YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
FEBRUARY 21, 2006

The Honorable Board of Supervisors of the County of Yuba met in regular 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 John Nicoletti, 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 Stottlemyer. Chairman Schrader presided.

At the request of Clerk of the Board of Supervisors Donna Stottlemyer, Chairman Schrader pulled from consideration Consent agenda item regarding representative appointment to Plumas Lake Specific Plan Design Review Committee.

CONSENT AGENDA

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

A. Administrative Services: Adopted Resolution No. 2006-19, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO FILE AN APPLICATION WITH THE FEDERAL AVIATION ADMINISTRATION ON BEHALF OF THE AIRPORT FOR A GRANT UNDER THE AIRPORT IMPROVEMENT PROGRAM."

B. Agriculture Cooperative Extension: Authorized a Budget Transfer in the amount of $44,000 from Trust Fund 274 (4H Holding) to Account No. 101-0101-411-5240 (4H Camp) for 4H camp shower repair and various camp maintenance projects.

C. Assessor: Authorized establishment of Transfer Analyst I/II job classifications and approved filling two positions.

D. Board of Supervisors: Appointed Peter Hall to the District 10 Hallwood Community Service District for a term to expire December 2009.
E. Clerk of the Board of Supervisors

1) Appointed Pete Hammon to the Yuba County Assessment Appeals Board No. II for a term to expire September 1, 2008.

2) Approved the minutes of the regular meeting of February 7, 2006, as written.

F. County Administrator: Authorized Regional Waste Management Authority Grant Application for Local Government Waste Tire Cleanup and Amnesty Event Grant Program on behalf of County and authorized the County Administrator to execute submittal letter.

G. Public Works: Adopted Resolution No. 2006-20, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION ESTABLISHING ALL-WAY STOP INTERSECTION AT ARBOGA ROAD AND MCGOWAN PARKWAY;" and adopted Resolution No. 2006-21, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION ESTABLISHING ALL-WAY STOP INTERSECTION AT ARBOGA ROAD AND ELLA AVENUE;" and adopted Resolution No. 2006-22, which is on file in Yuba County Resolution Book No. 37, which is entitled: "RESOLUTION ESTABLISHING ALL-WAY STOP INTERSECTION AT ARBOGA ROAD AND PLUMAS ARBOGA ROAD."

SPECIAL PRESENTATION

Sierra Valley Farm and Ranch Tour: Public Relations Consultant Karen Killebrew gave a Power Point presentation recappping the agri-tourism event highlighting conservation, ecology, and wildlife within the area of Plumas and Sierra Counties which was co-sponsored by High Sierra Resource Conservation District and responded to Board inquiries.

PUBLIC COMMUNICATIONS

Ms. Bonnie Metcalf, Martel Drive, used her allotted time to discuss matters of county interest.

ADMINISTRATIVE SERVICES

1) Sale of Property/Parcel No. 064-142-0001-000 (Campionville): Administrative Services Director Robert Meneni recapped the process for proposed sale of property and responded to Board inquiries.
Following Board discussion, Supervisor Stocker moved to allocate proceeds for Camptonville roads. Motion died for lack of a second.

Following further Board discussion, upon motion of Supervisor Nicoletti, seconded by Supervisor Stocker, and carried with Supervisor Logue being absent, the Board approved the sale of County property in Camptonville identified as Parcel No. 064-142-001-000 and authorized fund expenditure from Public Works Road Fund for initial expenses of $2,766 for appraisal of property, title search, and legal notice, with proceeds from sale to be returned to Road Fund and allocated for use in Camptonville area.

2) Yuba-Sutter Enterprise Zone Program/Five-year Extension: Zone Manager Mary Hansen and Economic Development Corporation Director Tim Johnson recapped the zone work plan and current proposed legislation regarding obtaining a five-year extension and responded to Board inquiries.

Chairman Schrader directed inclusion of Legislative Advocate Don Peterson to lobby on behalf of the County for a five-year extension and encouraged other jurisdictions within Yuba and Sutter County to lobby on the same behalf.

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and carried with Supervisor Logue being absent, the Board authorized the Chairman to execute letter of support to legislatures for an extension of the Enterprise Zone Program.

Ms. Bonnie Metcalf, Martel Drive, felt current legislation promoted agricultural venues rather than industrial.

PUBLIC WORKS

South Olivehurst Detention Basin/Stormwater Pumping Plant: Public Works Director Kevin Mallen recapped the proposed resolution providing indemnity for claims and damages arising from the construction of the detention basin and pumping plant which would be operational by October 2006 and responded to Board inquiries.

Ms. Bonnie Metcalf, Martel Drive, supported construction of the detention basin.

Supervisor Stocker left the meeting at 10:20 a.m.

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and carried with Supervisors Logue and Stocker being absent, the Board adopted Resolution No. 2006-23, which is on file in Yuba County Resolution Book No. 37, which is entitled:
"RESOLUTION PROVIDING INDEMNITY TO THE STATE OF CALIFORNIA FOR CONSTRUCTION OF THE SOUTH OLIVEHURST DETENTION BASIN AND STORMWATER PUMPING PLANT."

ORDINANCE AND PUBLIC HEARINGS

Chairman Schrader read the disclaimer.

Supervisor returned to the meeting at 10:24 a.m.

Ordinance/Ammending Chapter 9.20.010/Parking Restrictions along Arboga Road and Erle Road: Following a brief recap from Public Works Director Kevin Mallen, Chairman Schrader opened the public hearing. No one came forward.

Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and carried with Supervisor Logue being absent, the public hearing was closed, the reading was waived, and the Board introduced an ordinance amending Chapter 9.20.010 would establish a no parking zone on Arboga Road from McGowan parkway to Broadway Road and on Erle Road from Lindhurst Avenue to Griffith Avenue.

ITEM OF PUBLIC INTEREST

Off-sale Alcohol License/2345 McGowan Parkway/Lally, Balwinder S. and Randwaha, Balraj S.: Upon motion of Supervisor Griego, seconded by Supervisor Nicoletti, and carried with Supervisor Logue being absent, the Board made a finding that the issuance of an off-sale alcohol license for a convenience store located at 2345 McGowan Parkway would serve public convenience or necessity.

Ms. Bonnie Metcalf, Martel Drive, opposed issuance of a license due to the close proximity of Lindhurst High School.

CORRESPONDENCE

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

B. Notice from United States Federal Energy Regulatory Commission regarding Order Approving Request for an extension of time to file As-Built Exhibit drawings from Yuba County Water Agency. No action.


D. Letter from Congressman Wally Herger supporting Rideout Memorial Hospital to include Yuba City-Marysville within the existing Sacramento Metropolitan Statistical Area. No action.

E. Two flyers from Del Oro Caregiver Resources regarding workshops on March 23, 2006 and March 29, 2006 located at One Stop Center in Marysville. No action.

BOARD AND STAFF MEMBERS’ REPORTS

Reports were received on the following:

Supervisor Stocker:
- Memorial adjournment in memory of Mr. Forest Newton

Supervisor Nicoletti:
- Aqua Conference held February 16, 2006
- Peace Officers of the Year Award Banquet held February 18, 2006

Supervisor Schrader:
- Sacramento Area Council of Government Advisory Committee addressing flood control bond measure

CLOSED SESSION

The Board retired into closed session at 10:46 a.m. to discuss the following:

A. Conference with Real Property Negotiator pursuant Government Code §54956.8 - Property: Assessor Parcel Nos. 21-301-001 and 21-301-002 described as parcels bounded by Packard Avenue, Highway 70, and Hammonton Road. Negotiating parties: HAMPAC, LLC and County of Yuba/Robert Meneni/Tina Taylor

B. Threatened litigation pursuant to Government Code §54956.9(b) - Four Cases
C. Personnel pursuant to Government Code §54957 - Department Head Evaluation/Clerk of the Board of Supervisors (Continued from February 14, 2006)

The Board returned from closed session at 11:41 a.m. with all Board and staff members present as indicated above.

County Counsel Daniel Montgomery made the following announcement:

In the matter of the three claims filed by Gina Lavette Redd, they were denied unanimously by your Board with a 4/0 vote and permission was granted to defend and referred to Porter, Scott, Weiherg, and Delehant.

In the matter of the claim filed by Jon Joseph VanGutman, by unanimous vote your Board denied the claim and authority to defend was granted and referred to Porter, Scott, Weiherg, and Delehant. That's all the announcements.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 11:42 a.m. in memory of Mr. Forest Newton by Chairman Schrader.

[Signature]
Chairman

ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS

[Signature] Approved: March 7, 2006

02/21/06