YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

SEPTEMBER 11, 2007

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:42 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors Dan Logue, John Nicolletti, Mary Jane Griego, Donald Schrader, and Hal Stocker. Also present were Assistant County Administrator Randy Margo, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Ellen DeLemos. Chairman Stocker presided.

CONSENT AGENDA

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

A.  **Agricultural Commissioner**: Adopted Resolution No. 2007-122, which is on file in Yuba County Resolution Book No. 38, which is entitled: “RESOLUTION DESIGNATING 20% OF FOREST RESERVE FUNDS RECEIVED UNDER PROVISION OF P.L. 106-393 (HR 2389) FOR ALLOCATION TO TITLE III PROJECTS.”

    ADOPT
    RESOLUTION
    NO. 2007-122

B.  **Board of Supervisors**

1)  Appointed Mr. Charles Mathews Jr. and Ms. Kay Siller to Cordua Irrigation District as Division One and Two representatives respectively for terms to expire December 2011 pursuant to Elections Code Section 10515.

2)  Appointed Mr. Victor Graf and Mr. Michael Rue to South Yuba Water District as Directors for terms to expire December 2011 pursuant to Elections Code Section 10515.

C.  **Community Development and Services**: Awarded contract to Brownsville Sand and Gravel, apparent low bidder, for County Service Area 14 overlay project and authorized the Chairman to execute same upon submittal, review and approval of County Counsel.

  09/11/07
D. **Treasurer-Tax Collector:** Adopted Resolution No. 2007-123, which is on file in Yuba County Resolution Book No. 38, which is entitled: "A RESOLUTION REPEALING RESOLUTION NO. 2003-02 AND REAUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND."

**PUBLIC COMMUNICATIONS**

Ms. Mary Battista, Dobbins, expressed concerns regarding the neighborhood watch program and illegal activities near the Whispering Pine Trailer Court.

Following Board discussion, Chairman Stocker referred the matter to County Administrator.

Mr. Rex Archer, Linda, served Supervisor Dan Logue with a Notice of Intent to recall him from office.

Mr. Greg Crompton, Dobbins, expressed concerns regarding negative comments made during hearings for the Yuba Highlands project.

Ms. Freda Calvert, Marysville, requested extension of payment on property taxes for one month.

Following Board discussion, Chairman Stocker referred the matter to County Administrator.

Ms. Kim Herkert, Harmony Health Resource Center, urged support for a revitalization project at Fernwood Park.

Following Board discussion, the matter was referred to Land Use and Public Works Committee for recommendation.

**BOARD OF SUPERVISORS**

**Hammonton Road Repair and Grading Costs:** Supervisor Schrader recapped previous cost options to repair Hammonton Road and responded to Board inquiries.

Ms. Freda Calvert, Marysville, urged support for road repairs.

Mr. Rex Archer, Linda, urged support to increase taxes to the aggregate companies to assist with costs.
COUNTY ADMINISTRATOR

Multi Hazard Mitigation Plan Update: Project Coordinator Pat Beecham recapped current project status and advised Federal Emergency Management Agency had completed the review on August 24, 2007 which is eligible for approval pending adoption by Yuba County.

ORDINANCES AND PUBLIC HEARINGS

Chairman Stocker read the disclaimer.

A) Ordinance Re-enacting Chapter 2.50 relating to Alternative Bidding Procedure (First Reading): Administrative Services Director Steve Androvich recapped the ordinance to re-enact alternative bidding procedures and responded to Board inquiries.

Following Board discussion, Supervisor Schrader moved to open the public hearing. Supervisor Nicoletti seconded the motion.

Chairman Stocker opened the public hearing. No one came forward.

Upon motion of Supervisor Logue, seconded by Supervisor Schrader, and unanimously carried, the public hearing was closed, the first reading was waived, and the Board introduced an ordinance re-enacting Chapter 2.50 of the Yuba County Ordinance Code relating to alternative Bidding Procedure.

B) Ordinance Repealing and Re-enacting Chapter 6.20 relating to Card Rooms (First Reading): County Counsel Daniel Montgomery recapped the ordinance to increase hours of operations for card rooms and responded to Board inquiries.

Following Board discussion, Supervisor Schrader moved to open the public hearing. Supervisor Logue seconded the motion.

Chairman Stocker 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 repealing and re-enacting Chapter 6.20 of the Yuba County Ordinance Code relating to Card Rooms.
CORRESPONDENCE

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

A. Eight letters from the Governor’s Office of Emergency Services advising of disaster designations which included County of Yuba.

B. Letter from California Arts Council announcing the seventh annual California Arts Day on Friday, October 5, 2007.

C. Letter from California Department of Water Resources advising of helicopter survey flights to evaluate flood control levees.

Mr. Rex Archer, Linda, expressed concerns regarding the surveys.

D. Notification from Sprint regarding installation of antenna on Old Marysville Road.

E. News Release from United States Forest Service/Plumas National Forest advising of temporary closure of Lake Davis shorelines and tributaries.

F. Letter from National Association of Counties enclosing publications regarding water and wetland resources.

G. Memorandum from Chief Probation Officer Stephen Roper enclosing annual report for the 2006-2007 Probation and Schools Success Program.

H. Letter from Morit System Services enclosing the findings for the on-site compliance review of the Yuba County Personnel Department.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received from the following:

Supervisor Schrader:
- Sacramento Area Council of Government September 10, 2007 meeting regarding Assembly Bill 70 (Flood Liability), Senate Bill 5 (State Plan Flood Control), and Senate Bill 17 (Reclamation Board Composition and Name)
- Memorial adjournment in memory of Mr. Richard Vercruysen
Mr. Rex Archer, Linda, advised Senate Bill 17 would eliminate the State Reclamation Board and create a central valley flood control board with 9 members.

Supervisor Griego:
- Urged support for letter recognizing Ms. Sally Ziolkowski, Director Federal Emergency Management Agency Mitigation District for her partnership in the Pre Hazard Mitigation project

Following Board discussion, upon Board consensus the matter was referred to County Administrator.
- Attended State Mining and Geology Board meeting held September 7, 2007
- Children’s Healthy Initiative to receive California State Association of Counties award at conference in November

Supervisor Nicoletti:
- Community Services Commission Committee meeting regarding processing of funding requests from local non profit organizations
- Cyber Command Station and legislative support
- Acknowledged Mr. Greg Crompton for his contributions at Board meetings

At the request of County Counsel, and upon motion of Supervisor Schrader, seconded by Supervisor Griego, and unanimously carried, the Board added to closed session two cases of threatened litigation, as the need to take action arose subsequent to the agenda being posted.

CLOSED SESSION

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

A. Threatened litigation pursuant to Government Code §54956.9(h) – Four Cases

The Board returned from closed session at 12:18 p.m. with all Board and staff members present as indicated above. There were no announcements.
ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:18 p.m. in memory of Mr. Richard Vercruysen by Chairman Stocker.

Chairman

ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS

Approved: 9.25.07