

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JUNE 29, 2004 – SPECIAL MEETING

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 8:00 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Dan Logue, Bill Simmons, Mary Jane Griego, Donald Schrader, and Hal Stocker. Also present were County Administrator Kent McClain, County Counsel Daniel Montgomery, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Simmons presided.

AUDITOR-CONTROLLER

Cost Allocation Plan/Mandated Cost Claims: Following presentation by Auditor Dean Sellers and County Administrator Kent McClain, upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board authorized an agreement with Public Resource Management Group for the cost allocation plan and with Maximus for state mandated cost claims, and authorized the Auditor-Controller to execute the agreements upon approval of County Counsel.

AUTHORIZE
AGRMNT.

BOARD OF SUPERVISORS

1) Special Election/Resource Depletion Surcharge: County Counsel Daniel Montgomery recapped the proposed resolution calling for a special election to provide the electorate opportunity to impose a resource depletion special purpose surcharge in the amount of 25 cents per ton with the revenue derived being allocated for construction, repair and maintenance of county roads, and city road within the incorporated areas of the County subject to appropriation at the discretion of the Board of Supervisors. Mr. Montgomery responded to Board inquiries.

Supervisor Logue discussed various meetings with mining and aggregate operators to produce an agreement whereby all operators would voluntarily pay a surcharge of 15 cent per ton.

Following Board discussion, the following individuals spoke in support of a ballot measure:

- Mr. Bill Calvert, Hammonton Road
- Mr. Dick Dahms, Oregon House
- Mr. Jack Bartlett, Oregon House
- Mr. James Wilson, Gridley
- Mr. Frank Stockton, Arboga Road

The following individuals expressed concern regarding the amount of time to consider the operators agreement:

- Mr. Jim Liddiard, Western Aggregates
- Mr. Wayne Dutra, Baldwin Contracting Company
- Mr. Rene Veroruysen, Baldwin Contracting Company
- Mr. Cliff Yarnell, Nordic Industries
- Ms. Lillie Noble, Teichert Aggregates
- Ms. Deborah Plant, Kino Aggregates, Inc.

Mr. Don Elliott, Swezy, opposed imposition of a surcharge.

In response to Board inquiries, Mr. Montgomery advised the resolution calling for a special election could be rescinded by the Board at a later date, however, if the measure were included on the ballot, votes would not be counted. Mr. Montgomery further advised the measure would not appear on the ballot if the County Clerk received notification of the rescinded resolution prior to the ballot going to print.

Following Board discussion, upon motion of Supervisor Logue, seconded by Supervisor Griego, and unanimously carried, the Board adopted Resolution No. 2004-86, which is on file in Yuba County Resolution Book No. 35, which is entitled: "RESOLUTION CALLING A SPECIAL ELECTION TO BE HELD TUESDAY, NOVEMBER, 2, 2004," as amended, as it relates to a resource depletion surcharge in the amount of twenty-five cents.

ADOPT
RESOLUTION
NO. 2004-86

RECESS

The Board recessed at 9:36 a.m. and reconvened at 9:50 a.m. with all Board and staff members present as indicated above.

2) Sphere of Influence/County Service Area/Law Enforcement Services: Following presentation by Community Development Director Tim Snellings and Principal Planner Chuck Thislethwaite and Board discussion, the following individuals spoke in support of the proposed county service area:

- Mr. Dick Dahms, Oregon House
- Mr. Greg Crompton, Dobbins
- Mr. Jack Bartlet, Oregon House

Sheriff Virginia Black opposed a ballot measure for a countywide service area, however, supported the proposed resolution.

Mr. Frank Stockton, felt any tax should be imposed only by a vote of the electorate.

Mr. James Kennedy, Bald Mountain Road, expressed concern regarding foothill parcels being imposed a fee with no additional services provided and supported a fee for the urban areas of the County.

Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2004-87, which is on file in Yuba County Resolution Book No. 35, which is entitled: “RESOLUTION APPLYING TO LAFCO TO ESTABLISH A SPHERE OF INFLUENCE AND FORM A COUNTY SERVICE AREA FOR LAW ENFORCEMENT SERVICES,” as amended for five or more parcels within the unincorporated area within Yuba County.

ADOPT
RESOLUTION
NO. 2004-87

RECESS

The Board recessed at 10:00 a.m. and reconvened at 10:18 a.m. with all Board and staff members present as indicated above.

3) Special Election/County-Wide Service Area/Law Enforcement Services: Upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried the Board did not consider a resolution calling a special election to form a county-wide County Service Area with an annual assessment in the amount of \$141 per parcel for the sole purpose of funding Sheriff, District Attorney and Probation services.

NO
ACTION
TAKEN

CLOSED SESSION

The Board retired into closed session at 10:44 a.m. to discuss the following:

- A. Threatened litigation pursuant to Government Code §54956.9(b) – Three Cases
- B. Pending litigation pursuant to Government Code §54956.9(a) – Western Aggregates vs. County of Yuba

The Board returned from closed session at 11:09 a.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 11:09 a.m. by Chairman Simmons.

/s/Bill Simmons, Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

/s/Donna Stottlemeyer

Approved: July 20, 2004