

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

NOVEMBER 9, 2004

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, Bill Simmons, Mary Jane Griego, Donald Schrader, and Hal Stocker. Also present were County Administrator Kent McClain, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Cynthia Slayton. Chairman Simmons presided.

CONSENT AGENDA

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

- A. Clerk of the Board of Supervisors: Approved minutes for the regular meeting of October 26, 2004 as written. APPROVE MINUTES
- B. County Counsel: Adopted Resolution No. 2004-159, which is on file in Yuba County Resolution Book No. 35, and which is entitled: "RESOLUTION FINDING COUNTY INTEREST IN CERTAIN REAL PROPERTY IS LESS THAN \$25,000 AND AUTHORIZING SALE THEREOF," relating to the foreclosure on real property at 8602 LaPorte Road due to a default on a Community Development Block Grant loan. ADOPT RESOLUTION NO. 2004-159
- C. Public Works: Adopted Resolution No. 2004-158, which is on file in Yuba County Resolution Book No. 35, and which is entitled: "RESOLUTION APPROVING FINAL MAP OF TRACT MAP NO. 2004-12, RIO DEL ORO VILLAGE 9; FINAL MAP OF TRACT MAP NO. 2004-13, RIO DEL ORO VILLAGE 10; AND FINAL MAP OF TRACT MAP NO. 2004-28, RIO DEL ORO VILLAGE 11; AND ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENT." ADOPT RESOLUTION NO. 2004-158

SPECIAL PRESENTATION

California County Information Services Directors Association (CCISDA) Innovation Award: Information Technology Manager David McBride presented the Board with a plaque from the CCISDA recognizing the Yuba and Sutter Counties Intergovernmental Fiber Network as the 2004 Best Information Technology Collaboration among Organizations award winner. RECEIVE PLAQUE

Public Works: Director Kevin Mallen recapped departmental workload, funding issues, and on-going projects, and responded to Board inquiries. RECEIVE UPDATE

Chairman Simmons formed a Proposition 40 Funds Advisory Committee appointing himself and Supervisor Griego to consider recommendations for the use of funds for capital improvements to Yuba County parks. FORM PROP 40 AD HOC

PUBLIC COMMUNICATION

Wayne M. Sisco, Olivehurst, voiced concerns regarding the care his wife received from Yuba County In-Home Supportive Services.

CLERK OF THE BOARD OF SUPERVISORS

Fish and Game Advisory Committee Youth Member: Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board appointed Daniel Howard to the Fish and Game Advisory Commission as the Youth Member with a one year term to expire November 9, 2005. APPOINT YOUTH REP.

COMMUNITY DEVELOPMENT

1) Budget Transfer/\$151,675: Community Development Director Tim Snellings recapped the transfer of monies from Trust Fund 255 in recognition of work performed and revenues earned by the Planning Division in the first quarter of 2004, and responded to Board inquiries.

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the Board authorized a Budget Transfer in the amount of \$151,675 from the Planning Division Trust Fund 255 to Account No. 101-4300-427-23-07 (Professional Services) for first quarter Planning Division work performed and revenues earned. AUTHORIZE B/T

2) Airport Comprehensive Land Use Plan Override (CLUP)/Cloverleaf Market: Community Development Assistant Director Peter Calarco recapped the request from Cloverleaf Market to override the Airport Land Use Commission recommendation that a laundry facility at the Cloverleaf Market is incompatible with the Yuba County Airport CLUP and responded to Board inquiries.

Following Board discussion, upon motion of Supervisor Stocker, seconded by Supervisor Logue, and unanimously carried, the Board directed staff to proceed with the override of the Yuba County Airport CLUP to allow a laundry and retail facility at Cloverleaf Market. PROCEED W/ OVERRIDE

HEALTH AND HUMAN SERVICES

Intravenous Medication For Multi-Drug Resistant Tuberculosis Patients: Health and Human Services Director Suzanne Nobles recapped the agreement with Fremont Rideout Home Health to administer intravenous medication to patients with active multi-drug resistant tuberculosis and responded to Board inquiries.

Following Board discussion, upon motion of Supervisor Stocker, seconded by Supervisor Logue, and carried with Supervisor Schrader abstaining, the Board adopted Resolution No. 2004-160, which is on file in Yuba County Resolution Book No. 35, and which is entitled: "AUTHORIZE THE YUBA COUNTY HEALTH & HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH FREMONT RIDEOUT HOME HEALTH FOR THE ADMINISTRATION OF INTRAVENOUS MEDICATION FOR MULTI-DRUG RESISTANT TUBERCULOSIS FOR THE PERIOD OF OCTOBER 25, 2004, THROUGH DECEMBER 31, 2005; AND AUTHORIZE THE DIRECTOR OF YUBA COUNTY HEALTH & HUMAN SERVICES DEPARTMENT TO EXECUTE THE AGREEMENT AND ANY PERTINENT DOCUMENTS RELATED TO THIS AGREEMENT AND AUTHORIZE THE DISBURSEMENT OF FUNDS."

ADOPT
RESOLUTION
NO. 2004-160

Supervisor Stocker left the meeting at 10:53 a.m.

CORRESPONDENCE

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

A. Letter from California Integrated Waste Management Board announcing grant funds available for rubberized asphalt concrete projects. No action.

Referred to Public Works

B. News Release from United States Forest Service regarding Plumas National Forest Off-Highway Vehicle route designation process. No action.

C. Notification from California Integrated Waste Management Board on Inventory of Solid Waste Facilities which Violate State Minimum Standards including Yuba-Sutter Disposal Area.

Chairman Simmons directed staff to provide an update regarding efforts to bring the Yuba-Sutter Disposal Area into compliance.

REFER TO
STAFF

D. Letter from California Department of Water Resources announcing a comment period for the Plumas Lake Estates Project. No action.

E. Memorandum from United States Department of the Interior announcing Vernal Pool Recovery Plan Meetings. No action.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Logue:

- Received consensus for a joint meeting between the Board of Supervisors and the City of Marysville City Council on December 14, 2004

Supervisor Griego:

- Attending California State Association of Counties conference November 15 – 17, 2004

Supervisor Stocker joined the meeting at 11:02 a.m.

Supervisor Simmons:

- Recommended continuing to pursue rural designation for Linda and Olivehurst through the United States Department of Agriculture

RECESS

The Board recessed at 11:10 a.m. and reconvened at 12:14 p.m. with all Board and staff members noted above.

CLOSED SESSION

The Board retired into closed session at 12:15 p.m. to discuss:

A. Threatened litigation pursuant to Government Code §54956.9(b) - One Case

B. Pending litigation pursuant to Government Code §54956.9(a) - Correa vs. County of Yuba

C. Personnel pursuant to Government Code §54957 - Department Head Evaluation/ Agricultural Commissioner

D. Personnel pursuant to Government Code §54957 - Department Head Evaluation/
Clerk of the Board of Supervisors

E. Personnel pursuant to Government Code §54957 - Department Head Evaluation/
Library Director

The Board recessed from closed session at 12:30 p.m. and reconvened in closed session at 12:44 p.m.

The Board returned from closed session at 1:05 p.m. with all Board and staff members present as mentioned above.

County Counsel Dan Montgomery made the following announcement:

“The Board of Supervisors has voted unanimously in the matter of Correa vs. County of Yuba to authorize the defense of the case and to retain the outside counsel of Porter, Scott, Weiberg, and Delehant.”

Chairman Simmons announced the evaluation of the Agricultural Commissioner was completed.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 1:08 p.m. by Chairman Simmons.

/s/Bill Simmons, Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

/s/Cynthia Slayton, Deputy Clerk Approved: December 7, 2004