

YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

DECEMBER 20, 2005

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 Kent McClain, County Counsel Daniel Montgomery, and Clerk of the Board of Supervisors Donna Stottlemeyer. Vice-chairman Schrader presided.

CONSENT AGENDA

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

A. Clerk of the Board of Supervisors

1) Adopted list of ongoing boards, commissions, and committees appointed by the Board of Supervisors. ADOPT LIST

2) Approved minutes of the regular meeting of December 6, 2005, as written. APPROVE MINUTES

B. Community Development: Adopted Resolution No. 2005-294, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION AUTHORIZING THE DIRECTOR OF ENVIRONMENTAL HEALTH TO APPLY FOR WASTE TIRE ENFORCEMENT GRANT FUNDING FOR FISCAL YEAR 200/2007." ADOPT RESOLUTION NO. 2005-294

C. Health and Human Services: Adopted Resolution No. 2004-295, which is on file in Yuba County Resolution Book No. 36, which is entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF HEALTH SERVICES FOR THE PERIOD OF AUGUST 31, 2005 THROUGH AUGUST 30, 2006, AND AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE AGREEMENT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND TO ACCEPT FUNDS." ADOPT RESOLUTION NO. 2005-295

D. Public Works

- 1) Approved contract amendment with Pacific Municipal Consultants in the total amount of \$20,534 for environmental support services related to the Hazard Elimination System Obstacle Removal Project. APPROVE AMNDMNT.
- 2) Adopted Resolution No. 2005-296, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION APPROVING FINAL MAP OF TRACT MAP NO. 2004-41 RIO DEL ORO, VILLAGE 15;" and authorize Chair to execute Subdivision Improvement Agreement with MW Housing Partners III, LP. ADOPT RESOLUTION NO. 2005-296

E. Sutter Yuba Mental Health

- 1) Approved the Mental Health Services Act Community Services and Support Three-year Program and Expenditure Plan Draft for Fiscal Years 2005-2008. APPROVE PLAN
- 2) Approved an agreement between County of Sutter and North Valley Behavioral Health for Involuntary Hold Status and authorized the Chair to execute same. APPROVE AGRMNT.

ADMINISTRATIVE SERVICES

2005 Best Application Serving the Public: Information Manager David McBride recapped California County Information Services Directors Association and Center for Digital Government Innovation Awards process. Senior GIS Analyst Jerry Henry presented Vice Chairman Schrader a plaque recognizing Yuba County for its Geographic Information System (GIS) Portal website. RECEIVE PLAQUE

COUNTY COUNSEL

Placer County/CEMEX (Patterson Sand and Gravel): Following presentation by County Counsel Daniel Montgomery, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with Supervisor Griego being absent, the Board approved a Memorandum of Understanding with Placer County and CEMEX (Patterson Sand and Gravel) delegating mining permit authority to Placer County and authorized the Chair to execute same. APPROVE MOU

PUBLIC COMMUNICATIONS

Ms. Bonnie Metcalf, Martel Drive, recapped recent legal difficulties encounter regarding medicinal marijuana use.

CLOSED SESSION

The Board retired into closed session at 9:44 a.m. to discuss Labor negotiations pursuant to Government Code §54957.6(a) - Unit 10 and County of Yuba/Beverly Barnes.

The Board returned from closed session at 9:50 a.m. with all Board and staff members present as indicated above. There was no announcement.

RISK MANAGEMENT/PERSONNEL

Vice-chairman Schrader advised Items C (1) and (3) regarding salary schedule for Elected Officials and the County have been continued to January 3, 2006.

CONTINUE
TO 1/3/06

1) Addendum C/2004-2006 Memorandum of Understanding/Yuba County Employees' Association: Vice-chairman Schrader advised Supervisor Stocker would preside over the matter of Addendum C and stated his abstention.

Following presentation by Risk Management Director Beverly Barnes on the addendum regarding pay banding, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with Supervisor Schrader abstaining and Supervisor Griego being absent, the Board approved Addendum C to the 2004-2006 Memorandum of Understanding between County of Yuba and Yuba County Employees' Association Local Number 1 and authorized the Chair to execute same.

APPROVE
ADDENDUM
C TO MOU

2) CSAC Excess Insurance Authority Liability Insurance Programs to Three Rivers Levee Improvement Authority: Following presentation by Risk Management Director Beverly Barnes, upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and carried with Supervisor Griego being absent, the Board adopted Resolution No. 2005-297, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION TO EXTEND CSAC EXCESS INSURANCE AUTHORITY LIABILITY INSURANCE PROGRAM TO THREE RIVERS LEVEE IMPROVEMENT AUTHORITY."

ADOPT
RESOLUTION
NO. 2005-297

ORDINANCES AND PUBLIC HEARINGS

The vice-chairman read the disclaimer.

A) Public Hearing/County Services Area 52 Zone of Benefit B (Orchard Subdivision): Following presentation by Public Works Director Kevin Mallen, Vice-chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Logue, and carried with Supervisor Griego being absent, the public hearing was closed, and the Board adopted Resolution No. 2005-298, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION ANNEXING TERRITORY (ORCHARD SUBDIVISION) TO COUNTY SERVICE AREA CSA – 52 ZONE OF BENEFIT B."

ADOPT
RESOLUTION
NO. 2005-298

B) Public Hearing – Zone of Benefit A/County Service Area 25(Fargo Hill Phase II): Following presentation by Public Works Director Kevin Mallen, Vice-chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and carried with Supervisor Griego being absent, the public hearing was closed, and the Board adopted Resolution No. 2005-299, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION ESTABLISHING ZONE OF BENEFIT A WITHIN COUNTY SERVICE AREA NO. 25 AND IMPOSING AN ASSESSMENT (FARGO HILL PHASE II)."

ADOPT
RESOLUTION
NO. 2005-299

CORRESPONDENCE

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

A. Letter from Area 4 Agency on Aging regarding Calendar Year 2006 appointment to Area 4 Agency on Aging Governing Board. No action.

B. Notice from United States Federal Energy Regulatory Commission regarding Order Modifying and Approving Amendment of License for Yuba County Water Agency. No action.

C. Notice from United States Federal Energy Regulatory Commission regarding Notice of Availability of Environmental Assessment for Yuba County Water Agency. No action.

D. Memorandum from Dean Sellers enclosing financial statements for Camptonville Community Service District for June 30, 2005. No action.

E. Letter from Governor's Office of Emergency Services advising of disaster designation for contiguous counties due to heavy rains from April 2005 through June 15, 2005 which includes Yuba County. No action.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Schrader:

- Yuba County Water Agency Special Meeting on January 9, 2005 at 9:00 a.m.
- State Water Resources Control Board pre-hearing to be scheduled prior to January 10, 2005 meeting

County Administrator Kent McClain:

- Reclamation Board approval of permits for the Setback Levee Project and Completion of Olivehurst Detention Basin

CLOSED SESSION

The Board retired into closed session at 10:09 a.m. to discuss the following:

A. Personnel pursuant to Government Code §54957 – Public Employee Discipline – Deputy Sheriff III

B. Personnel pursuant to Government Code §54957 – Public Employee Appointment - Interim Community Development Director


The Board returned from closed session at 10:18: a.m. with all Board and staff members present as indicated above.

County Counsel Daniel Montgomery made the following announcement:

"Yes, Mr. Chairman, with reference to the matter concerning employee discipline your Board has just considered in closed session, your Board has by four to nothing vote adopted the Administrative Law Judge's decision as its own. No further announcements."

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors,
the meeting was adjourned at 10:19 a.m. by Vice-chairman Schrader.



Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS



Approved: January 5, 2006