The County of Yuba

BOARD OF SUPERVISORS

MAY 4, 2010 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:00 p.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 Stottlemeyer. Chair Griego presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Griego followed by a moment of silence for those serving in the armed forces.

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker – All Present

III. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be enacted in one motion.

MOTION: Move to approve

MOVED: Hal Stocker
SECOND: Andy Vasquez

AYES: Hal Stocker, Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe
NOES: None
ABSTAIN: None

A. Administrative Services

1. Adopt resolution ratifying use of Airport Trust Fund 140 as it relates to tentative parcel maps 94-10 and 2000-11 for mapping and infrastructure to Airport Industrial Park Site No. 2. (Public Facilities Committee recommends approval) (191-10) Adopted Resolution No. 2010-45 which is on file in Yuba County Resolution Book No. 41 entitled: "RESOLUTION RATIFYING THE USE OF AIRPORT TRUST FUND 140 AS IT RELATES TO TENTATIVE PARCEL MAPS 94-10 AND 2000-11 FOR MAPPING AND INFRASTRUCTURE TO AIRPORT INDUSTRIAL PARK NO. 2."

B. County Administrator

1. Authorize a Regional Waste Management Authority grant application on the County's behalf for the Used Oil Payment Program Cycle 1 Application for Fiscal Year 2010/2011 by approving submittal of the County Administrator's letter. (192-10) Approved.

C. Emergency Services

1. Adopt resolution authorizing the Director of Emergency Services or its designee to submit Fiscal Year 2010 Emergency Management Performance Grant application and execute documents when needed to obtain grant funds. (193-10) Adopted Resolution No. 2010-46 which is on file in Yuba County Resolution Book No. 41 entitled: "SIGNATURE RESOLUTION AUTHORIZING THE COUNTY DIRECTOR OF EMERGENCY SERVICES OR ITS DESIGNEE TO SUBMIT FISCAL YEAR 2010 EMERGENCY..."
D. Health and Human Services

1. Adopt resolution approving amended and restated Participating County Contract for participation in the County Medical Services Program (CMSP) by and between Yuba County and County Medical Services Program Governing Board, authorize the Chair to execute same, and further authorize the Director of Health and Human Services to execute any and all additional documents as necessary. (Human Services Committee recommends approval) (194-10) Adopted Resolution No. 2010-47 which is on file in Yuba County Resolution Book No. 41 entitled: "RESOLUTION APPROVING AMENDED AND RESTATED PARTICIPATING COUNTY CONTRACT FOR PARTICIPATION IN THE CMSP BY AND BETWEEN YUBA COUNTY AND COUNTY MEDICAL SERVICES PROGRAM GOVERNING BOARD."

E. Personnel/Risk Management

1. Authorize catastrophic leave for employee in the Auditor/Controller's office. (195-10) Approved.

IV. SPECIAL PRESENTATION

A. Receive presentation and present proclamation proclaiming May 2010 as Foster Care Month in Yuba County. (Assistant Program Manager Pam Cook and Sutter-Yuba Foster Parent Association President Leah Enix) (No background material) (Fifteen minute estimate) (196-10) Following Chair Griego presenting a proclamation recognizing Foster Care Month, the following participants introduced themselves and commended the Board:

   Mr. Nicholas Passmore         Ms. Lyndsey Doughman
   Ms. Kaitlyn Doughman          Mr. Daniel Nesbitt
   Mr. Lewis Thompson            Mr. William Kuite
   Ms. Rachael Lucky

V. PUBLIC COMMUNICATIONS: No one came forward.

VI. COUNTY DEPARTMENTS

A. County Administrator

1. Receive report on Third Quarter financial status and provide direction to staff if appropriate. (197-10) Assistant County Administrator Randy Margo advised of a decline in general fund revenues due to receiving less revenues than anticipated from property taxes, interest earnings, sales and transient occupancy taxes, and also advised of a decline of $1.3 million in assessed evaluations.

VII. ORDINANCES AND PUBLIC HEARINGS: The clerk read the disclaimer.

A. Ordinance - Hold public hearing, waive reading, and introduce ordinance amending Chapter 13 of Title XIII of the Yuba County Consolidated Fee Ordinance by repealing and re-enacting certain sections in regard to the payment of fees to certain departments. (Finance and Administration Committee recommends approval) (Ten minute estimate) (198-10) Assistant County Administrator Randy Margo recapped proposed changes in certain fees for services and responded to Board inquiries. The Chair opened the public hearing. No one came forward.
MOTION: Move to waive reading      MOVED: John Nicoletti     SECOND: Andy Vasquez
AYES: John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe, Hal Stocker NOES: None
ABSTAIN: None

B. Public Hearing - Hold public hearing and adopt findings of fact, conclusions of law and orders authorizing the assessment of administrative and abatement costs and penalties in the amount of $33,390.15 and the recording of a lien located at 5897 "B" Griffith Ave, Linda (Byard, Ronald). (Continued from April 27, 2010) (Ten minute estimate) (185-10) Manager Jeremy Strang and Code Enforcement Officer Michael Ehler provided a Power Point presentation recapping the following items regarding notices of the violations and contact with the property owner Ronald Byard:
   • Noticing requirements, mailings, and proofs of services
   • Chronology of notes, phone, and voice messages

Mr. Ronald Byard stated he had not received mailings or phone calls, and responded to Board inquiries.

Following Board discussion, Mr. David Crawford and Ms. Melissa Crawford, tenant, spoke on the condition of the property.

   MOTION: Move to approve plus an additional 40 hours
   MOVED: Andy Vasquez     SECOND: John Nicoletti
   AYES: Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, Hal Stocker NOES: None
   ABSTAIN: None

VIII. CORRESPONDENCE - (199-10)

MOTION: Move to accept and file     MOVED: John Nicoletti     SECOND: Andy Vasquez
AYES: John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe, Hal Stocker NOES: None ABSTAIN: None

A. Letter from Department of Veteran Affairs regarding continuing funding levels for County Veteran Services Office.

B. Letter from Yuba-Sutter Fair Scholarship Program Co-Director Ashley Newman inviting recommendations for Miss, Miss Teen, and Mini Miss Yuba-Sutter.

C. Letter from Mr. Herman Von Borstel regarding hazards presented by large pinecones on two pine trees in Friendship Park on Alicia Avenue in West Linda. Referred to Community Development and Services Department

IX. BOARD AND STAFF MEMBERS’ REPORTS: Reports were received on the following:

Supervisor Stocker:
   • Trust from Public Lands regarding a resolution of support
   • Memorial Adjournment - Mrs. Hortense Givens and Mrs. Darlene Kincade

Roger Abe: North Central Counties Consortium meeting held April 29, 2010
Supervisor Nicoletti:
- Beale AFB meeting regarding housing and economic status with the community
- Economic Development Corporation regarding railroad spur and Recology
- Chamber Government Affairs meeting May 4, 2010
- Fiscal condition for 2010/2011 and pulling together as a team to resolve issues

Supervisor Griego:
- Memorial Adjournment - Mr. Ken Miller
- High School Town Hall held regarding General Plan and community parks
- South Yuba Economic and Improvement Committee Hot Dog Social May 27, 2010 at Dukes Diner
- 9th Annual Olivehurst Community Clean Up May 8, 2010

County Administrator Robert Bendorf:
- Flood control in the Goldfields and planning of workshop for July or August
- Budget workshop on May 11, 2010 at 2 p.m.
- Regional wastewater study and planning of workshop to review study

X. CLOSED SESSION: The Board retired into closed session at 7:30 p.m. to discuss the following:

A. Pending litigation pursuant to Government Code §54956.9(a) - Tomeka Justice, individually and as Guardian ad litem for Acquacer Hill, a minor vs. County of Yuba and Thomas Oakes

B. Personnel pursuant to Government Code §54957(a) - Labor Negotiations - Deputy Sheriff's Association, Yuba County Employees Association, Management Supervisory Association (Law Enforcement), Deputy District Attorney's Association

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

The Board returned from closed session at 9:04 p.m. with all present as indicated above.

Counsel Angil Morris-Jones advised staff was given direction and authorized referring the matter involving Tomeka Justice to Porter Scot for representation.

XI. ADJOURN - 9:07 p.m. in memory of Mrs. Hortense Givens, Mrs. Darlene Kincade, and Mr. Ken Miller by Chair Griego.

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: June 1, 2010