YUBA COUNTY, CALIFORNIA

BOARD OF SUPERVISORS

SEPTEMBER 15, 2009

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 Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, and Hal Stocker. Also present were County Administrator Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemyer. Chairman Nicoletti presided.

CONSENT AGENDA

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

A. Auditor-Controller

1) Adopted Resolution No. 2009-86, which is on file in Yuba County Resolution Book No. 40, which is entitled: RESOLUTION ADOPTING BUDGET FOR FISCAL YEAR 2009-2010, in the total amount of $160,411,919.

2) Authorized a Budget Transfer in the amount of $1,482,617 for disbursement of Health Insurance Credit for 2009-2010 Fiscal Year Budget.

B. Board of Supervisors

1) Appointed Supervisor Abe as the representative and Agricultural Commissioner Louie Mendoza Jr. as the alternate to the High Sierra Resource Conservation and Development Council for the remainder of calendar year 2009.

2) Appointed Gary Miller, Gerald Norene, and John Belza to the South Yuba Water District for a four year term to expire in 2013, pursuant to Elections Code Section 10515.

3) Appointed Keith Davis as the Division III Director to Cordua Irrigation District for a four year term to expire in 2013, pursuant to Elections Code Section 10515.
C. **Clerk of the Board of Supervisors**

1) Reappointed Claudia Hollis and Sheri Alongi to the In-Home Supportive Services Advisory Committee for a term to end September 15, 2011.

2) Reappointed Philolis Goode to the Plumas Lake Design Review Committee for a term to end September 15, 2010.

3) Approved the minutes of the regular meeting of August 75, 2009, as written.

D. **Community Development and Services:** Awarded a contract to George Reed, Inc., apparent low bidder, for the road rehabilitation project on Willow Glen Road, Challenge Cut-Off Road, and McGowan Parkway and authorized the Chairman to execute upon review and approval of County Counsel.

E. **District Attorney:** Adopted Resolution No. 2009-87, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY OF YUBA COUNTY TO ENTER INTO AGREEMENTS WITH THE UNITED STATES BUREAU OF JUSTICE ASSISTANCE FOR GRANT FUNDING AND ACT AS THE SIGNING AUTHORITY ON BEHALF OF THE COUNTY OF YUBA TO EXECUTE REQUIRED GRANT DOCUMENTS."

F. **Personnel-Risk Management**

1) Adopted Resolution No. 2009-88, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION ADOPTING THE DEPARTMENTAL POSITION ALLOCATION IN ITS ENTIRETY RESOLUTION NUMBER 2008-120," in its entirety as it relates to the 2009-2010 Fiscal year Budget effective July 1, 2009.

2) Adopted Resolution No. 2009-89, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION AMENDING THE CLASSIFICATION SYSTEM – BASIC SALARY/HOURLY SCHEDULE RESOLUTION NUMBER 2008-80," in its entirety as it relates to the 2009-2010 Fiscal year Budget effective July 1, 2009.

G. **Probation:** Approved two agreements with the 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.

H. **Sheriff-Coroner:** Approved a Memorandum of Understanding with the Yuba County Office of Education to provide vocational educational programs for inmates at the Yuba County Jail for Fiscal Year 2009-2010 and authorized the Chairman to execute same.
PUBLIC COMMUNICATIONS

Ms. Freda Calvert, Hammonton Road, felt there was lack of reporting on the results of the Mining and Geology Board decision regarding Western Aggregates.

Ms. Frances Hofman, Olivehurst, urged enforcement of sign ordinance regarding subdivision advertisement.

COMMUNITY DEVELOPMENT AND SERVICES

Parks Bond Per Capita Funds: Director Kevin Mallen recapped proposed expenditure of $1.1 million funds on various projects in furtherance of the Parks Master Plan and responded to Board inquiries.

The following individuals spoke:
- Mr. Douglas Binderup, Dobbins
- Mr. Greg Crompton, Dobbins
- Mr. William Hoffman, Brownsville
- Mr. Roy Sigman, Brownsville
- Ms. Marilyn Meadows, Forbestown

Supervisor Stocker left the meeting at 10:03 a.m. and returned at 10:07 a.m.

Following Board discussion, upon motion of Supervisor Griego, seconded by Supervisor Stocker, and unanimously carried, the Board approved 2002 Parks Bond Act Per Capita Funds expenditures for the following projects:
- Olivehurst Public Utility District Spray Park $300,000
- Star Bend Boat Ramp Improvement Project $220,000
- Dobbins Oregon House Improvement Foundation Community Center Playground $200,000
- Ponderosa Park Rehabilitation $200,000
- Improvements at Ellis Lake $ 75,000
- Grant Administration Expenses $ 15,000

COUNTY ADMINISTRATOR

1) Employment Extension Agreement/Brunner, Paul: Following a brief recap from County Administrator Robert Bendorf and Board inquiries, the following individuals spoke:

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Ms. Frances Hofman, Olivehurst
Mr. Tom Eres, Hofman Ranch

Supervisor Stocker left the meeting at 11:03 a.m. and returned at 11:06 a.m.

Following Board discussion, upon motion of Supervisor Griego, seconded by Supervisor Vasquez, and carried with Supervisor Abe voting in opposition and with Supervisor Stocker voting in support and listening to the portion of the tape in his absence, the Board approved an Extension of Employment Agreement with Three Rivers Levee Improvement Authority Executive Director Paul Brunner through December 31, 2011 and authorized the Chairman to execute same.

Supervisor Vasquez left the meeting at 11:07 a.m.

2) Grand Jury Final Report Response: Following a recap from County Administrator Robert Bendorf and Board inquiries, upon motion of Supervisor Griego, seconded by Supervisor Stocker, and carried with Supervisor Vasquez being absent, the Board approved the responses to the 2008-2009 Grand Jury Final Report and authorized the Chairman to execute same.

3) Dwarf Car Nationals/Marysville Race Way Park/Noise Ordinance Exemption: Community Development and Services Director Kevin Mallen and recapped the issuance of a noise permit and responded to Board inquiries.

Supervisor Vasquez returned at 11:12 a.m.

Event sponsors Kevin Bender and Raymond Blacksheare recapped event activities and responded to Board inquiries.

Following Board discussion, upon motion of Supervisor Griego, seconded by Supervisor Vasquez, and unanimously carried, the Board made the finding of economic benefit and approved exemption from the noise ordinance on Thursday, September 24th until 12:00 a.m. and Friday, September 25th until 1:00 a.m.

ORDINANCES AND PUBLIC HEARINGS

The Clerk read the disclaimer.

Public Hearing/Resolution Adopting an Amendment to the Yuba Sutter Disposal Inc. Franchise Agreement and Approving a Rate Structure to Provide a 0.38% Revenue Increase:

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County Administrator Robert Bendorf recapped the rate increase and responded to Board inquiries.

Administrator Keith Martin, Regional Waste Management Authority, recapped the rate stabilization program and responded to Board inquiries.

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

Upon motion of Supervisor Griego, seconded by Supervisor Stocker, and unanimously carried, the Board closed the public hearing and adopted Resolution No. 2009-90, which is on file in Yuba County Resolution Book No. 40, which is entitled: "RESOLUTION ADOPTING AN AMENDMENT TO THE YUBA SUTTER DISPOSAL INC. FRANCHISE AGREEMENT AND APPROVING A RATE STRUCTURE TO PROVIDE A 0.38 PERCENT REVENUE INCREASE."

CORRESPONDENCE

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

A. Letter from Local Agency Formation Commission (LAFCO) regarding Supreme Court decision whereby individual agencies could bail out of the Voting Rights Act.

Referred to County Clerk-Recorder

B. Notice from Fish and Game Commission regarding proposed actions relative to “Sport Fishing Regulations."

C. Letter from California Department of Public Health regarding cancellation of California Children’s Dental Disease Prevention Program contract.

Referred to Health and Human Services and County Administrator

D. Letter from Department of Water Resources (DWR) regarding the field visit performed by DWR July 28 – 30, 2009.

Referred to County Administrator

E. Resolution from Reclamation District 784 authorizing additional benefit assessment for operation and maintenance to county tax rolls.
F. Notice from United States Fish and Wildlife Service regarding voluntary Safe Harbor Agreement proposed for ranchland (applies to Butte, Glenn, Shasta, and Tehama counties).

G. Memorandum from Community Development and Services Agency regarding Planning Commission findings to allow accessory structure and electrical services on vacant parcels in the A/RR zone.

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Vasquez:
- Nine Eleven Freedom Walk

Supervisor Griego:
- State Mining and Geology Board meeting held Friday, September 11, 2009
- Local Government Commission meeting regarding annual conference
- Grand opening of Olivehurst 7-11 store
- Weed and Seed grant funding
- Childhood Obesity advisory committee meeting regarding combating impacts on local government

Supervisor Abe:
- California State Association of Counties meeting on September 10, 2009 regarding early release inmate program
- Met with constituents from Ostrom Road and South Beale area regarding Magnolia Ranch project
- Meeting with Regional Council of Rural Counties staff on September 16, 2009 at 10:30 a.m.

Supervisor Stocker:
- Memorial adjournment – Mrs. May Cooper
- Childhood obesity ad hoc meeting regarding planning of communities and lifestyle issues
- County position not to assume State Mining and Reclamation Act supervision
- Debriefing on Yuba Fire scheduled September 16, 2009
Chairman Nicoletti advised of forming an advisory committee appointing Supervisor Vasquez and himself as representatives to address the relocation of the senior center for a duration through December 31, 2009.

Supervisor Nicoletti:
- Flood Plain Management Conference held September 8 – 10 in San Jose
- Memorial adjournment – Mrs. Dorothea Selby
- Golf Tournament fundraiser held September 11, 2009 to benefit Beale personnel and families
- Marysville Pride golf tournament September 14, 2009 to benefit sports programs
- Town hall meeting regarding Ostrom Road Landfill

County Administrator Robert Bendorf:
- California State Association of Counties Budget Task Force Committee
- Flood Plain Management Conference held September 8 – 10 in San Jose
- Employee Recognition BBQ Friday September 18, 2009 from 11:30 a.m. – 1:30 p.m. at Riverfront Park
- Commended Kevin Mallen, Louis Mendoza, John Fleming, and Chief Rich Webb regarding positive resolution for a local business

Chairman Nicoletti formed an advisory committee appointing Supervisor Vasquez and himself as representatives to address Sheriff facility with a duration through December 31, 2009.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, Chairman Nicoletti adjourned the meeting at 12:19 p.m. in memory of Mrs. May Cooper and Mrs. Dorothea Selby.

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: October 6, 2009