YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

APRIL 8, 2003

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 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

Chairman Schrader advised Health and Human Services and Risk Management/Personnel items regarding the Epidemiologist position had been pulled from the agenda.

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

1. Clerk of the Board of Supervisors: Approved minutes of the regular meeting of March 25, 2003, as written.

2. Emergency Services: Adopted Resolution No. 2003-50, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION AUTHORIZING THE COUNTY DIRECTOR OF EMERGENCY SERVICES TO SUBMIT GRANT APPLICATION AND FOLLOW THROUGH THEREON,” as it relates to the State Go Serv Supplemental Volunteer grant.

3. Public Works: Adopted Resolution No. 2003-51, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION REQUIRING ENGINEER’S REPORT FOR GLEDHILL LANDSCAPING AND LIGHTING DISTRICT.”

CONSENT DISCUSSION

District Attorney/Records Destruction: Mr. Ted Lowe, Marysville, requested his records remain open and not destroyed.
District Attorney Pat McGrath briefly recapped documentation procedures on the subject files advising the proposed records for destruction are not public records, however, files pertaining to Mr. Lowe would be set aside.

Upon motion of Supervisor Stocker, seconded by Supervisor Simmons, and unanimously carried, the Board authorized the District Attorney to destroy closed misdemeanor files from calendar year 2000 and older and closed felony files from calendar year 1998 and older.

SPECIAL PRESENTATIONS


Chairman Schrader read and presented proclamation declaring April 2003 Child Abuse Prevention Month.

2. Victims’ Rights Week/April 6 – 12, 2003: Program Manager Sandy Fonley briefly recapped victim advocacy services and presented an award to Marysville Joint Unified School District for their commitment to the students and families of the school district and an award to Angelica Martinez for 15 years of outstanding service.

Upon motion of Supervisor Logue, seconded by Supervisor Simmons, and unanimously carried, the Board adopted Resolution No. 2003-52, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION DECLARING APRIL 6 THROUGH APRIL 12, 2003 AS VICTIMS’ RIGHTS WEEK AND COMMENDING YUBA COUNTY PROBATION DEPARTMENT VICTIM SERVICES PROGRAM FOR PROVIDING EXEMPLARY SERVICES TO VICTIMS OF CRIME.”

PUBLIC COMMUNICATIONS

Mr. Greg Crompton, Dobbins, advised of possible code enforcement violations regarding a vacant mini mart property in Dobbins.

County Counsel Daniel Montgomery advised Code Enforcement is addressing this issue.

Mr. Ted Lowe, Marysville, provided written documentation to the Board and County Counsel regarding Hammonton Road and requested it be provided to Judge Wasilenko.

Mr. Montgomery advised of a scheduled hearing set for Thursday, April 10, 2003.
In response to an inquiry by Ms. Connie Greenup regarding an easement issue of Monarch Trail, Mr. Montgomery advised the civil action has been set for trial regarding access of certain parties on Monarch Trail.

Chairman Schrader directed a written report be provided to the Board regarding this issue.

In response to an inquiry from Mr. Steve King, Marysville, regarding previous correspondence from Compassionate Use Coop regarding medicinal marijuana use, Board members expressed concern regarding legalities and County Counsel Daniel Montgomery advised the issue would not be within the jurisdiction of the Board.

Ms. Freda Calvert, Hammonton Road, sympathized with Ms. Greenup and urged Board assistance.

Pastor Karen Marotta, 5800 Lindhurst Avenue, expressed concern regarding parking in the right-of-way and requested no parking signs be installed at the subject location.

Chairman Schrader referred the issue to the County Administrator for review.

ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

Public Hearing – Hold public hearing, approve final spending plan for HR2389 funds, and direct staff to prepare appropriate agreements to be considered by the Board of Supervisors at a later date: County Administrator Kent McClain recapped the proposed plan.

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, the Board approved the final spending plan for HR2389 funds, and directed staff to prepare appropriate agreements to be consider by the Board of Supervisors at a later date.

CORRESPONDENCE

B. Letter from Family Water Alliance dated March 27, 2003 enclosing article regarding The Nature Conservancy. No action

C. Brochure from Water Education Foundation regarding the Bay-Delta Tour, June 4 through 5, 2003. No action.

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Stocker:
• Requested memorial adjournments in memory of Mrs. Beatrice Lake and Mr. Ronald West
• Placer County planning program entitled Placer Legacy
• Review of County development fees

Supervisor Logue:
• Town Hall Meeting scheduled for April 18 at the Feather River Center regarding North Beale Road traffic

Supervisor Schrader:
• SACOG “Blueprint” workshop regarding community design scheduled for Yuba County on May 22 and June 11, 2003
• SACOG representation and voting structure
• State Route 70 Widening Groundbreaking Ceremony on April 24, 2003 at 10:30 a.m. between the railroad tracks and SR70 Alogodon Road undercross

County Administrator Kent McClain advised a study of development fees is underway and will be presented to the Board at a future Board meeting.

At the request of County Counsel and upon motion of Supervisor Stocker, seconded by Supervisor Logue, and unanimously carried, the Board moved to add the matter of pending litigation, Sharma vs. County of Yuba, to closed session as the need to take action arose subsequent to the agenda being posted.

CLOSED SESSION

Ms. Amy Rollins briefly recapped her claim for reinstatement with compensation and benefits and requested a favorable Board response.
The Board recessed at 11:00 a.m. and retired into closed session at 11:20 a.m. with all Board and staff members present as indicated above to discuss the following:

A. Labor negotiations pursuant to Government Code §54957.6(a) – Yuba County Employee Association and County of Yuba/Beverly Capaci

B. Threatened litigation pursuant to Government Code §54956.9(b) – One Claim

C. Pending litigation pursuant to Government Code §54956.9(a) – Losoya vs. Dumas, et al and Nemeth vs. Virginia Black, et al

D. Threatened litigation pursuant to Government Code §54956.9(b) – One Case

E. Threatened litigation pursuant to Government Code §54956.9(b) – Sharma vs. County of Yuba

Supervisor Griego left closed session at 12:29 p.m. and did not return.

The Board returned from closed session at 12:31 p.m. with all Board and staff members present except Supervisor Griego.

County Counsel Daniel Montgomery made the following announcement:

“In the matters of Losoya vs. Dumas and Nemeth vs. Virginia Black, the Board has unanimously authorized retention of Porter, Scott, Weiberg and Delehant to defend County interests. In the matter of Amy Rollins, your Board has unanimously continued that matter to your next regularly scheduled meeting. There is no further announcement from closed session.”

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:32 p.m. in memory of Mrs. Beatrice Lake and Mr. Ronald West by Chairman Schrader.

/s/Donald Schrader, Chairman