YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JULY 15, 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 the Clerk of the Board item regarding Sutter Yuba Mental Health Board had been pulled from consideration, and the item under County Administrator regarding relocation expenses for the Library Director has been moved to County Departments.

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

1. Agricultural Commissioner: Adopted Resolution No. 2003-108, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION AUTHORIZING DENNIS POOLER AGRICULTURAL COMMISSIONER TO EXECUTE CERTAIN CONTRACTS/AGREEMENTS FOR FISCAL YEAR 2003/04 AS LISTED BELOW.”

2. Board of Supervisors: Adopted Resolution No. 2003-109, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION SELECTING TWO RECIPIENTS OF THE REGIONAL COUNCIL OF RURAL COUNTIES $500 SCHOLARSHIPS,” as it relates to Alexis and Katrina Sohrakoff.

3. Clerk of the Board of Supervisors: Approved minutes of Budget Hearings of June 24 and July 1, 2003 and the regular meeting of July 1, 2003, as written.

4. Health and Human Services: Approved agreement with Yuba Community College for educational internship and adopted Resolution No. 2003-110, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION AUTHORIZING
THE DIRECTOR OF HEALTH AND HUMAN SERVICES TO EXECUTE THE AGREEMENT FOR EDUCATIONAL INTERNSHIP WITH YUBA COMMUNITY COLLEGE.”

5. Public Works: Approved agreement with Republic Electric for traffic signal design, review and inspection, and authorized Chairman to execute same.

PUBLIC COMMUNICATIONS

Mr. John Apedaile and Mr. Nick Becker, Vine Avenue, advised of code enforcement violations on various properties located on Vine Avenue and requested Board assistance regarding compliance.

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

Mr. Douglas Binderup, Dobbins/Oregon House Coordinating Committee Chairman, expressed concern regarding code enforcement issues at Robbins Mini Mart and requested water contamination testing and immediate abatement of property.

Following Board discussion, County Counsel Daniel Montgomery advised the County is moving forward to receive an inspection warrant and testing of storage tanks as quickly as possible.

Mr. Greg Crompton and Ms. Sheryl Hott, Dobbins, concurred with Mr. Binderup.

(End of Tape No. 1646 Side B)

Chairman Schrader read and presented a letter of appreciation to Ms. Linda Wise.

BOARD OF SUPERVISORS

Meeting Schedule: Advisory Committee members Supervisors Griego and Simmons recommended changing the third Tuesday Board meeting to 6:00 p.m. to allow more public participation, with other meetings to remain unchanged.

Following Board discussion and upon motion of Supervisor Griego, seconded by Supervisor Simmons, and unanimously carried, the Board directed staff to prepare ordinance to reflect the third Tuesday Board meeting time to be 6:00 p.m.

Chairman Schrader dissolved the advisory committee.
PUBLIC WORKS

Oakwood Drive: Public Works Director Kevin Mallen recapped the proposal to close Oakwood Drive for up to two weeks beginning August 4 by Teichert Construction for dirt to be moved to conform with approved improvement plans within the Edgewater subdivision.

Upon motion of Supervisor Logue, seconded by Supervisor Griego, and unanimously carried the Board authorized closure of Oakwood Drive by Teichert Construction for a period of up to two weeks.

COUNTY ADMINISTRATOR/CONSENT DISCUSSION

Relocation expenses/Library Director: County Administrator advised the County Auditor has request an authorization of expenditures rather than a budget transfer for relocation expenses of the newly appointed Library Director.

Upon motion of Supervisor Simmons, seconded by Supervisor Logue, and unanimously carried, the Board authorized expenditure in an amount not to exceed $5,000 to reimburse Ms. Loren MccRory’s relocation expenses associated with assumption of duties as Librarian for the county of Yuba.

BOARD OF SUPERVISORS

Assembly Bill 1426 (Steinberg)/Affordable Housing: Following Board discussion and upon motion of Supervisor Simmons, seconded by Supervisor Logue, and unanimously carried, the Board opposed Assembly Bill 1426 unless amended and authorized correspondence to Assemblyman Darrell Steinberg.

(End of Tape No. 1647 Side A)

ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

1. Ordinance – Hold public hearing, waive second reading, and adopt ordinance amending Title III, Chapter 3.40 of the Yuba County Ordinance Code relating to buy-back of military time by PERS Safety Members: 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 Logue, and unanimously carried, the public hearing was closed, the Board waived the second reading, and adopted Ordinance No. 1313, which is on file in Yuba County Ordinance Book No. 17, and which is entitled: “ORDINANCE AMENDING TITLE III OF THE YUBA COUNTY ORDINANCE CODE BY ADOPTING AN AMENDMENT TO THE EXITING CONTRACT RELATING TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM.”

2. Ordinance – Hold public hearing, waive reading, and adopt urgency ordinance relating to the Shad Pad Park Area: County Counsel Daniel Montgomery recapped the need for the urgency ordinance to ban motor-driven vehicles within Shad Pad Park area except in places specifically designated for such purposes and posting of appropriate signage. Mr. Montgomery advised Feather River Air Quality Management District have received complaints regarding air pollution resultant from operation of motor vehicles which will continue with current and expected weather conditions and recommended adoption.

Advisory Committee members Supervisors Logue and Simmons concurred and commented on the process to allow for a concessionaire to operate and maintain Shad Pad Park.

Following Board discussion, Chairman Schrader opened the public hearing and inquired if anyone wished to address this issue.

Mr. Duane Cornett, Marysville, felt more public participation was needed prior to a closure and a bid process was required for operation of the park.

Mr. William Wilson, Twain Drive, expressed concern regarding river access for the disabled.

Mr. Charlie Sexton, Spring Valley Road, and Mr. Mike Slevidge, B Street, concurred with staff and committee recommendations.

(End of Tape No. 1647 Side B)

Supervisor Simmons moved to close the public hearing and adopt urgency ordinance with added language to allow for disabled access and launching and retrieving of water vessels. Supervisor Logue seconded the motion.
Following Board discussion, Mr. Montgomery advised the added language to Section 8.76.020(B) would read, “This section does not apply to properly licensed vehicles used to transport disabled person to or from the Yuba River or to vehicles launching or recovering watercraft.”

Following a roll call vote with Supervisors Logue, Simmons, Schrader, and Stocker voting in the affirmative, and Supervisor Griego voting in opposition, the public hearing was closed, the reading was waived, and the Board adopted Ordinance No. 1314, which is on file in Yuba County Ordinance Book No. 17, and which is entitled: “AN URGENCY ORDINANCE AMENDING CHAPTER 8.76 OF THE YUBA COUNTY ORDINANCE CODE RELATING TO THE SHAD PAD PARK AREA.”

RECESS

The Board recessed at 11:55 a.m. and reconvened at 12:03 p.m. with all Board and staff members present as indicated above.

ITEMS OF PUBLIC INTEREST

1. **Olivehurst Public Utility District/Assessment Ballot:** Upon motion of Supervisor Griego, seconded by Supervisor Simmons, and unanimously carried, the Board voted in the affirmative and authorized the Chairman to execute Assessment Ballots regarding Olivehurst Public Utility District.

2. **Smartsville Church Restoration Fund, Inc./Fee Waiver:** County Administrator Kent McClain recommended denying a fee waiver, however, advised if the church were to enter an agreement to provide emergency shelter and/or storage of emergency items, a special fund could be used to cover the permit fee. Mr. McClain offered the same option to the Dobbins Oregon House Community Center.

Mr. Kit Burton, Restoration President, advised currently the church does not meet building code requirements for public occupancy; however, planned use is as a community center and was open to an agreement with the County for emergency use.

Following Board discussion and upon motion of Supervisor Simmons, seconded by Supervisor Griego, and unanimously carried, the Board denied the request to waive Building Permit fee in the amount of $431.25 and directed staff to negotiate an agreement for emergency housing purposes with Smartsville Church Restoration Fund Inc.
CORRESPONDENCE

A. Letter from Dobbins/Oregon House Action Committee dated June 30, 2003 commending county departments regarding recent community cleanup day. Copy to Probation, Environmental Health, and Code Enforcement

B. Letter from Dobbins/Oregon House Action Committee dated June 30, 2003 expressing concern regarding transportation services for Camptonville. Referred to Yuba Sutter Transit Authority.

C. Letter from South Feather Water and Power Agency regarding name change from Oroville Wyandotte Irrigation District. No action.

D. Bulletin from Tahoe National Forest regarding third quarter schedule of proposed actions. No action.


G. Letter from Placer County Board of Supervisors dated July 1, 2003 regarding ordinance to reduce mobile emissions. Referred to Feather River Air Quality Management District and Public Work for recommendation.

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Griego:
- Memorial adjournments in memory of Mr. and Mrs. James R. Barrow and Mr. Morris Hodges

Supervisor Simmons:
- California State Association of Counties/Community Development Block Grant meeting regarding housing rehabilitation and regional parks
Supervisor Stocker:

- Memorial adjournment in memory of Mr. Gordon J. Hively
- SACOG County Blueprint

Supervisor Schrader:

- Advised of nonattendance at the Board meeting of July 22, 2003

County Administrator:

- Requested Board direction regarding process for operation of Shad Pad Park Area

(End of Tape No. 1648 Side A)

Following Board discussion, Chairman Schrader directed the rescission of Board direction for staff to prepare a request for proposal regarding operation of Shad Pad Park area to the agenda of July 22, 2003.

Chairman Schrader extended the following advisory committees:

- Shad Pad for 60 days
- Health Conditions through January 1, 2004
- Goldfields/BLM through January 1, 2004

County Counsel Daniel Montgomery advised the matter of William Kunneman vs. California Water Service and County of Yuba has been dismissed.

adjournment

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:48 p.m. in memory of Mr. and Mrs. James R. Barow, Mr. Gordon J. Hively, and Mr. Morris Hodges by Chairman Schrader.

/s/Donald Schrader, Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

/s/Dona Stottlemeeyer               Approved: August 5, 2003