Nicoletti, Donald Schrader, and Hal Stocker. Supervisor Mary Jane Griego was absent. Also present were County Administrator Robert Bendorf, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Ellen DeLemos. Chairman Stocker presided.

CONSENT AGENDA

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

- A. Administrative Services: Approved an amendment to agreement with California Security Services, dba Elite Universal Security for security guard services and authorized the Chairman to execute same. APPROVE AGREEMENT
- B. Agricultural Commissioner: Approved an agreement with Applied Forest Management, Inc. for consultant services for Yuba Watershed Protection and Fire Safe Council and authorized the Chairman to execute same. APPROVE AGREEMENT
- C. County Administrator
- 1) Authorized a Budget Transfer in the amount of \$31,975 from Account No. 101-6900-410-71-01 (Contingencies) to Account No. 101-0101-411-23.10 (Board of Supervisors Special/Tax Consultant) to cover costs associated with sales tax audit services for fourth quarter of calendar year 2006. AUTHORIZE BGT. TRNSFR.
- 2) Adopted Resolution No. 2007-74, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION PERTAINING TO TAX REVENUE EXCHANGE – LAFCo FILE NUMBER 2006-0014," excepting tax exchange from Browns Valley Irrigation District. ADOPT RESOLUTION NO. 2007-74

D. Emergency Services: Authorized a Budget Transfer in the amount of \$3,792 from Account No. 101-4200-427-22-00 (Office Expense) to Account No. 101-4200-427-62-00 (Fixed Assets) for purchase of three new computers. AUTHORIZE BGT. TRNSFR.

E. Health and Human Services: Adopted Resolution No. 2007-75, which is on file in Yuba County Resolution Book No. 38, which is entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES FOR TUBERCULOSIS LOCAL ASSISTANCE FUNDS FOR FISCAL YEAR 2007-2008, AND AUTHORIZE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND AUTHORIZE ACCEPTANCE OF FUNDS." ADOPT RESOLUTION NO. 2007-75

F. Probation: Adopted Resolution No. 2007-76, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION AUTHORIZING THE CHIEF PROBATION OFFICER OF YUBA COUNTY AS THE DESIGNATED PROJECT DIRECTOR, TO MAKE APPLICATION FOR FUNDS TO THE OFFICE OF EMERGENCY SERVICES, ON BEHALF OF THE COUNTY OF YUBA, PURSUANT TO THE FEDERAL CRIME ACT OF 1994." ADOPT RESOLUTION NO. 2007-76

G. Risk Management/Personnel: Authorized catastrophic leave for employee in Health and Human Services Department. AUTHORIZE LEAVE

H. Board of Supervisors: Approved endorsing Healthy Kids, Healthy Future Project for consideration of 2007 California State Association of Counties Challenge Award and authorized the Chairman to execute same. APPROVE LETTER

SPECIAL PRESENTATION

Valdez, Isela: Chairman Stocker presented a proclamation to Ms. Isela Valdez for 33 years of service to Yuba County. PRESENT PROC.

Supervisor Griego joined the meeting at 9:33 a.m.

PUBLIC COMMUNICATIONS

No one came forward.

ADMINISTRATIVE SERVICES

Multi-Jurisdictional, Multi-Hazard Mitigation Plan: Emergency Services Coordinator Pat Beecham provided a Power Point presentation regarding identification of hazard mitigation projects and strategies, and responded to Board inquiries. *INFO ONLY*

The following special districts recapped projects regarding disaster planning:

- Chief Matt Furtado, Yuba County Fire Protection Planner
- Mr. Mike Reed, Wheatland Elementary School District
- Mr. Walter Cotter, Browns Valley Irrigation District
- Mr. Steve Wright, City of Wheatland
- Ms. Kathy LeBlanc liaison for Camptonville Community District
- Mr. Pete Hammontre, Dobbins-Oregon House Fire Protection District

BOARD OF SUPERVISORS

Yuba County Resource Conservation District: Following nominations by Supervisor Schrader and Supervisor Stocker respectfully, upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and unanimously carried, the Board appointed Ms. Mimi Cary and Ms. Anita Miller to the Yuba County Resource Conservation District for terms to expire November 30, 2008. *APPOINT REPS.*

COUNTY ADMINISTRATOR

Used Oil Recycling Block Grant: Following a brief recap from Assistant County Administrator Randy Margo, upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board authorized the County Administrator to execute correspondence supporting Regional Waste Management Authority 2007-2008 Used Oil Recycling Program Grant application on behalf of the County. *AUTHORIZE LETTER*

ORDINANCES AND PUBLIC HEARINGS

Chairman Stocker read the disclaimer.

A. Ordinance – Hold public hearing, waive reading, adopt ordinance amending Chapter 7.07 relating to Sewage Systems (Second Reading): Following a brief recap from Environmental Health Supervisor Paul Donoho, upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, second reading was waived, and the Board adopted Ordinance No. 1407, which is on file in Yuba County Ordinance Book No. 19, which is entitled: *ADOPT ORDINANCE NO. 1407*

“AN ORDINANCE AMENDING SECTION 780 OF CHAPTER 7.07 OF TITLE VII OF THE COUNTY ORDINANCE CODE.”

B. Ordinance – Hold public hearing, waive reading, introduce ordinance amending various sections of Chapter 13 relating to raising certain fees (First Reading): Following Board discussion, Chairman Stocker opened the public hearing. No one came forward.

Upon motion of Supervisor Schrader, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, the reading was waived, and the Board introduced an ordinance relating to raising certain fees. WAIVE READING

C. Ordinance – Hold public hearing, adopt resolution approving Mitigated Negative Declaration and Change of Zone CZ2005-0002 (Milestone Associates/David Lanza)/Adopt ordinance rezoning Assessor Parcel Nos. 021-132-027 and 021-132-029 from R2 Medium Density Residential to General Commercial: Interim Planning Director Wendy Hartman provided a Power Point presentation recapping the proposed project and responded to Board inquiries. Chairman Stocker opened the public hearing. No one came forward.

Upon motion of Supervisor Nicoletti, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed and the Board adopted Resolution No. 2007-77, which is on file in Yuba County Resolution Book No. 38, which is entitled: “RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PLAN AND APPROVING CHANGE OF ZONE CZ 2005-0002 FOR MILESTONE ASSOCIATES/DAVID LANZA, SUBJECT TO CONDITIONS OF APPROVAL;” waived reading, and adopted Ordinance No. 1408, which is on file in Yuba County Ordinance Book No. 19, which is entitled: “AN ORDINANCE REZONING CERTAIN PROPERTY IN THE COUNTY OF YUBA,” from (R2) Medium Density Residential to General Commercial (C) identified as Assessor Parcel Nos. 021-132-027 and 021-132-029. ADOPT RESOLUTION NO. 2007-77 AND ORDINANCE NO. 1408

D. Ordinance – Hold public hearing, adopt resolution approving General Plan Amendment and Change of Zone GPA2005-0004 (Valley Development), Mitigated Negative Declaration and override of Comprehensive Land Use Plan for Yuba County Airport: adopt ordinance rezoning Assessor Parcel No. 013-400-001 from R1 (Single Family Resident) to C-UP (General Commercial-Use Permit): Assistant Planning Director Ed Palmeri provided a Power Point presentation recapping the proposed project and responded to Board inquiries. Chairman Stocker opened the public hearing.

Mr. Dennis Nelson, Valley Development urged support for the project.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, and the Board Adopted Resolution No. 2007-78, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION APPROVING GENERAL PLAN AMENDMENT AND CHANGE OF ZONE 2005-0004, ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN AND AN OVERRIDE OF THE COMPREHENSIVE LAND USE PLAN FOR YUBA COUNTY AIRPORT (CLUP);" waived reading, and adopted Ordinance No. 1409, which is on file in Yuba County Ordinance Book No. 19, which is entitled: "AN ORDINANCE REZONING CERTAIN PROPERTY IN THE COUNTY OF YUBA," from (R1) Single Family Residence to (C-UP) General Commercial-Use Permit identified as Assessor Parcel No.013-400-001.

ADOPT
RESOLUTION
NO. 2007-78
AND
ORDINANCE
NO. 1409

CORRESPONDENCE

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

A. Two News Releases from United States Department of Agriculture/Forest Service regarding residential burn ban effective June 4, 2007 and Plumas National Forest Children's Fishing Derby to be held June 16, 2007.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received from the following:

Supervisor Schrader:

- Out of State June 18 - 26, 2007

Supervisor Griego:

- Memorial adjournment in memory of Eli Eugene "Doc" Shatswell

Supervisor Nicoletti:

- Air Force 60th Anniversary Celebration
- Presentation of proclamation to Beale Air Force Base
- Yuba Sutter Mental Health upcoming report on salaries

Supervisor Stocker:

- Proper use of individual first name

Agricultural Commissioner Dennis Pooler:

- Development of Yuba-Sutter farm trails guide

- Acknowledged Board for their support through his years of service

At the request of County Counsel, and upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the Board added to closed session one claim of threatened litigation as the need to take action arose subsequent to the agenda being posted. ADD
CLOSED
SESSION

CLOSED SESSION

The Board retired into closed session at 11:12 a.m. to discuss the following:

- A. Labor negotiation pursuant to Government Code §54957.6(a) – DSA/MSA and County of Yuba/Martha Wilson
- B. Personnel pursuant to Government Code §54957 – Public Appointment – Agricultural Commissioner
- C. Threatened litigation pursuant to Government Code §54956.9(b) – One Claim


The Board returned from closed session at 12:08 p.m. with all Board and staff members present as indicated above. There were no announcements.

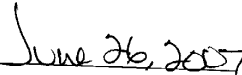
ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:08 p.m. in memory of Mr. Eli Eugene "Doc" Shatswell by Chairman Stocker.


Chairman

ATTEST: DONNA STOTTEMEYER
CLERK OF THE BOARD OF SUPERVISORS


By: Ellen DeLemos, Deputy Clerk

Approved:  June 26, 2007