YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
JANUARY 3, 2006

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, John Nicoletti, Mary Jane Grieo, Donald Schrader, and Hal Stocker. Also present were County Administrator Kent McClain, Chief Deputy County Counsel Angil Morris-Joans, and Clerk of the Board of Supervisors Donna Stottemeyer. Madam Chair Grieo presided.

Madam Chair Grieo pulled from consideration under County Departments the matter regarding the Elected Official Salary Schedule.

At the request of County Administrator Kent McClain and upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried the Board added to the agenda two resolutions confirming a local emergency and requesting State declaration.

CHAIR'S STATEMENT

Madam Chair Grieo briefly recapped Board accomplishments for the past year and thanked Board and staff members for their support.

Madam Chair Grieo adjourned the meeting sine die and passed the gavel to Clerk of the Board of Supervisors Donna Stottemeyer.

ELECTION OF OFFICERS

A. **Chairman:** Supervisor Grieo nominated Supervisor Schrader for the office of Chairman. Following three calls for nominations and upon motion of Supervisor Stocker, seconded by Supervisor Logue, and unanimously carried, the Board elected Supervisor Schrader as Chairman of the Board of Supervisors for 2006.

B. **Vice-chairman:** Supervisor Nicoletti nominated Supervisor Stocker for the office of Vice-chairman. Following three calls for nominations and upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the Board elected Supervisor Stocker as Vice-chairman of the Board of Supervisors for 2006.
Ms. Stottlemyer declared the reorganizational portion of the meeting adjourned and turned the gavel over to Chairman Schrader.

CONSENT AGENDA

Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, with Supervisor Nicoletti abstaining on Item E – Health and Human Services, the Board took the following actions:

A. Clerk of the Board of Supervisors: Approved the minutes of the regular meetings of December 13 and 20, 2005 as written.

B. Clerk-Recorder/Elections: Adopted Resolution No. 2006-01, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION APPROVING THE APPLICATION FOR FUNDS UNDER THE HELP AMERICAN VOTE ACT (HAVA) OF 2002 SECTION 301 VOTING SYSTEMS PROGRAM."

C. County Administrator

1) Adopted Resolution No. 2006-02, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION PROVIDING INDEMNITY TO THE STATE OF CALIFORNIA, DEPARTMENT OF WATER RESOURCES," as it related to Agreement No. 4600004326.

2) Adopted Resolution No. 2006-03, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION PROVIDING INDEMNITY TO THE STATE OF CALIFORNIA, DEPARTMENT OF WATER RESOURCES," as it relates to Agreement no. 4600004327.

D. County Counsel: Approved Release of Abatement Lien regarding Assessor's Parcel Number 40-020-058 (Robert and Roberta Scott), located at 4056 Fruitland Road, and authorized the Chairman to execute same.

E. Health and Human Services: Adopted Resolution No. 2006-04, which is on file in Yuba County Resolution Book No. 37, which is entitled: "AUTHORIZE THE DIRECTOR OF THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO EXECUTE AGREEMENTS WITH AGENCIES APPROVED TO RECEIVE CHILD ABUSE PREVENTION, INTERVENTION AND TREATMENT AND COMMUNITY-BASED CHILD ABUSE PREVENTION PROGRAM FUNDS FOR THE PERIOD OF JULY 1, 2005 - JUNE 30, 2008 AND TO EXECUTE ANY DOCUMENTS RELATED THOSE AGREEMENTS."
F. **Sutter-Yuba Local Child Care Planning Council:** Approved Certification Statement regarding Composition of Local Planning Council Membership and authorized the Chairman to execute same.

**APPROVE STATEMENT**

**PUBLIC COMMUNICATIONS**

Mr. Ed Fleming, Marysville, supported salary increases for Board members.

**CONSENT DISCUSSION**

**Risk Management-Personnel/ Basic Salary Schedule:** Personnel Director Beverly Barnes recapped the proposed salary schedule which incorporates the approved amended pay banding chart, a five percent salary increase for Elected Officials and Department Head classifications which were 15 percent or more below the mean of surrounding counties. Ms. Barnes responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2006-07, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION AMENDING THE CLASSIFICATION SYSTEM - BASIC SALARY SCHEDULE NO. 2005-03," in its entirety.

**EMERGENCY SERVICES**

**Local Emergency:** Upon motion of Supervisor Stocker, seconded by Supervisor Logue, and unanimously carried, the Board adopted Resolution No. 2006-05, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION CONFIRMING EXISTENCE OF A LOCAL EMERGENCY BY BOARD OF SUPERVISORS."

Upon motion of Supervisor Nicoletti, seconded by Supervisor Stocker, and unanimously carried, the Board adopted Resolution No. 2006-06, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION REQUESTING GOVERNOR TO PROCLAIM A STATE OF EMERGENCY IN THE COUNTY OF YUBA, STATE OF CALIFORNIA."

Emergency Services Coordinator Brian O'Hara recapped water levels and damage results of the New Year's storm. Olivehurst Fire Chief Hart recapped flooding of homes in the low-lying areas of Olivehurst.
ORDINANCES AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

A. **Ordinance Adding Chapter 11.16 relating to Reservations (First Reading):** Following a brief recap from County Administrator Kent McClain, Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, the first reading was waived, and the Board introduced an ordinance adding Chapter 11.16 to the Yuba County Ordinance Code relating to reservation of land within the County for public use.

B. **Ordinance Amending Chapter 2.30 relating to Board of Supervisors Salaries (First Reading):** Following a brief recap from Personnel Director Beverly Barnes, Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and unanimously carried, the public hearing was closed, the first reading was waived, and the Board introduced an ordinance amending Chapter 2.30 of the Yuba County Ordinance Code relating to a five percent salary increase for the Board of Supervisors.

CORRESPONDENCE

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

A. **Letter from Healthy Eating Active Living Collaborative** enclosing a copy of the Issue Brief Access to Healthy Foods.

Referred to Health and Human Services

B. **Notice from California Regional Water Quality Control Board** regarding Scoping Meeting and Public Workshops February 2, 2006 in Modesto, CA, February 8, 2006 in Chico and February 9, 2006 in Rancho Cordova. No action.

C. **Letter from California Department of Fish and Game** regarding 2006-2007 Deer Hunt schedule for Yuba County. No action.

D. **Flyer from Area 4 Agency on Aging** regarding January 17, 2006 public meeting in Roseville. No action.
E. Letter from Crystal Brugmann enclosing a petition from residents of Plumas Arboga requesting four-way stop at Arboga Road and Plumas Arboga Road.

Referred to Public Works

Supervisor Griego advised Public Works would be installing stop signs within 60 days.

F. Letter from Department of Housing and Community Development advising of General Planning and Technical Assistance grant award from the Department of Housing and Community Development Block Grant Program. No action.

**BOARD AND STAFF MEMBERS’ REPORTS**

Reports were received on the following:

Supervisor Logue:
- Memorial adjournment in memory of Dr. Louis Bugni

Supervisor Stocker:
- Memorial adjournment in memory of Mrs. Alice B. Hicks and Mr. George J. Thomas

Supervisor Schrader:
- Water Resources Preliminary Hearing on January 4, 2006, 1:00 p.m. in Sacramento

**CLOSED SESSION**

The Board retired into closed session at 7:08 p.m. to discuss pending litigation pursuant to Government Code §54956.9(a) – Bailey versus County of Yuba.

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

Chief Deputy Counsel Angil Morris-Joans made the following announcement: "Your Board authorized in closed session by unanimous vote to retain outside counsel on the pending litigation matter discussed that was filed against the County."

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RECESS

The Board recessed at 7:16 p.m. and reconvened on Thursday, January 5, 2006 at 9:00 a.m. with all Board and staff members present as indicated above, except Chief Deputy Counsel Angil Morris-Joans. County Counsel Daniel Montgomery was present.

CLOSED SESSION

The Board retired into closed session at 9:01 a.m. to discuss personnel pursuant to Government Code §54957 – Public Employment/County Administrator Interviews.

The Board recessed from closed session at 10:25 a.m. and reconvened at 12:25 p.m. in closed session to continue closed session discussions.

Supervisor Logue left closed session at 1:04 p.m.

The Board returned into open session at 1:47 p.m. with all Board and staff members present as indicated above except Chief Deputy Counsel Angil Morris-Joans. County Counsel Daniel Montgomery was present.

Mr. Montgomery made the following announcement: Yes, I would like to make an announcement from a previous meeting and that is the Board authorized the retention of the law firm of Nielson, Merksamer, Parrinello, Mueller and Nayar to represent the County's interest in connection with the matters concerning the Voting Rights Acts, in particular section 5 of that act. There is no further announcement.”

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 1:47 p.m. in memory of Mrs. Alice B. Hicks, Dr. Louis Bugni, and Mr. George J. Thomas by Chairman Schrader.

Chairman

01/03/06
ATTEST: DONNA STOTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: January 17, 2006