YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
APRIL 6, 2004

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:05 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Bill Simmons, Mary Jane Griego, Donald Schrader, and Hal Stocker. Supervisor Dan Logue was absent. Also present were County Administrator Kent McClain, County Counsel Daniel Montgomery, and Clerk of the Board of Supervisors Donna Stottlemeyer. Chairman Simmons presided.

CONSENT AGENDA

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and carried with Supervisor Logue being absent, the Board took the following actions:

A. Administrative Services

1) Approved the agreement for professional services between ENPLAN and the County of Yuba for an airport environmental study in the amount of $15,000 and authorized the Chairman to execute same.

   APPROVE AGRMNT.

2) Approved Airport Lease Agreements between BC Schmidt Construction and the County of Yuba for Airport Lease Site No. 17 and a portion of Hangar Site No. 11 and authorized the Chairman to execute same.

   APPROVE AGRMNTS.

B. Clerk of the Board of Supervisors: Approved the minutes for the regular meeting of March 23, 2004, as written.

   APPROVE MINUTES

C. County Administrator: Approved Lead Deputy Clerk-Recorder position and authorized hire effective immediately.

   APPROVE POSITION

D. Health and Human Services: Appointed Susan Garrett to the Yuba County In-Home Supportive Services Advisory Committee for a term to expire April 6, 2006.

   APPOINT IHSS REP.

E. Public Works: Approved Accounting Technician position and authorized hire effective immediately.

   APPROVE POS. & HIRE
F. Risk Management/Personnel

1) Adopted Resolution No. 2004-34, which is on file in Yuba County Resolution Book No. 35, which is entitled: “RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE NO. 2003-126,” as it relates to adding a Cadastral Drafting Technician I/II effective July 1, 2004.

2) Approved catastrophic leave request for an employee within the Sheriff’s Department.

G. Sheriff-Coroner

1) Authorized Budget Transfers in the total amount of $33,879 from Account No. 101-4400-427-0101 (Regular Salaries) to Account No. 101-4400-427-6200 (Fixed Assets) for $14,452 and Account No. 101-1200-418-6104 (Capital Improvement) for $19,427 to purchase fixed assets and cover projected shortages for unexpected change orders.

2) Approved Memorandum of Understanding between Plumas Lake Golf and County Club and the County of Yuba to provide general law enforcement services and authorized Chairman to execute same.

CONSENT DISCUSSION

Community Development: Following Board discussion and upon motion of Supervisor Schrader, seconded by Supervisor Griego, and carried with Supervisor Logue being absent, the Board approved EIR Preparation Agreement between Raney Planning and Management and County of Yuba and EIR Reimbursement Agreement between Teichert Aggregates and County of Yuba and authorized the Chairman to execute same.

SPECIAL PRESENTATION

Just for the Health of It: Director of Nurses Val Spooner presented a Power Point presentation introducing the “Just for the Health of It” program to increase physical activity which will help to reduce high numbers of persons with chronic disease and a plan to mobilize community participation advising of a start date of January 2005.

PUBLIC COMMUNICATIONS

Mr. Dick Dahms, Oregon House, urged consideration of a name change for Regent Loop, one of two roads with the same name, to facilitate emergency response and presented the Board with copies of the Fire Emergency Plan for Yuba County’s upper foothill region.
Chairman Simmons referred the issue of Regent Loop to the County Administrator.

ORDINANCES AND PUBLIC HEARINGS

Chairman Simmons read the disclaimer.

Ordinance/Grand Jurors Chapter 2.150 and Trial Jurors Chapter 2.90: Following a recap of the proposed ordinance by County Counsel Daniel Montgomery, Chairman Simmons opened the public hearing and inquired if anyone wished to address this issue. No one came forward.

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and carried with Supervisor Logue being absent, the public hearing was closed, and the Board waived reading of an ordinance renumbering and restating Chapter 2.150 of the Yuba County Ordinance Code relating to Grand Jurors and Chapter 2.90 of the Yuba County Ordinance Code relating to compensation for Trial Jurors.

CORRESPONDENCE

Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and carried with Supervisor Logue being absent, the Board accepted the following correspondence:

A. Letter from the Department of Water Resources regarding concerns for maintenance of the Sacramento River Flood Control Project and flood control issues.

Referred to County Administrator.


Referred to Sheriff and Health and Human Services.

C. Letter from Sutter-Yuba Association of Realtors, Inc. requesting notification of County real estate related issues or concerns as they arise.

Referred to County Administrator.

D. Report from the California State Auditor concerning an audit of counties’ administration of Emergency Medical Services Funds. No action.
E. Notice from the California Department of Housing and Community Development (HCD) announcing available funds under the 2004-05 Community Development Block Grant (CDBG) Planning and Technical Assistance (PTA) Allocation. No action.

F. Guidelines from HCD to apply for the available funds in the 2004-05 CDBG PTA Allocation. No action.

G. Invitation from HCD to attend the 2004-05 CDBG Economic Development Over the Counter and Enterprise Fund application workshops. No action.


I. Letter from California State University, Chico, dated March 17, 2004 regarding the "Annual County Economic and Demographic Profile Series" publication. Referred to Community Development and County Administrator.

J. Public Notice from the United States Army Corps of Engineers regarding a permit application for placement of dredged and fill material in Placer County. No action.

K. Letter from the California Office of Emergency Services granting disaster designation due to agriculture losses in Yuba County that occurred August 22 through September 15, 2003. No action.

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Stocker:
- Memorial Adjournments in memory of Jeffrey Lee, David Yancey, Valton Newton, Lois McCutcheon, and Adele Rideau

Supervisor Griego:
- Results of Olivehurst Cleanup held March 20, 2004

Supervisor Schrader:
- Feather River Air Quality Management District meeting and complaint filed with State Air Resources Control Board regarding Shad Pad
Chairman Simmons directed analysis of patrolling Shad Pad area by County Administrator

Supervisor Simmons:
- Highway noise along Highway 20 within the City of Marysville and inclusion in Sacramento Area Council of Governments priorities
- Including Ellis Lake as a regional project with respect to Proposition 40 Park Act funding

County Counsel Daniel Montgomery advised the County was dismissed as a party to *Losoya vs County of Yuba, et al* and the County waived right to seek costs as a result thereof.

**CLOSED SESSION**

The Board retired into closed session at 7:04 p.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a) – California Farm Bureau vs California Department of Forestry

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

The Board returned from closed session at 7:15 p.m. with all Board and staff members present as indicated above.

County Counsel Daniel Montgomery made the following announcement:

“Mr. Chairman, in the matter of the claim of Chad Ellis and the amended claim, your Board has by a 4/0 vote denied that claim, and we will proceed to defend any lawsuits filed. There are no further announcements.”

**ADJOURNMENT**

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 7:15 p.m. in memory of Mr. Jeffrey Lee, Mr. David Yancey, Mr. Valton Newton, Mrs. Lois McCutcheon, and Mrs. Adele Rideau by Chairman Simmons.
/s/Bill Simmons, Chairman

ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS

/s/Donna Stottlemyer
Approved: April 27, 2004