YUBA COUNTY, CALIFORNIA
BOARD OF SUPERVISORS
MARCH 10, 2009

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:38 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors John Nicoletti, Mary Jane Griego, Roger Abe, 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 Rachel Ferris. Chairman Nicoletti presided.

CONSENT AGENDA

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

A. Administrative Services: Approved renewal of airport lease and use permit with Reach Air Medical Services and authorized the Chairman to execute same.

B. Clerk of the Board of Supervisors: Approved minutes of the regular meeting of February 24, 2009, as written.

C. Clerk-Recorder/Elections: Authorized a Budget Transfer in the total amount of $19,699 from Clerk-Recorder Trust Funds to Account No. 101-0200-411-23-00 (Professional Services) for software changes and annual maintenance.

E. Emergency Services: Approved out-state-travel for Deputy County Administrator-Emergency Services to attend the United States Department of Homeland Security (USDHS) Science and Technology Directorate workshop March 18 – 20, 2009 in New Orleans, regarding rapid levee repair technology with costs paid by USDHS.

CONSENT AGENDA DISCUSSION

Personnel-Risk Management/Veteran’s Preference Points: Following Board discussion, upon Board consensus the matter was continued to March 17, 2009.

CONTINUE TO 3-17-09
County Counsel/Amendment No. 3/Joint Powers Agreement (JPA)/Three Rivers Levee Improvement Authority: Chief Deputy County Counsel Angil Morris-Jones recapped the current JPA language as it relates to maintenance and responded to Board inquiries.

Mr. Scott Shapiro, Counsel for Three Rivers, advised the boundaries of Three Rivers exceed the boundaries of Reclamation District 784.

Executive Director Paul Brunner advised it was possible that Reclamation District 784 would eventually expand their district and take over the duties of Three Rivers.

The following individuals spoke:
- Ms. Frances Hofman, Wheatland
- Mr. Tom Eres, representing Hofman Ranch

Following Board discussion, upon motion of Supervisor Griego, seconded by Supervisor Stocker, and carried with Supervisor Abe voting in opposition, the Board adopted Resolution No. 2009-19, which is on file in Yuba County Resolution Book No. 40, which is entitled: “RESOLUTION ADOPTING AMENDMENT NO. 3 TO JOINT EXERCISE OF POWERS AGREEMENT BETWEEN YUBA COUNTY AND RECLAMATION DISTRICT NO. 784 AND AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN AMENDMENT NO. 3.”

PUBLIC COMMUNICATIONS

In response to an inquiry from Ms. Freda Calvert, Marysville, Supervisor Stocker advised no date had been set for the Smartsville community clean up.

COUNTY ADMINISTRATOR

1) **Kennedy/Jenks Consultants/Gold Village subdivision**: Deputy Director Aaron Ward recapped the proposed agreement and responded to Board inquiries. Upon motion of Supervisor Stocker, seconded by Supervisor Griego, and unanimously carried, the Board approved agreement with Kennedy Jenks Consultants for Gold Village subdivision of the River Highlands Community Services District and authorized the Chairman to execute same.

2) **Enterprise Rancheria/Off Reservation Gaming Activities**: County Administrator Robert Bendorf recapped the draft letter prepared for input regarding Enterprise Rancheria proposed gaming project and responded to Board inquiries.

03/10/2009

MINUTE BOOK NO. 66 PAGE 57
The following individuals spoke:
- Mr. Dave Slack, Walnut Avenue
- Mrs. Sandra Gilbert, Wheatland
- Mr. Jack Gilbert, Wheatland
- Ms. Frances Hofman, Wheatland
- Mr. Jeff Phinney, Plumas Lake
- Ms. Glenda Nelson, Berry Creek
- Mr. John Maier, Oakland
- Mr. Charles Altekrues, Marysville
- Mr. Kent Williams, Yuba City-Social
- Mr. Sheldon Hadley, Marysville
- Mr. Jim Kennedy, Browns Valley
- Mr. Robert Carr, Yuba City
- Mr. Rick Paskowitz, Wheatland
- Mr. Allan Miners, Loma Rica
- Mr. Ed Fleming, Marysville
- Bill Simmons, Marysville

The Board recessed at 11:41 a.m. and reconvened at 11:51 a.m. with all Board and staff members presented as indicated above.

Following additional Board discussion, upon motion of Supervisor Stocker, seconded by Supervisor Griego, and unanimously carried, the Board approved a letter as amended to United States Department of the Interior, Bureau of Indian Affairs in response to request for input regarding whether Enterprise Rancheria proposed gaming project would not be detrimental to the surrounding community.

HEALTH AND HUMAN SERVICES

Sierra Sacramento Valley Emergency Medical Services Agency: Following a recap from Health and Human Services Director Suzanne Nobles, upon motion of Supervisor Stocker, seconded by Supervisor Griego, and unanimously carried, the Board approved agreement with Sierra Sacramento Valley Emergency Medical Services Agency for designation as the Local Emergency Medical Services Agency and authorized the Chairman to execute same.

ORDINANCES AND PUBLIC HEARINGS

The Clerk read the disclaimer.
Public Hearing/Adopt findings of facts, conclusions of law and orders authorizing assessment of administrative and abatement costs and penalties in the amount of $9,246.50, and recording of lien 4559 Arboga Road, Olivehurst (Deutsche Bank National Trust Company). Following a brief recap from Code Enforcement Officer Debee McNally, and 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 public hearing was closed, and the Board adopted Findings of Facts, Conclusions of Law and Orders authorizing assessment of administrative and abatement costs and penalties in the amount of $9,246.50, and recording of lien for property located at 4559 Arboga Road, Olivehurst (Deutsche Bank National Trust Company).

BOARD AND STAFF MEMBERS' REPORTS

Reports were received on the following:

Supervisor Stocker: Sierra Nevada Conservancy Butte County tour

Legislative Coordinator Russ Brown: Assembly Bill 885 and affiliated assembly bills regarding wastewater and septic systems

Supervisor Griego:
- Memorial adjournment in memory of Ms. Blanch Skinner

Supervisor Nicoletti:
- Memorial adjournment in memory of Mr. John Albert Lamon
- Strategic Planning Retreat, Thursday, March 5, 2009

County Administrator Robert Bendorf: Assessment of the Economic Stimulus Bill impacts and meeting March 17, 2009 between the State Budget Committee, Treasurer, Controller and Governor’s Office

CLOSED SESSION

The Board retired into closed session at 12:42 p.m. to discuss the following:

A. Personnel pursuant to Government Code §54957 - Labor Negotiations - DDA/MSA/YCEA/Unrepresented and County of Yuba

B. Pending litigation pursuant to Government Code §54956.9(a) – People of the State of California et al and County of Yuba vs Hoang

03/10/2009
The Board returned from closed session at 12:55 p.m. with all Board and staff members present as indicated above. There was no announcement.

ADJOURNMENT

There being no further business to come before the Yuba County Board of Supervisors, Chairman Nicoletti adjourned the meeting at 12:56 p.m. in memory of Ms. Blanch Skinner and Mr. John Albert Lamon.

[Signature]
Chairman

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature] Approved: April 7, 2009
By: Rachel Ferris, Deputy Clerk