YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

NOVEMBER 15, 2005

The Honorable Board of Supervisors of the County of Yuba met in special session on the above date, commencing at 9:30 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Dan Logue, John Nicoletti, 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 Stottlemyer. Madam Chair Griego presided.

CONSENT AGENDA

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

A. **Administrative Services:** Adopted Resolution No. 2005-275, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION FOR ACQUISITION OF SURPLUS PROPERTY."

ADOPT
RESOLUTION
NO. 2005-275

B. **Auditor-Controller:** Authorized a Budget Transfer in the amount of $1,110 from Account No. 101-0400-412-01-01 (SALARIES) to Account No. 101-0400-412-62-00 (Fixed Assets) to purchase a Dell Computer from Information Technology for Chief Auditor position.

AUTHORIZE
BUDGET
TRANSFER

C. **Board of Supervisors:** Appointed Rita Ortega and Nancy Niccoli as Directors to Camptonville Community Services District for four-year terms to expire December 4, 2009 pursuant to Elections Code §10515.

APPOINT
REPS.

D. **Clerk of the Board of Supervisors**

1) Appointed Larry Bagley to the Bi-County Solid Waste Independent Hearing Panel for a two year term to expire November 6, 2007.

APPOINT
REP.

2) Appointed Edward Brown to the Fish and Game Advisory Commission as the At-large Representative for a term to expire November 7, 2008.

APPOINT
REP.
3) Approved the minutes of the special and regular meetings of November 1, 2005 as written.

E. Community Development: Appointed Pamela Loftis to the Natural Community Conservation Plan/Habitat Conservation Advisory Committee as the public representative.

F. Probation: Adopted Resolution 2005-276, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION DESIGNATING THE CHIEF PROBATION OFFICER OF YUBA COUNTY AS THE OFFICIAL AUTHORIZED TO SIGN AND EXECUTE THE JUVENILE PROBATION AND CAMPS FUNDING PROGRAM WITH THE CORRECTIONS STANDARDS AUTHORITY ON BEHALF OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA."

G. Public Works: Adopted Resolution No. 2005-277, which is on file in Yuba County Resolution Book No. 36, which is entitled: "RESOLUTION SUPPORTING STATE ACQUISITION OF RIGHT OF WAY ON COUNTY'S BEHALF."

H. Risk Management-Personnel: Authorized catastrophic leave request for Probation Department employee.

CONSENT DISCUSSION

Community Development/2006 Community Service Block Grant Funding Recommendations: County Counsel Daniel Montgomery advised the committee making the original funding recommendations were developed without benefit of a quorum and consideration and action by the Board on November 1, 2005, was void. Mr. Montgomery further advised staff did accept the Board direction to re-evaluate all applications and the full Commission has approved the recommendations before the Board.

Upon motion of Supervisors Stocker, seconded by Supervisor Logue and carried with Supervisor Nicoletti abstaining, the Board approved the funding recommendations of the Yuba County Community Services Commission for use of the 2006 Community Services Block Grant monies.

APPROVE MINUTES
APPOINT REP.
ADOPT RESOLUTION NO. 2005-276
ADOPT RESOLUTION NO. 2005-277
AUTHORIZE LEAVE

SPECIAL PRESENTATION

A. Feather River Air Quality Management District: Air Pollution Control Officer David Valler provided a Power-Point presentation on the Rice Burn/Basin Smoke Management Program advising 12 percent of 125,000 allowable acres were burned in 2003 and 2004 which is a 63 percent reduction from 1992.
B. **Economic Development**: Economic Development Coordinator John Fleming and Airport/Enterprise Zone Manager Mary Hansen gave a Power Point presentation which included a budget overview including business marketing, attraction, retention and development, tourism and memberships. Board members commended staff and felt more funding was needed for business attraction and retention activities.

**PUBLIC COMMUNICATIONS**

Ms. Cadance Harris, Olivehurst, provided a written request and photographs for an exception to construct a paved driveway at property located on Western Avenue.

Madam Chair Griego referred the matter to the County Administrator.

Mr. Ed Fleming, Marysville, expressed concern regarding misrepresentation and unethical campaign advertisements regarding opposition to Measure G.

Mr. James Wilson, Gridley, expressed concern regarding maintenance of the Yuba training walls and Western Aggregates written comments to Bureau of Land Management.

Ms. Bonnie Metcaf, Olivehurst, commented on Measure G and Indian heritage.

**BOARD OF SUPERVISORS**

**Western Aggregates Inc., Settlement Agreement**: The following individuals spoke regarding the agreement:

- Mr. Ted Lowe, Hammonton Road, regarding access to Federal Lands
- Mr. James Wilson, Gridley, regarding notice to interested
- Ms. Freda Calvert, Hammonton Road, regarding a continuance to an evening meeting to allow more public participation

Following Board discussion, Madam Chair Griego continued the matter to December 6, 2005 and directed notification to interested parties.

**CORRESPONDENCE**

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

A. **Letter from Governor's Office of Emergency Services** advising of disaster designation for contiguous counties due to the economic impact in the Kings Beach area of Lake Tahoe which includes Yuba County. No action.
B. Letter from Federal Emergency Management Agency regarding Letter of Map Revision for Edgewater Unit 12 Subdivision. REFER
TO STAFF

Referred to Community Development


D. Letter from Governor's Office of Emergency Services advising of disaster designation for contiguous counties due to heavy rain in May 2005 which includes Yuba County. No action.


ADDITIONAL CORRESPONDENCE

F. Letter from Department of Fish and Game advising of public hearings on Proposed Lane Management Plan for the Spenceville Wildlife Area on December 6 and December 13 at the Yuba County Library. No action.

G. Agenda from High Sierra Resource Conservation and Development Area advising of meeting on November 18, 2005 at 10:00 a.m. in Auburn, California. No action.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Nicoletti:
- Memorial adjournment in memory of Mr. Frank E. Covington Jr.
- Marysville Veterans' Day Parade on November 11, 2005
- Operation Warm Heart to include Beale airmen for the Thanksgiving holiday

Supervisor Stocker:
- Suggested a flood insurance awareness campaign

11/15/05
CLOSED SESSION

The Board retired into closed session at 11:15 a.m. to discuss the following:

A. Conference with Real Property negotiators pursuant to Government Code §54956.8 - Negotiating Parties: (1) Silver Oak Ventures and County of Yuba (Bob Meneni, Bob Feld) regarding APNS21-301-001 and 12-301-002 described as parcels bounded by Packard Avenue, Highway 70, and Hammonton Road; and (2) Feather River Center, LLC and County of Yuba (Bob Meneni, Bob Feld) regarding revision of lease terms at Feather River Center, 6000 Lindhurst Avenue, Marysville, California 95901

B. Personnel pursuant to Government Code §54957 - Public Employment - County Administrator

CONTINUE TO 12/13/05

Supervisor Logue left closed session at 11:35 a.m. and did not return.

The Board recessed from closed session at 11:39 a.m. and returned into open session at 1:05 p.m. with all Board and staff members present as indicated above except Supervisors Logue and Schrader.

Madam Chair Griego advised the personnel matter would be continued to December 13, 2005. 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 1:05 p.m. in memory of Mr. Frank E. Covington Jr. by Madam Chair Griego.

Attest: DONNA STOTTELMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved December 4, 2005

11/15/05

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