YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

SEPTEMBER 16, 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, Chief Deputy County Counsel Kathleen Burgess, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Schrader presided.

Chairman Schrader advised Senate Bill 18 (Traditional Tribal Cultural Sites) is inactive until 2004 and has been pulled from the agenda.

CONSENT AGENDA

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

1. Administrative Services

(a) Approved supplemental agreement with Union Pacific Railroad Company and authorized Chairman to execute same.

(b) Authorized participation in the 2004 California State Fair counties Exhibits program; authorized award of any premium monies to exhibit builder, Marysville FFA; and appointed Airport Manager as official County representative.

2. Agricultural Commissioner: Adopted Resolution No. 2003-135, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION DESIGNATING 20% OF FOREST RESERVE FUNDS RECEIVED UNDER PROVISION OF P.L. 106-393 (HR 2389) FOR ALLOCATION TO TITLE III PROJECTS.”

3. Board of Supervisors

(a) Appointed William Baggett and Al Lassaga to the Brophy Water District for terms to expire December 7, 2007.
(b) Appointed Sheldon C. Ramsay and Charles Mathews Jr. to the Cordua Irrigation District for terms to expire December 7, 2007.

4. Clerk of the Board:  Approved minutes of the regular meeting of September 2, 2003, as written.

5. Health and Human Services

(a) Appointed Jenny Petit to the Yuba County In-Home Supportive Services Advisory Committee for a term to expire September 16, 2005.

(b) Appointed Lucille Bryant to the Yuba County In-Home Supportive Services Advisory Committee for a term to expire September 16, 2005.

PUBLIC COMMUNICATIONS

Mr. John Mullikin, Fourth Avenue, speaking on behalf of Mr. James Flynn, Sixteenth Avenue, commented on code enforcement violations regarding property located at 1852 Sixteenth Street and 5099 Western Avenue, and requested Board intervention.

Supervisor Griego advised the County staff is working diligently to resolve violations.

Mr. Greg Crompton, Dobbins, and Ms. Sandy Gaggero, Oregon House, commented on the rural/commercial zoning and urged Board consideration regarding amending the General Plan to conform with the Community Action Plan for this area.

ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

1. Public Hearing – Hold public hearing to review proposed expenditures for Federal Local Law Enforcement Block Grant Funds and adopt resolution authorizing County Administrator to execute award documents upon receipt from Federal Government and County Counsel approval: County Administrator Kent McClain recapped proposed expenditures and responded to Board inquiries.

Chairman Schrader opened the public hearing and inquired if anyone wished to address this issue. No one came forward.
Following Board discussion, upon motion of Supervisor Simmons, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, and the Board adopted Resolution No. 2003-136, which is on file in Yuba County Resolution Book No. 34, and which is entitled: “RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO EXECUTE DOCUMENTS NECESSARY AND/OR APPROPRIATE TO ACCEPT FEDERAL LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS FOR FISCAL YEARS 2003-2005.”

ADOPT RESOLUTION NO. 2003-136

2. **Public Hearing** – Hold public hearing to consider approval of the Wheatland Cemetery District Conflict of Interest Code, approve Conflict of Interest Code, and direct the Clerk of the Board to notify the District of the Board's approval: Chairman Schrader opened the public hearing and inquired if anyone wished to address this issue. No one came forward.

Upon motion of Supervisor Stocker, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed, and the Board approved the Wheatland Cemetery District Conflict of Interest Code and directed the Clerk of the Board to notify the District of the Board's approval.

APPROVE CONFLICT OF INT. CODE

3. **Ordinance** – Hold public hearing, waive first reading, and introduce ordinance amending Chapter 4.55 of the Yuba County Ordinance Code relating to the In-Home Supportive Services Public Authority: Personnel Director Beverly Capaci recapped the proposed ordinance amendments regarding fiscal provisions for appropriations of the Public Authority and responded to Board inquiries.

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 and the first reading was waived of an ordinance amending Chapter 4.55 of the Yuba County Ordinance Code relating to the In-Home Supportive Services Public Authority.

WAIVE 1ST READING

**CORRESPONDENCE**

A. Brochure from Water Education Foundation announcing Southern California Groundwater Tour October 15-17, 2003. No action.

B. Letter from South Feather Water and Power dated September 1, 2003 regarding South Feather Power Project relicensing. No action.
C. Resolution from Nevada County Board of Supervisors opposing removal of the Englebright Dam. No action.

D. Letter from California Department of Parks and Recreation dated September 5, 2003 regarding Proposition 40 grant programs. REFER TO STAFF

Referred to Public Works.

(End of Tape No. 1658 Side B)

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Logue:
  • Memorial adjournment in memory of Mr. Dan Snow and Mr. Ed Sanford
  • Requested advisory committee to address commercial zoning on North Beale Road regarding adult entertainment/bookstore businesses

Chairman Schrader directed Supervisor Logue to meet with County Counsel regarding zoning legalities.

Supervisor Stocker:
  • Memorial adjournment in memory of Mrs. Billy Jean VanDuzer
  • Commended staff efforts in cleaning up Hammon Grove Park

Supervisor Simmons:
  • Memorial adjournment in memory of Mrs. Betty J. Pomeroy
  • United Way Campaign kickoff for 2003

Supervisor Schrader:
  • Air Resources Board public hearing to regulate particulate matter from solid waste

CLOSED SESSION

The Board retired into closed session at 10:30 a.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a) – SEIU Local 250 vs. County of Yuba
B. Personnel pursuant to Government Code §54957 – Public Employment – Community Development Director

The Board returned from closed session at 11:04 a.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 11:04 in memory of Mrs. Billy Jean VanDuzer, Mrs. Betty J. Pomeroy, Mr. Ed Sanford, and Mr. Dan Snow by Chairman Schrader.

/s/Donald Schrader, Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

/s/Donna Stottlemeyer

Approved: October 14, 2003