YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JULY 22, 2003

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:45 a.m., within the Courthouse, Marysville, California, with a quorum being present as follows: Supervisors Dan Logue, Bill Simmons, Mary Jane Griego, and Hal Stocker. Supervisor Donald Schrader was absent. Also present were County Administrator Kent McClain, County Counsel Daniel Montgomery, and Clerk of the Board of Supervisors Donna Stottlemeyer. Vice-chairman Simmons presided.

CONSENT AGENDA

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

1. Administrative Services: Approved Amendment No. 2 to agreement with Refnes Construction and authorized Chairman to execute same.

2. Board of Supervisors: Adopted Resolution No. 2003-111, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION REGARDING REQUEST OF SENATE APPROPRIATIONS SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN SERVICES AND EDUCATION FOR INCREASED FUNDING FOR WORKFORCE INVESTMENT ACT (WIA) PROGRAMS,” and approved forwarding to other counties requesting assistance.

3. Clerk of the Board of Supervisors: Approved minutes of the regular and workshop meetings of July 8, 2003, as written.

4. Risk Management/Personnel: Adopted Resolution No. 2003-112, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION AMENDING THE CLASSIFICATION SYSTEM – BASIC SALARY SCHEDULE NO. 2003-17,” as is relates to Sheriff’s Captain, Undersheriff, and Deputy Director of Health and Human Services.

5. Sheriff-Coroner: Received Inmate Welfare Expenditure Summary for Fiscal Year 2002/2003 pursuant to Penal Code §4025(e).
6. Sheriff-Coroner/Administrative Services: Awarded contract to Frank Webb Construction, apparent low bidder, for construction of Yuba County Animal Shelter and authorized Chairman to execute contract upon submittal of required bonds and insurance documents and approval of County Counsel.

SPECIAL PRESENTATION

Yuba Sutter Fair: Vice-chairman Simmons read and presented proclamations to the following fair representatives:

- Candee Jensen, Miss Yuba-Sutter 2002/2003
- Autumn Kleinert, Mini-Miss Yuba-Sutter 2002/2003
- Ashley Newman, Miss Teen Yuba-Sutter 2002/2003
- Jose Manuel Ramos, Yuba-Sutter Fair Ambassador 2002/2003

Fair representatives recapped the benefits of the fair scholarship program and upcoming events at the Yuba-Sutter Fair to be held July 30 through August 3, 2003.

PUBLIC COMMUNICATIONS

Mr. Mike Benjamin, Wheatland, commented on the current condition of Hammon Grove Park and the process for request for proposals for operation and maintenance and requested the Board to extend the timeframe for submission.

(End of Tape No. 1648 Side B)

Following board discussion, Vice-chairman Simmons referred the issue to the County Administrator for further review.

COMMUNITY DEVELOPMENT

Supervisor Logue stated a conflict of interest and excused himself from the Board chambers.

Off-premise Alcohol Sales/Wal-Mart: Following Board discussion and upon motion of Supervisor Stocker, seconded by Supervisor Griego, and carried with Supervisor Logue abstaining and Supervisor Schrader absent, the Board made a finding that the issuance of a Type 20, Off-sale Alcohol license for Wal-Mart will serve public convenience or necessity.

Supervisor Logue rejoined the meeting.
ORDINANCE AND PUBLIC HEARINGS

Vice-chairman Simmons read the disclaimer.

Ordinance – Hold public hearing, waive first reading, and introduce ordinance amending Title VIII of the Yuba County Ordinance Code relating to lakes and waterways of Yuba County: Sheriff Black recapped the proposed ordinance relating to boating regulations on County waterways which included Bullards Bar Reservoir, Camp Far West, Collins Lake, and Englebright Lake. Sheriff Black responded to Board inquiries.

Vice-chairman Simmons opened the public hearing and inquired if anyone wished to address this issue.

Mr. Greg Crompton, Dobbins, felt water skiers were inconsiderate of other lake users and sought resolution.

In response to an inquiry by Supervisor Griego regarding regulating use of Collins Lake during the months October through May, Sheriff Black advised Sergeant Siler prepared the proposed ordinance and would be available to respond at the meeting of August 5, 2003.

Vice-chairman Simmons directed the first reading be continued to the meeting of August 5, 2003.

CORRESPONDENCE

A. News Release from United States Fish and Wildlife Service announcing extended comment period on proposed listing of California Tiger Salamander. No action.

B. Letter from California Department of Veterans Affairs dated July 8, 2003 regarding successful operations and accomplishments of Yuba County Veterans Services Office. No action.

Copy to Veterans Services Office.

C. Letter from Carmel River Steelhead Association dated July 9, 2003 supporting concept of a river parkway within the goldfields. No action.
BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Stocker:
- Memorial adjournment in memory of Mr. Glen R. Barney
- Yuba Highlands project

Supervisors Logue and Stocker:
- Meeting with Assemblyman Darrell Steinberg regarding Assembly Bill 1426-Affordable Housing held July 18, 2003

Chamber of Commerce Tourism Manager John Walasek:
- Yuba Sutter Appreciation Night on August 21, 2003 at 7:00 p.m. at Rivercats Stadium in Sacramento

County Counsel Daniel Montgomery:
- Requested Board direction on establishing a policy regarding issuance of use permits for Shad Pad Park Area

Vice-chairman Simmons directed the issue be brought forward to the Board in the form of a resolution at the meeting of August 5, 2003.

RECESS

The Board recessed at 11:11 a.m. and reconvened in closed session at 11:45 a.m. to discuss the following:

A. Labor negotiations pursuant to Government Code §54957.6(a) – Yuba County Employees Association, Management Sheriff’s Association, Deputy Sheriff’s Association, and County of Yuba/Beverly Capaci

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

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

The Board returned from closed session at 12:24 p.m. with all Board and staff members present as indicated above. There was no announcement from closed session.
ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:24 p.m. in memory of Mr. Glen R. Barney by Vice-Chairman Simmons.

/s/Donald Schrader, Chairman

ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS

/s/Donna Stotlemeyer

Approved: August 5, 2003