YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

DECEMBER 11, 2007

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 Dan Logue, John Nicoletti, and Hal Stocker. Supervisors Mary Jane Griego and Don Schrader were absent. Also present were County Administrator Robert Bendorf, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Tracy Graham. Chairman Stocker presided.

CONSENT AGENDA

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

A. Community Development and Services: Received the following final maps under review pending approval of County Surveyor.


B. Health and Human Services

1) Approved agreement with California Department of Public Health (CDHP) to enter death certificate data into AVSS or EDRS for the term of July 1, 2007 through June 30, 2008 and authorized the Chairman to execute same.

2) Adopted Resolution No. 2007-156, which is on file in Yuba County Resolution Book No. 38, which is entitled: "AUTHORIZE THE YUBA COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ENTER INTO AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (CDHP) FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS FUNDS FOR THE PERIOD OF AUGUST 31, 2007 – AUGUST 9, 2008, AND AUTHORIZE THE CHAIRMAN TO EXECUTE DOCUMENTS AS REQUIRED BY THE AGREEMENT AND ANY PERTINENT DOCUMENTS RELATED TO THIS PROGRAM AND TO ACCEPT FUNDS."

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C.  Personnel/Risk Management: Approved classification changes abolishing Social Worker II/III (LT) and establishing a Senior Housing Specialist; adopted Resolution No. 2007-157, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION AMENDING THE DEPARTMENTAL POSITION ALLOCATION SCHEDULE NO. 2007-86"; and adopted Yuba County Resolution No. 2007-158, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION AMENDING THE CLASSIFICATION SYSTEM – BASIC SALARY SCHEDULE NO. 2007-87."

D.  Sheriff-Coroner: Authorized Budget Transfers in the total amount of $195,545 to and from various line items to appropriate grant revenue and to cover current and projected program shortages.

E.  Treasurer-Tax Collector: Adopted Resolution No. 2007-159, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION DELEGATING INVESTMENT AUTHORITY TO THE YUBA COUNTY TREASURER."

SPECIAL PRESENTATION

Community Development and Services/Community and Student Town Hall Meetings: Principle Planner Dan Cucchi provided a Power Point presentation summarizing community outreach held to date regarding the general plan update.

Supervisor Griego joined the meeting at 9:33 a.m.

Comments were received from the following student participants regarding concepts and areas for growth:

- Mr. Andrew Wissink, Marysville High
- Mr. Mitchell Burgeson, Marysville High School
- Ms. Michelle Genova, Marysville High School

PUBLIC COMMUNICATIONS

Ms. Francis Hofman, Forty Mile Road, expressed concern regarding LAFCO guidelines and the municipal service review of projects, and felt there was a lack of financial accountability with regard to the consultant preparing the review.

County Administrator Robert Bendorf advised a copy of the consultant agreement and account billings had been requested from LAFCO.
COUNTY ADMINISTRATOR

Sutter-Yuba Mental Health/Assistant Director Appointment: Following a brief recap and introduction from County Administrator Robert Bendorf, upon motion of Supervisor Logue, seconded by Supervisor Nicoletti, and carried with Supervisor Schrader being absent, the Board approved the appointment of Mr. Tom Sherry as Assistant Director of Human and Mental Health Services for Sutter-Yuba Mental Health effective December 15, 2007.

COMMUNITY DEVELOPMENT AND SERVICES

1) Ostrom Road/Virginia Road/All-Way Stop: Public Works Director Mike Lee recapped the purpose of the all-way stop intersection and responded to Board inquiries.

Ms. Francis Hofman, Hofman Ranch, urged Board support.

Upon motion of Supervisor Grijego, seconded by Supervisor Stocker, and carried with Supervisor Logue voting in opposition and Supervisor Schrader being absent, the Board adopted Resolution No. 2007-160, which is on file in Yuba County Resolution Book No. 38, which is entitled: "RESOLUTION DESIGNATING OSTMOR ROAD AT VIRGINIA ROAD AS AN ALL-WAY STOP INTERSECTION"; and directed installation of rumble strips on Ostrom Road.

2) Closure/Covered Bridge (No. 16C-017)/Alleghany Road/Oregon Creek: Public Works Director Mike Lee recapped the purpose of bridge closure, and responded to Board inquiries.

Upon motion of Supervisor Logue, seconded by Supervisor Grijego, and carried with Supervisor Schrader being absent, the Board adopted Resolution No. 2007-161, which is on file in Yuba County Resolution Book No. 38, which is entitled: "AUTHORIZE BRIDGE CLOSURE OF ALLEGHANY ROAD BRIDGE AT OREGON CREEK (BRIDGE NO. 16C-017)."

Supervisor Schrader joined the meeting at 10:37 A.M.

The Board recessed at 10:37 a.m. and reconvened at 10:48 a.m. with all Board and staff members present as indicated above including Supervisors Grijego and Schrader.

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3) General Plan Update (2030)/Processing of Major Projects: Planning Director Wendy Hartman updated the Board on the status of current major projects, requested Board direction regarding the processing of planned unit development applications and responded to Board inquiries.

Following Board discussion, Ms. Hartman recapped Board direction to bring forward a resolution amending Resolution No. 2007-155 to include Board approval for all future applications for Planned Unit Developments during the General Plan Update and the continued processing of major projects which have been deemed completed applications.

ORDINANCES AND PUBLIC HEARINGS

Chairman Stocker read the disclaimer.

A. Ordinance/Repealing and Reenacting Chapter 10.05/Standards of Building Construction (Second Reading) (Continued from December 4, 2007): Following Board discussion, Chairman Stocker opened the public hearing. No one came forward.

Upon motion of Supervisor Schrader, seconded by Supervisor Logue, and unanimously carried, the public hearing was closed, the reading was waived, and the Board adopted Ordinance No. 1425, which is on file in Yuba County Ordinance Book No. 19, which is entitled: "AN ORDINANCE REPEALING AND REENACTING TITLE X, CHAPTER 10.05 OF THE YUBA COUNTY ORDINANCE CODE RELATING TO STANDARDS OF BUILDING CONSTRUCTION."

B. Public Hearing/Adopt Findings of Facts/Conclusions of Law/Orders Authorizing Assessment of Administrative Abatement Costs/Penalties and Recording of Lien/6223 Mapes Way, Marysville (East Linda): Code Enforcement Officer John Rohrbach recapped the Board of the steps taken to enforce County codes as they relate to said property.

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, and the Board adopted Findings of Fact, Conclusions of Law, Orders determining costs of abatement in the amount of $16,327.00 to be assessed against property and authorized recording of the lien on 6223 Mapes Way, Marysville, (Richard C. Lantsberger).
ITEM OF PUBLIC INTEREST

Lot Line Adjustment 2006-0042/APN 48-130-044/Barbara Coney and Nicolas Walker: Planning Director Wendy Hartman and Assistant Planning Director Ed Palmeri recapped the processing of the application and use of a contract planner, fees, and reduction of fee to $1969.40.

Mr. Nicolas Walker, felt the reduced fee was an arbitrary reduction and excessive for a simple lot line adjustment, expressed concern regarding the billing practices of Wildan, and requested a reduction or waiver in fees.

Supervisor Stocker moved to reduce the fee to $900. Motion failed for lack of a second.

Community Development Director Kevin Mallen responded to specific Board inquiries regarding billing practices and current processing of applications.

Following Board discussion, the item was continued to December 18, 2007, and staff was directed to provide further information regarding flat rate fee structure.

CORRESPONDENCE

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

A. Letter from Loma Rica/Browns Valley Community Services District regarding request for a permanent Fire Planner within the Planning Department.

B. Letter from California State Association of Counties enclosing the 2007 Challenge Awards Directory.

C. Letter from Dobbins/Oregon House Improvement Foundation Incorporated regarding appreciation of community support from Yuba-Sutter Disposal Incorporated.

D. Flyer from National Association of Counties regarding 2008 Legislative Conference to be held March 1-5, 2008 in Washington D.C.

E. Two letters from State of California Governor's Office of Emergency Services regarding disaster declaration for various counties including Yuba County caused by drought beginning January 1, 2007.
BOAND AND STAFF MEMBERS' REPORTS

Reports were received from the following:

Supervisor Griego:
  • Memorial adjournment in memory of Mr. Robert Henderson

Supervisor Nicoletti:
  • Requested proclamations for high school students involved in General Plan Update Student Town Hall Meeting
  • Accompanied Beale personnel on refueling flight on December 10, 2007
  • Activities regarding the economical revitalization at Beale Air Force Base

Assistant County Administrator Randy Margo:
  • Meeting in Sacramento regarding Proposition 1E Grant on December 17, 2007
  • Workshop for Regional Park Master Plan on December 11, 2007

CLOSED SESSION

The Board retired into closed session at 1:05 p.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a) - LWP Claims vs. County of Yuba

B. Potential litigation pursuant to Government Code §54956.9(b) - One Case

C. Pending litigation pursuant to Government Code §54956.9(a) - Ali vs. County of Yuba

The Board returned from closed session at 2:15 p.m. with all Board and staff members present as indicated above including Supervisors Griego and Schrader.

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 2:15 p.m. in memory of Mr. Robert Henderson by Chairman Stocker.
ATTEST: DONNA STOTTERMeyer
CLERK OF THE BOARD OF SUPERVISORS

Approved: January 3, 2008