YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

OCTOBER 19, 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 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 Simmons presided.

CONSENT AGENDA

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

A. Assessor: Approved changing a part-time Assessment I/II position to full-time Assessment Assistant I/II position.

B. Clerk of the Board of Supervisors: Approved the minutes of the regular meeting of October 6, 2004 as written.

C. County Administrator: Authorized Budget Transfer in the amount of $24,100 from Account No. 108-0000-362-7203 (New Revenue-LLEBG) to various line times for appropriation of Federal Block Grant Funds.

D. Health and Human Services: Approved an agreement with the University of California, Davis for Eligibility Services Training and the authorized Chairman to execute same.

E. Library: Approved an amendment to the agreement between First Five Yuba Commission and County of Yuba for the Book Buggy and authorized the Chairman to execute same.

F. Public Works: Approved Inventory Adjustment Request authorizing removal of damaged and/or lost equipment from the Road Fund Inventory.
SPECIAL PRESENTATION

Risk Management/Personnel: Risk Management/Personnel Director Beverly Capaci recapped departmental functions and activities including personnel recruitments, employee relations, and employee training opportunities.

PUBLIC COMMUNICATIONS

No one came forward.

COUNTY COUNSEL

Substitution of Trustee/Real Property: At the request of County Counsel Daniel Montgomery and upon motion of Supervisor Schrader, seconded by Supervisor Griego, and unanimously carried, the Board added to the Agenda authorization to execute a substitution of trustee in the matter of People vs. Hablin.

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board authorized the Chairman to execute Substitution of Trustee on real property equity bond in the matter of People vs. Hablin.

ADMINISTRATIVE SERVICES

Mobile/Command/Communications Vehicle: Following presentation by Assistant Director Steve Androvich and upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the Board approved purchase of a Mobile Command/Communications vehicle and authorized the Purchasing Agent to initiate acquisition.

LOCAL AGENCY FORMATION COMMISSION

Distribution of Property Tax Revenue: Chairman Simmons advised the matter has been continued to October 26, 2004.

RISK MANAGEMENT/PERSONNEL

Merit Resolution/Department Head and County Administrator Authority: Following presentation by Director Beverly Capaci and upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the Board adopted Resolution No. 2004-155, which is on file in Yuba County Resolution Book No. 35, which is entitled: “RESOLUTION AMENDING COUNTY RESOLUTION 2002-21, ARTICLE FOUR,
ITEM 5,” as it relates to changes to position allocations and classifications within a department.

AGRICULTURAL COMMISSIONER

Disaster Declaration/Livestock Losses: Following presentation by Director Dennis Pooler and upon motion of Supervisor Logue, seconded Supervisor Schrader, and unanimously carried, the Board approved a request to the California Office of Emergency Services for assistance with a United States Department of Agriculture Disaster Declaration for livestock losses due to ongoing drought conditions in Yuba County.

ORDINANCES AND PUBLIC HEARINGS

Chairman Simmons read the disclaimer.

A. Tentative Subdivision Tract Map No. 2004-005/Planned Unit Development No. 2004-01 (Messick/Genesis Engineering) (Continued from October 5, 2004): Assistant Community Development Director Pete Calarco and Contract Associate Planner Joe Prutch recapped conversations with the State Reclamation Board regarding permit requirements for the proposed project as it relates to finished floor elevations within the floodway. Mr. Calarco and Mr. Prutch further recapped previous permit requirements issued with regards to the one-hundred year flood plane elevation and water flow per cubic square foot and responded to Board inquiries.

Following Board discussion, Supervisor Logue moved to adopt the resolution approving the tentative subdivision tract map and planned unit development subject to conditions. Motion failed for lack of a second.

Supervisor Schrader moved intention to uphold the appeal and deny the project. Supervisor Griego seconded the motion.

Following Board discussion, Chairman Simmons asked if anyone wished to address this issue.

Mr. Dan Garcia, Walnut Avenue, discussed the northern weir and a 2002 newspaper article regarding sand removal on the property.

Mr. Jon Messick, developer, expressed willingness to changing the proposed map lot sizes to five acre parcels, and recapped percolation and mantel tests performed at various sites on the property.
Following Board discussion, Supervisor Schrader withdrew the motion and the second concurred.

Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and carried with Supervisor Logue voting in opposition, the Board approved its intent to deny Tentative Subdivision Tract Map No. 2004-005 and Planned Unit Development No. 2004-01 (Messick/Genesis Engineering) and directed findings to be brought forward at the meeting of November 16, 2004.

B. Ordinance/Assessor Plat Map Fee/Chapter 13.00.036: Following presentation by Assistant County Administrator Randy Margo, 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 unanimously carried, the public hearing was closed, the first reading was waived, and the Board introduced an ordinance amending Chapter 13.00.036 as it relates to increasing the per page fee for assessor plat maps.

CORRESPONDENCE

Upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the Board accepted the following correspondence:

A. Letter from United States Forest Service dated October 6, 2004 enclosing the workshop schedule regarding inventory of roads, trails, and areas used by off-highway vehicles. No action.

B. News Release from United States Forest Service lifting fire restrictions within the Plumas National Forest. No action.

C. Notice of Petition from South Feather Water and Power Agency for temporary change of water transfer. No action.

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Stocker:

- Memorial adjournments in memory of Mr. Bennie Bradshaw, Mr. Joseph Coppola Sr., and Mr. Glenn H. Lane
• County ordinance regarding shooting restrictions and septic systems
• Sacramento Bee article regarding City of Galt development

Supervisor Griego:
• Requested County Counsel to provide information regarding establishing campaign contribution limits for local elections.
• Urged funding consideration for a zoning update of the General Plan

Supervisor Schrader:
• Requested a workshop regarding the Sacramento Area Council of Governments Blueprint Project.

Clerk of the Board Donna Stottlemeyer:
• Office hours from October 21-31, 2004.

County Administrator Kent McClain:
• Out of state from October 22 and 23, 2004.

CLOSED SESSION

The Board retired into closed session at 7:58 p.m. to discuss the following:

A. Personnel pursuant to government Code §54957 – Public Employee Discipline (Continued from October 5, 2004)

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

The Board returned from closed session at 8:18 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 8:18 p.m. in memory of Mr. Bennie Bradshaw, Mr. Joseph Coppola Sr., and Mr. Glenn H. Lane by Chairman Simmons.

/s/Bill Simmons, Chairman
ATTEST: DONNA STOTTLMEYER
CLERK OF THE BOARD OF SUPERVISORS

/s/ Donna Stottlemyer

Approved: November 16, 2004