YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS

SEPTEMBER 23, 2008

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, Mary Jane Griego, Donald Schrader, and Hal Stocker. Also present were County Administrator Robert Bendorf, Chief Deputy County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Laura DeShazer. Chairman Logue presided.

CONSENT AGENDA

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

A. Clerk of the Board of Supervisors: Approved minutes of the regular meeting of September 9, 2008, as written.

B. Personnel/Risk Management: Appointed/and or reaffirmed Martha K. Wilson and Randy Margo as Board members for California State Association of Counties Excess Insurance Authority.

C. Health and Human Services: Accepted the $5000 donation from Fremont-Rideout Health Group; authorized a Budget Transfer in the amount of $5000 from Account No. 100-0000-371-96-01 (Donations) to Account No. 100-5200-451-23-03 (Extraneous); and approved expenditure of the funds for congregate bi-county senior meals.

PUBLIC COMMUNICATIONS

Ms. Freda Calvert, Hammonton Road, urged Board consideration of consequences to landowners for property loss as a result of surveyor’s miscalculations related to eminent domain and expressed concern regarding aggregate material eroding into levee beds due to rainwater runoff.
ADMINISTRATIVE SERVICES

1) GEO-Jobe GIS Consulting/Early Warning System Maintenance: Administrative Services Director Doug McCoy and Emergency Services Director Aaron Ward recapped the agreement with GEO-Jobe GIS Consulting for the existing emergency early warning system and responded to Board inquiries.

Upon motion of Supervisor Stocker, seconded by Supervisor Schrader, and unanimously carried the Board approved Amendment No. 1 to the Agreement with GEO-Jobe GIS Consulting for Early Warning System maintenance and authorized the Chairman to execute same.

2) Disposal of Surplus Property: Administrative Services Director Doug McCoy briefly recapped the benefit of using technologies such as on line auctions as a method of disposing of surplus property.

Upon motion of Supervisor Stocker, seconded by Supervisor Nicoletti, and unanimously carried, the Board adopted Resolution No. 2008-122, which is on file in the Yuba County Resolution Book No. 39, which is entitled “A RESOLUTION APPROVING THE USE OF TECHNOLOGIES SUCH AS ON LINE AUCTIONS THROUGH AN AUCTION SERVICE OR INTERNAL COORDINATION OF SAME THROUGH E-BAY OR ANY OTHER METHOD OF DISPOSING OF SURPLUS PROPERTY THAT WILL RETURN THE HIGHEST VALUE TO THE COUNTY IN THE JUDGMENT OF THE COUNTY PURCHASING AGENT.”

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Vision for Agriculture for the General Plan Update: Community Development and Services Director Kevin Mallen and Planning Director Wendy Hartman provided a Power Point presentation regarding the General Plan Update as it relates to agricultural land uses, urban development, and impacts to Yuba County, and responded to Board inquiries.

The following individuals spoke in opposition of one-to-one mitigation:
- Mr. Tom Ercs, Representing Hofman Ranch
- Mr. James Taylor, Potter-Taylor & Co.
- Mr. Ron Emy, 7th Street
- Mr. Greg Forest, Hefner, Stark and Marios
- Mr. Steve Danna, Farmer/Landowner
Following Board discussion regarding the adverse affect on new development and industry that would be caused by one-to-one mitigation, Chairman Logue advised that the concerns for the protection and preservation of agricultural land related to county economics would be considered by the Williamson Act Subcommittee.

ORDINANCES AND PUBLIC HEARINGS

1. Ordinance/Repealing and Reenacting as Amended Title X, Chapter 10.15 of the Yuba County Ordinance Code relating to Firebreaks; Chief Building Inspector Marty Griffin recapped ordinance provisions and responded to Board inquiries.

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

Upon motion of Supervisor Schrader, 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 reenacting as amended Title X, Chapter 10.15 of the Yuba County Ordinance Code relating to firebreaks.

2. Ordinance/Amending Title VII of the Yuba County Ordinance Code by adding Chapter 7.45 relating to Firebreak Maintenance; Chairman Logue opened the public hearing.

Chief Rick Cunningham, Foothill Fire Protection District, supported the ordinance.

Following Board discussion, upon motion of Supervisor Schrader, seconded by Supervisor Stocker, and unanimously carried, the public hearing was closed, the first reading was waived and the Board introduced an ordinance amending Title VII, of the Yuba County Ordinance Code by adding Chapter 7.45 relating to firebreak maintenance.

ITEM OF PUBLIC INTEREST

Buchanan Enterprises Inc./Reduction in Road Closure Fee: Public Works Director Mike Lee recapped necessity of road closure fees and responded to Board inquiries.

Buchanan Enterprises Inc. Vice President Jerry Powell recapped special circumstances and development of additional infrastructure sited for future as well current projects for the Powerline Road, Olivehurst site.
Following Board discussion, upon motion of Supervisor Griego, seconded by Supervisor Stocker, and unanimously carried, the Board authorized a reduction to $20,000 for the 30-day road closure fee and preparation of findings to support offset of the amount to address the greater public benefit to be achieved through public safety and economic development.

CORRESPONDENCE

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

A. Bulletin from Area 4 Agency on Aging for Fall 2008.

B. Three 2008 Local Agency Biennial Notices advising no change is required to conflict of interest codes for Foothill Fire Protection District, Dobbins-Oregon House Fire Protection District, and Strawberry Valley Cemetery District.

C. Letter from Henwood Ranch LLC requesting detachment from River Highlands Community Services District and maintaining current zoning.


E. Final Report from California Commission on the Fair Administration of Justice.

F. Letter from North Central Counties Consortium advising appointment of Executive Director Francene Kennedy.

G. Letter from Governor Arnold Schwarzenegger regarding Proposition 42 funding related to sales tax on gasoline.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker:
- Memorial adjournment in memory of Mr. Howard Joseph and Mr. Ralph Alexander Docken

Supervisor Schrader:
- Memorial adjournment in memory of Mr. James Silsbree
Supervisor Griego:
- Attended Employee Recognition Lunch September 19, 2008

Supervisor Nicoletti:
- Ride-along with law enforcement Saturday, September 20, 2008
- Memorial adjournment in memory of Mr. John Adelsburger
- Accepted $5000 donation from Fremont-Rideout Health Group to finance senior meals
- Army Aircraft-RC 12 Mission to State of Mississippi
- Urged attendance at Beale Workshop, October 2, 2008 regarding upcoming missions that could benefit Yuba County
- Attended Employee Recognition Lunch September 19, 2008

Supervisor Logue:
- Attended Employee Recognition Lunch September 19, 2008

Assistant County Administrator Randy Margo:
- Bond financing closed and receipt of proceeds September 22, 2008

County Administrator Robert Bendorf:
- Commended Board of Supervisors for participation at the Employee Recognition Lunch September 19, 2008

CLOSED SESSION

The Board retired into closed session at 11:38 a.m. to discuss the following:

A. Threatened litigation pursuant to Government Code §54956.9(b) – One Case

The Board returned from closed session at 12:13 p.m. with all Board and staff members present as indicated above.

Chief Deputy County Counsel Angil Morris-Jones made the following announcement:

“The Board unanimously gave direction regarding one case of threatened litigation which we will report on when we have investigated those various possibilities.”
ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, the meeting was adjourned at 12:14 p.m. in memory of Mr. Howard Joseph, Mr. Ralph Alexander Docken, Mr. James Silsbee and Mr. John Adelsburger by Chairman Logue.

[Signature]
Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]
Laura DeSlazer, Deputy Clerk

Approved: October 8, 2008