SUMMARY OF PROCEEDINGS - NOVEMBER 10, 2009

All meetings are located at:
Yuba County Government Center
Board Chambers
915 Eighth Street, Suite 109A
Marysville, California

unless otherwise indicated.

PRESENT: Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe and Hal Stocker
ABSENT: None

9:30 A.M. YUBA COUNTY BOARD OF SUPERVISORS – Call to order 9:41 a.m.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Abe - Led by Mr. James Flurry and Mr. John Pimentel

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker – All present

III. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.

MOTION: Move to approve

MOVED: Hal Stocker
SECOND: Mary Jane Griego

AYES: Hal Stocker, Mary Jane Griego, Andy Vasquez, John Nicoletti, Roger Abe
NOES: None
ABSTAIN: None

A. Agricultural Commissioner

1. Approve funding in the amount of $1,200 from Account No. 104-9100-427-2300 (Fish and Game Advisory Commission Expenditure) for a Wildlife Resource Scholarship for distribution at Yuba Community College for the 2009-2010 Fiscal Year. (Protective Inspection Committee recommends approval) (09-523) Approved

B. Clerk of the Board of Supervisors

1. Approve minutes of the meetings of October 20 and 27, 2009. (09-524) Approved as written

C. Community Development and Services


D. Personnel/Risk Management

1. Authorize catastrophic leave for employee in Health and Human Services Department. (09-526) Approved

2. Approve Workplace Violence Prevention Policy. (09-527) Approved

E. Sheriff-Coroner

1. Approve replacement of the 911 system and radio equipment in the Sheriff's Department Dispatch Center; and authorize budget transfer in the total amount of $132,000 from Account No. 108-0000-372-99-03 (Operating transfers) to Account No. 108-2700-422-62-01 (Fixed Assets Communications Equipment) for the purchase of Dispatch radio equipment. (Law and Justice Committee recommended approval) (09-528) Approved
IV. **SPECIAL PRESENTATION**

A. Present proclamation recognizing John Pimentel on his retirement from Marysville Joint Unified School District. (Five minute estimate) (09-529) Supervisor Griego presented a proclamation to Mr. John Pimentel on his retirement from MJUSD. Mr. Pimentel thanked the Board and advised he was still working part-time as a counselor at the academy and recapped future plans for the academy.

V. **PUBLIC COMMUNICATIONS:**

Mr. Christopher King, Compassionate Use Co-op, advised the co-op located on North Beale Road was red tagged which forced closing and questioned how to become compliant with county regulations.

Chairman Nicoletti recommended working through the Sheriff and District Attorney's office to become compliant. Counsel advised she would also meet with Mr. King.

Mr. Tom Sherry, Sutter Yuba Mental Health Director, recapped the proposal to Sutter County to establish fees for the crisis clinic to continue services within a balanced budget and responded to Board inquiries.

VI. **COUNTY DEPARTMENTS**

A. **Board of Supervisors**

1. Establish the Olivehurst Public Utilities District Liaison Committee as a Board standing committee and appoint Board representative and alternate for the remainder of 2009. (Five minute estimate) (09-530) **Appointed Supervisor Mary Jane Griego as representative. Appointed Supervisor John Nicoletti as alternate.**

   **MOTION:** Move to appoint Supervisor Griego  
   **MOVED:** John Nicoletti  
   **SECOND:** Hal Stocker  
   **AYES:** John Nicoletti, Hal Stocker, Andy Vasquez, Mary Jane Griego, Roger Abe  
   **NOES:** None  
   **ABSTAIN:** None

   **MOTION:** Move to appoint Supervisor Nicoletti  
   **MOVED:** Andy Vasquez  
   **SECOND:** Mary Jane Griego  
   **AYES:** John Nicoletti, Hal Stocker, Andy Vasquez, Mary Jane Griego, Roger Abe  
   **NOES:** None  
   **ABSTAIN:** None

2. Adopt resolution appointing Dan Mierzwa as the Yuba County Treasurer and Tax Collector to fill the vacancy of such office upon the effective date of the vacancy, December 31, 2009, and to serve and hold such office until his successor is elected and takes office in accordance with state law. (Ten minute estimate) (09-531) **Adopted Resolution No. 2009-105 on file in Yuba County Resolution Book No. 40 entitled: "RESOLUTION APPOINTING DAN MEIRZWA AS THE YUBA COUNTY TREASURER AND TAX COLLECTOR TO FILL THE VACANCY OF SUCH OFFICE UPON THE EFFECTIVE DATE OF THE VACANCY, DECEMBER 31, 2009 AND TO SERVE AND HOLD SUCH OFFICE UNTIL HIS SUCCESSOR IS ELECTED AND TAKES OFFICE IN ACCORDANCE WITH STATE LAW."**

   **MOTION:** Move to adopt  
   **MOVED:** Hal Stocker  
   **SECOND:** Andy Vasquez  
   **AYES:** Hal Stocker, Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe  
   **NOES:** None  
   **ABSTAIN:** None

3. Receive Proclamation that was presented to Cotton Rosser at his induction to the National Cowboy and Western Heritage Museum Rodeo Hall of Fame and authorize reimbursement of expenses in the amount of $1,520.05 for Chairman Nicoletti's out of state travel on October 23-25 to present said proclamation to Cotton Rosser. (Five minute estimate) (09-532) **Approved**

   **MOTION:** Move to approve expenditure  
   **MOVED:** Andy Vasquez  
   **SECOND:** Mary Jane Griego  
   **AYES:** Andy Vasquez, Mary Jane Griego, Roger Abe, John Nicoletti  
   **NOES:** Hal Stocker  
   **ABSTAIN:** None

   **MOTION:** Move to reconsider vote and question  
   **MOVED:** Roger Abe  
   **SECOND:** Hal Stocker  
   **AYES:** Andy Vasquez, Mary Jane Griego, Roger Abe, John Nicoletti  
   **NOES:** Hal Stocker  
   **ABSTAIN:** None

   **MOTION:** Move to approve proclamation  
   **MOVED:** Roger Abe  
   **SECOND:** Hal Stocker  
   **AYES:** Andy Vasquez, Mary Jane Griego, Roger Abe, John Nicoletti  
   **NOES:** Hal Stocker  
   **ABSTAIN:** None
MOTION: Move to approve expenditure  MOVED: Andy Vasquez  SECOND: Mary Jane Griego
AYES: Andy Vasquez, Mary Jane Griego, John Nicoletti NOES: Roger Abe, Hal Stocker  ABSTAIN: None

B. Community Development and Services

1. Receive status report for the Yuba County Parks Master Plan recreation programming. (Ten minute estimate) (09-533) Continue to November 17, 2009

VII. CORRESPONDENCE - (09-534)

VIII. BOARD AND STAFF MEMBERS’ REPORTS: Reports were received on the following
Supervisor Vasquez:
Mental Health Committee meeting regarding crisis center
Linda School family dinner held November 5, 2009
Hmong New Year celebration held November 7, 2009

Supervisor Stocker:
Memorial Adjournment - Mr. Carl E. Forguson, Ms. Betty Jo Allan, Ms. Mary Jane Young
The Quilters Group fundraiser in Brownsville
Loma Rica Lions Halloween celebration

Supervisor Abe:
Wheatland Cleanup held November 7, 2009 sponsored by Yuba Sutter Disposal Inc.
First Thursday dinner held October 30, 2009 regarding Andres Duany
Memorial services for Mr. Stephen Brammer

Supervisor Griego:
CalAFCO conference held October 27 - 30, 2009
Feather River Air Quality Management District funding for clean air projects
Senior Fair held October 23, 2009
Town Hall meeting in Plumas Lake area held October 30, 2009
Movie premiere which included Yuba County and future opportunity for filming within County
Feather River Setback Ribbon Cutting Ceremony held October 26, 2009
Loss of citizens due to H1N1 virus and receiving update from the Health Officer
Sutter County DVD regarding 1955 flood event

Supervisor Nicoletti:
Memorial Adjournment - Mr. Stephen Brammer
Office of Economic Adjustment seminar held in Orlando, Florida November 2-5, 2009
Sutter Yuba Juvenal Hall meeting held October 30, 2009
Hmong New Year celebration November 7, 2009
Sikh parade and festival held November 1, 2009
Yuba City Mayor Gash Gill
California Water Bond
Commended Economic Development Coordinator John Fleming regarding Cotton Rosser billboard project
Yuba Sutter Disposal Inc. cleanup projects in Yuba and Sutter counties and diversion rates

Assistant County Administrator Randy Margo:
Commended Chief Rich Webb and Mr. John Fleming regarding permitting issue

IX. CLOSED SESSION:
The Board retired into closed session at 11:00 a.m. and returned at 12:00 p.m. with all Board and staff members present.
There was no announcement.

A. Pending litigation pursuant to Government Code 54946.9(a) - State of California vs. Hoang et al

B. Personnel pursuant to Government Code §54957 - Department Head Evaluation - Agricultural Commissioner
Supervisor Abe left closed session at 11:15 a.m. during discussion of the personnel matter.
COMMITTEE MEETINGS

11:15 A.M.  Human Services Committee - (Supervisors Stocker and Vasquez - Alternate Supervisor Abe)

A. Consider joint facility use of library at Yuba Gardens Intermediate School between County of Yuba and Marysville Joint Unified School District - Library (Ten minute estimate) (09-535) Assistant County Administrator Randy Margo and Library Director Loren McCrory recapped the proposal and responded to inquiries.
   Committee recommended joint facility agreement to full Board for consideration on County Departments

B. Consider resolution authorizing the Health and Human Services Department to enter into agreement with the California Department of Public Health for Public Health Preparedness and Hospital Preparedness Funds - Health and Human Services (Ten minute estimate) (09-536) Assistant Director Rob Shotwell recapped agreement and responded to inquiries.
   Committee recommended approval on Consent agenda

C. Consider resolution approving the extended interim plan and authorizing the Director of Health and Human Services Department to execute amended agreements with agencies approved to receive Child Abuse Prevention, Intervention and Treatment, and Community-based Child Abuse Prevention Funds - Health and Human Services (Ten minute estimate) (09-537) Assistant Director Rob Shotwell recapped the plan and responded to inquiries.
   Committee recommended approval on Consent agenda

D. Consider Final Plan and acceptance of State and Federal funding for fraud investigation and program integrity in the In-Home Supportive Services program - Health and Human Services (Ten minute estimate) (09-538) Assistant Director Rob Shotwell recapped plan and responded to inquiries.
   Committee recommended approval on County Departments