YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

SEPTEMBER 16, 2008

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 09:32 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 Robert Bendorf, County Counsel Daniel Montgomery, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Logue presided.

CONSENT

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

A. Clerk of the Board of Supervisors: Approved the minutes of the regular meeting of August 26, 2008, as written.

B. County Counsel: Adopted Resolution No. 2008-119, which is on file in the Yuba County Resolution Book No. 39, which is entitled: "RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA ACTING AS THE GOVERNING BODY OF ALL OF ITS COMMUNITY FACILITIES DISTRICTS ORDERING JUDICIAL FORECLOSURE OF DELINQUENT SPECIAL TAXES PURSUANT TO THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982 AND ORDERING THAT THE TAX COLLECTOR BE CREDITED WITH THOSE TAXES."

C. Health and Human Services: Approved the agreement with In-Home Support Services (IHSS) Public Authority for the administration of the IHSS Program, authorized the Chairman to execute same, and approved the IHSS Budget for Fiscal Year 2008/2009.

D. Personnel/Risk Management

1) Adopted Resolution No. 2008-120, which is on file in the Yuba County Resolution Book No. 39, which is entitled: "RESOLUTION ADOPTING THE DEPARTMENTAL POSITION ALLOCATION IN ITS ENTIRETY Resolution No. 2007-87," as it relates to the 2008-2009 Fiscal Year Budget effective July 1, 2008.
2) Approved Property Program Memorandum of Understanding with CSAC Excess Insurance Authority and authorized the Chairman to execute same. APPROVE MOU

3) Approved change of third party administrator for Workers’ Compensation Claims to Bragg and Associates. APPROVE AGRMNT.

E. Probation: Approved two agreements with Wheatland School District for services of a Deputy Probation Officer and Intervention Counselor in the Probation and Schools Success Program and authorized the Chairman to execute same.

PUBLIC COMMUNICATIONS

No one came forward.

COMMUNITY DEVELOPMENT AND SERVICES

Terminal Access Route Signs: Following a brief recap from Public Works Director Mike Lee regarding the need for signage indicating terminal access routes and responding to Board inquiries, upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried the Board authorized a Budget Transfer in the amount of $5,000 from Account No. 102-0000-372-99-03 (Operating Transfer In) to Account No. 102-9100-431-01-04 (Overtime) for $2,514 and to Account No. 102-9100-431-28-01 (Pavement Marking) for $2,386 to purchase and install signs indicating terminal access routes. AUTHORIZE BUDGET TRANSFER

COUNTY ADMINISTRATOR

1) Grand Jury Response Fiscal Year 2007/2008: Assistant County Administrator Randy Margo recapped the Grand Jury report and responses, advising Community Development and Services response would be incorporated, and responded to Board inquiries. APPROVE RESPONSE

Upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and unanimously carried, the Board approved the Grand Jury response and the incorporation of Community Development and Services response to 2007/2008 Final Report and authorized the Chairman to execute same.

2) Senate Bill 375/Greenhouse Gas Emissions: Assistant County Administrator Randy Margo recapped Senate Bill 375 and responded to Board inquiries. INFO ONLY

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Community Development and Services Director Kevin Mallen recapped Sacramento Area Council of Governments (SACOG) Metropolitan Transportation Plan and the current county blue print and responded to Board inquiries.

3) Pending State Legislation Update: Legislative Affairs Coordinator Russ Brown provided a brief recap on various pending legislation, including California State Association of Counties recommendations, and responded to Board inquiries.

ORDINANCE AND PUBLIC HEARINGS

Chairman Logue read the disclaimer.

1) Ordinance/Amending Chapter 13.80 of the Yuba County Ordinance Code relating to Deferral of Certain Impact Fees (Second reading) (Continued from September 9, 2008): Following a brief recap from Community Development and Services Director Kevin Mallen and Board inquiries, Chairman Logue opened the public hearing. No one came forward.

Upon motion of Supervisor Griego, and seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, the reading was waived, and the Board adopted Ordinance No. 1461, which is on file in Yuba County Ordinance Book No. 20, which is entitled: “AN ORDINANCE AMENDING TITLE XIII OF THE YUBA COUNTY ORDINANCE CODE BY ADDING CHAPTER 13.80 RELATING TO DEFERRAL OF CERTAIN IMPACT FEES.”

2) Public Hearing/Resolution Approving Vacation of Portions of Cling Drive, Bloom Drive and Cobbler Lane in the Orchard, Phases 3 and 4: Following a brief recap from County Surveyor Gary Lippincott and Board inquiries, Chairman Logue opened the public hearing. No one came forward.

Mr. Lee Goss, MHM Engineering, representing property owners, was available for questions.

Upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, and the Board adopted Resolution No. 2008-121, which is on file in the Yuba County Resolution Book No. 39, which is entitled: “RESOLUTION ADOPTING ORDER OF VACATION OF PORTIONS OF CLING DRIVE, BLOOM DRIVE AND COBBLER LANE LYING WITHIN THE ORCHARD PHASES 3 AND 4.”
CORRESPONDENCE

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

A. Letter from United States Board on Geographic Names advising approval of the proposal to officially change the name of the community of Smartville in Yuba County to Smartsville.

Referred to Community Development and Services, County Counsel, Clerk Recorder, County Administrator, Assessor and Treasurer/Tax Collector

B. Three 2008 Local Agency Biennial Notices advising no change is required to conflict of interest codes for Loma Rica Browns Valley Community Service District, Peoria Cemetery District, and the Yuba County Water Agency

C. One 2008 Local Agency Biennial Notice advising the conflict of interest code for Camptonville Community Service District is currently under review.

D. Letter from Governor’s Office of Emergency Services declaring disaster designations for the County of Yuba and the contiguous counties of Butte, Nevada, Placer, Plumas, Sierra and Sutter due to agricultural losses caused by drought that occurred April 1, 2008, through May 15, 2008.

E. Letter from the Fremont-Rideout Health Group regarding medical support services during events at the motocross track.

Referred to County Administrator and County Counsel

BOARD AND STAFF MEMBERS’ REPORTS

Supervisor Stocker:
- Pavement Rehabilitation project on Willow Glen Road

Supervisor Griego:
- Article on primary health care doctors, available services and Medi-cal
Supervisor Nicoletti:
- Peach Tree Clinic finances
- Harmony Health related prenatal care
- Senior meal program funding
- Letter recognizing Marysville Joint Unified School District, Yuba City Unified School District and Fremont-Rideout for their generous donations

Supervisor Schrader:
- CBS News reports and Sacramento Bee article regarding Yuba County

Robert Bendorf:
- Area 4 Agency on Aging October 10, meeting related to contract for meal services
- Meetings regarding Wastewater Treatment facilities
- Employee Recognition Luncheon Friday, September 19th, 2008
- Proposed State budget impacts to Health and Human Services and Law Enforcement
- Working with various County departments regarding 2010 Census

At the request of County Counsel and upon motion of Supervisor Nicoletti, seconded by Supervisor Stocker, and unanimously carried, the Board added of one case of pending litigation to closed session regarding Three Rivers vs. H&H Trenching as the need to take action arose subsequent to the agenda being posted.

CLOSED SESSION

The Board retired into closed session at 10:39 a.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a) Three Rivers vs. H&H Trenching

The Board returned from closed session at 10:42 a.m. with all Board and staff members present as indicated above.

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 10:43 a.m. by Chairman Logue.

[Signature]
Chairman

ATTEST: DONNA STOTTLMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]
By: Rachel Ferris, Deputy Clerk
Approved: Oct 1, 2008

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