YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

JULY 20, 2004

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:00 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Bill Simmons, Mary Jane Griego, and Hal Stocker. Supervisors Dan Logue and Don Schrader were 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 Griego, seconded by Supervisor Stocker, and carried with Supervisors Logue and Schrader being absent, the Board took the following actions:

A. Board of Supervisors: Adopted Resolution No. 2004-103, which is on file in Yuba County Resolution Book No. 35, which is entitled: “RESOLUTION APPROVING REQUEST BY SUPERINTENDENT OF SCHOOLS TO CONSOLIDATE THE ELECTION OF SCHOOL DISTRICT OFFICES WITH THE STATEWIDE ELECTION ON NOVEMBER 2, 2004.”

B. Clerk of the Board of Supervisors: Approved minutes of the budget hearings of June 22 and 29, 2004, the special meeting of June 29, 2004, and the workshop and regular meeting of July 6, 2004 as written.”

C. County Administrator: Approved submitting application for Fiscal Year 2004-2006 Federal Local Law Enforcement Block grant funds.

D. Health and Human Services: Adopted Resolution No. 2004-104, which is on file in Yuba County Resolution Book No. 35, which is entitled: “AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES FOR CHLAMYDIA AWARENESS AND PREVENTION GRANT FUNDS FOR THE PERIOD OF JULY 1, 2004 – JUNE 30, 2009; AND AUTHORIZE CHAIRMAN TO EXECUTE ANY DOCUMENTS AS REQUIRED BY THE GRANT, AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM, AND TO AUTHORIZE THE ACCEPTANCE OF FUND.”
E. **Public Works**: Authorized hiring the Assistant Public Works Director at the salary index rate of 1.2160.

**PUBLIC COMMUNICATIONS**

Mr. Wayne Sisco, Marysville, requested a meeting with the County Administrator and a Board member prior to his August 4, 2004 Fair Hearing regarding disparities concerning in-home supportive services.

Following County Counsel Dan Montgomery and County Administrator Kent McClain comments on the administrative process for a Fair Hearing, Chairman Simmons declined meeting with Mr. Sisco prior to the hearing.

**COUNTY ADMINISTRATOR**

Three Rivers Levee Improvement Authority/Joint Exercise of Powers Agreement: Following presentation by Assistant County Administrator Randy Margo and Board inquiries, upon motion of Supervisor Griego, seconded by Supervisor Stocker, and carried with Supervisors Logue and Schrader being absent, the Board approved amending the principal document forming Three Rivers Levee Improvement Authority, by expanding its Board to five members to include two members from the Board of Supervisors, two members from the Reclamation District No. 784 Board, and one member to be selected at large from the area covering the southern portion of the Yuba County Water Agency boundary.

Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and carried with Supervisors Logue and Schrader being absent, the Board adopted Resolution No. 2004-105, which is on file in Yuba County Resolution Book No. 35, which is entitled: “RESOLUTION AUTHORIZING THE EXECUTION OF A REVISED JOINT EXERCISE OF POWERS AGREEMENT CREATING THE THREE RIVERS LEVEE IMPROVEMENT AUTHORITY AND APPOINT ADDITIONAL BOARD MEMBER.”

Chairman Simmons directed appointment of the additional Board member to the meeting of July 27, 2004.

**SPECIAL PRESENTATION**

Stuller, James B.: Supervisor Stocker presented a proclamation to James Stuller Jr. for dedicated community service on his retirement from the California Department of Forestry and Fire Protection.
CORRESPONDENCE

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

A. News Release from United States Forest Service announcing release of draft policy on off-highway vehicle use in National Forests and grasslands. No action.

B. Letter from United States Bureau of Indian Affairs dated July 7, 2004 enclosing environmental assessment for proposed trust acquisition of land in Yuba County for the Enterprise Rancheria. Referred to County Administrator.


D. Notification from California Office of Homeland Security dated July 1, 2004 announcing grant application approval in the amount of $381,673. Referred to County Administrator and Emergency Services.

E. Letter from Placer County Transportation Planning Agency dated July 7, 2004 requesting advisory committee and meeting to address transportation concerns between the two counties. Referred to County Administrator.

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Stocker:
  • Sacramento Bee article on Department of Transportation project funding

Supervisor Simmons
  • Memorial Adjournments in memory of Mrs. Marie L. Ferrari and Mrs. Anna M. Lowe
  • National Lao-Hmong Recognition Day July 22, 2004
At the request of County Counsel and upon motion of Supervisor Stocker, seconded by Supervisor Griego, and carried with Supervisors Logue and Schrader being absent, the Board added to closed session threatened litigation pursuant to Government Code §549546.9(b) – One Case as the need to take action arose subsequent to the agenda being posted.

CLOSED SESSION

The Board retired into closed session at 6:40 p.m. to discuss threatened litigation pursuant to Government Code §54956.9(b) – One Case.

The Board returned from closed session at 6:57 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 6:57 p.m. in memory of Mrs. Marie L. Ferrari and Mrs. Anna M. Lowe by Chairman Simmons.

/s/Bill Simmons, Chairman

ATTEST: DONNA STOTTELMEYER
CLERK OF THE BOARD OF SUPERVISORS

/s/Donna Stottlemyer  Approved: August 10, 2004