

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JULY 8, 2003

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:45 a.m., within the Courthouse, 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 Schrader presided.

CONSENT AGENDA

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

1. Administrative Services/Airport
  - (a) Approved Red Carpet Aviation proposed payment plan for operations at the Yuba County Airport. APPROVE PAY PLAN
  - (b) Approved request for reconveyance of Lot 9, Yuba County Airport Industrial Park Site 5, to Roy E. Lanza, Trustee, and authorized Chairman to execute same. APPROVE RECONVEY.
2. Clerk of the Board of Supervisors
  - (a) Approved minutes of the regular meeting of June 24, 2003, as written. APPROVE MINUTES
  - (b) Appointed Paula Aguilar-Ramos to the Area 4 Agency on Aging Advisory Council for a term to expire June 30, 2005. APPOINT A4AA REP.
3. County Administrator: Authorized County Administrator to execute letter giving Regional Waste Management Authority authorization to apply for Local Government Waste Tire Public Education and Amnesty Grant program for Fiscal Year 2003/04 on behalf of County of Yuba. APPROVE LTR.

4. Health and Human Services

- (a) Approved agreement with Camptonville Community Partnership for “CanWork” services and authorized Chairman to execute same. APPROVE AGRMNT.
- (b) Adopted Resolution No. 2003-103, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “AUTHORIZE THE YUBA COUNTY HEALTH SERVICES DIVISION TO APPLY TO THE STATE OF CALIFORNIA FOR THE MATERNAL AND CHILD HEALTH (MCH) GRANT, FOR THE PERIOD OF JULY 2, 2003 - JUNE 30, 2004; AND AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE APPLICATION, THE RESULTANT GRANT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM, AND TO AUTHORIZE THE ACCEPTANCE OF FUNDS.” ADOPT RESOLUTION NO. 2003-103
- (c) Approved agreement with Yuba Community College District for learning disability assessment and counseling for CalWorks and authorized Chairman to execute same. APPROVE AGRMNT.

5. Public Works

- (a) Adopted Resolution No. 2003-104, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION AUTHORIZING SUBMISSION OF TRANSPORTATION CLAIM FOR FUNDS FROM THE TRANSPORTATION AND DEVELOPMENT ACT OF 1971 AS AMENDED.” ADOPT RESOLUTION NO. 2003-104
- (b) Approved agreement with Bender Rosenthal, Inc. for right of way services to obtain necessary right of way for improvement to the Kibbe Road and Highway 20 intersection and authorized Chairman to execute same. APPROVE AGRMNT.

6. Risk Management/Personnel

- (a) Adopted Resolution No. 2003-105, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION AMENDING THE CLASSIFICATION SYSTEM-BASIC SALARY SCHEDULE NO. 2003-17,” as it relates to the Deputy Sheriff’s Association and Management Sheriff’s Association effective July 1, 2003. ADOPT RESOLUTION NO. 2003-105
- (b) Adopted Resolution No. 2003-106, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION ADOPTING THE EMPLOYER PICKUP PRE-TAX PAYROLL DEDUCTION PLAN FOR PUBLIC SAFETY MILITARY SERVICE CREDIT PURCHASES (CONTRIBUTION CODE 14).” ADOPT RESOLUTION NO. 2003-106

7. Sheriff-Coroner: Approved agreement with Language Line Services for over-the-phone interpreter services for inmates in Yuba County Jail and authorized Chairman to execute same. APPROVED AGRMNT.

#### PUBLIC COMMUNICATIONS

Mr. Dick Dahms, Dobbins, opposed implementing a business license fee.

#### FISH AND GAME ADVISORY COMMISSION

Dennis Caselli Memorial Scholarship: Fish and Game Advisory Commission Chair Linda Wise recapped the proposed scholarship of \$500 each for up to two qualifying Yuba County residents and responded to Board inquiries.

Chairman Schrader directed scholarship essays be handwritten.

Board members commended the commission and Ms. Wise.

Upon motion of Supervisor Logue, seconded by Supervisor Simmons, and unanimously carried the Board authorized use of Fish and Game funds to offer up to two \$500 scholarships to Yuba County Residents per year. AUTHORIZE SCHLRSHP.

#### ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

1. Ordinance – Hold public hearing, waive first reading, and introduce ordinance amending Title III, Chapter 3.40 of the Yuba County Ordinance Code relating to buy-back of military time by PERS Safety Members: County Administrator Kent McClain recapped the proposed ordinance. Chairman Schrader opened the public hearing and inquired if anyone wished to address this issue. No one came forward.

Upon motion of Supervisor Simmons, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed and the Board waived first reading of an ordinance amending Title III, Chapter 3.40 of the Yuba County Ordinance Code relating to buy-back of military time by PERS Safety Members. WAIVE 1<sup>ST</sup> READING

*(End of Tape No. 1644 Side B)*

2. Public Hearing – Hold public hearing to allow comment for dispute of arrearages owed to Yuba Sutter Disposal, Inc. (YSDI), and adopt resolution confirming report of delinquent YSDI accounts located in Olivehurst and Linda: Chairman Schrader opened the public hearing and inquired if anyone wished to address this issue.

Mr. Jimmy Williams, 1639 Fifth Avenue, advised of numerous exemption requests to Community Development advising of denial with no explanation.

Mr. Bob McCurry, 1831 16<sup>th</sup> Street, advised no response was received regarding his exemption request to Community Development.

Supervisor Griego commented on the exemption process, suggesting a more simplified method and felt Mr. Williams and Mr. McCurry should have received exemptions.

Ms. Edna Montoya, 1928 Fernwood Drive, advised the arrearages owed were from a previous tenant who is deceased.

Mr. Randall Mullany, 4744 Fleming Way, advised arrearages are from the previous owner of the property.

Mr. Terry Bentley, YSDI Operations Manager, recapped billing process and responded to Board inquiries.

*(End of Tape No. 1645 Side A)*

Upon motion of Supervisor Logue, seconded by Supervisor Simmons, and unanimously carried, the public hearing was closed.

Following Board discussion and upon motion of Supervisor Simmons, seconded by Supervisor Logue, and unanimously carried the Board adopted Resolution No. 2003-107, which is on file in Yuba County Resolution Book No. 34, and which is entitled: "RESOLUTION CONFIRMING REPORT OF DELINQUENT SOLID WASTE COLLECTION CHARGES AND ORDER OF ASSESSMENT," with the exemption of individuals which addressed the Board.

ADOPT  
RESOLUTION  
NO. 2003-107

A. Letter from California Department of Parks and Recreation dated June 24, 2003 regarding update on Proposition 40 grant programs.

Referred to Public Works. Copy to Olivehurst Public Utility District.

REFER TO  
STAFF

B. Agenda from Governor's Office of Emergency Services, Mutual Aid Region Advisory Committee for meeting of July 9, 2003. No action.

C. Meeting Notice and Agenda from Central Valley Regional Water Quality Control Board for July 10 and 11, 2003. No action.

D. Memorandum from North Central Counties Consortium dated June 25, 2003 enclosing the Business Services Plan. No action.

#### BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Logue:

- WalMart grand opening ceremony to be held August 20, 2003 at 7:00 a.m.
- Urgency ordinance regarding Shad Pad Area to come before the Board July 15, 2003

Supervisor Simmons:

- Omnibus Bill regarding STIP funds and economic development has been presented to committee

Supervisor Schrader:

- Received consensus to execute correspondence in opposition of Senate Bill 440 (Burton) regarding binding arbitration

#### CLOSED SESSION

County Council Daniel Montgomery advised no closed session discussion was needed regarding pending litigation Calvert vs. County of Yuba.

#### RECESS

The Board recessed at 11:00 a.m. and reconvened in closed session at 11:19 a.m. to discuss pending litigation pursuant to Government Code §54956.9(a) – Siggins vs. County of Yuba.

The Board reconvened in open session at 11:29 a.m. with all Board and staff member present as indicated above.

County Council Daniel Montgomery made the following announcement:

“Mr. Chairman, your board by unanimous vote has authorized the retention of Porter, Scott, Weiberg, and Delehant to defend all county interests in the matter of Siggins vs. County of Yuba. No further announcement.”

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 11:29 a.m. by Chairman Schrader.

/s/Bill Simmons, Vice-Chairman

ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

/s/Donna Stottlemeyer

Approved: July 22, 2003