The County of Yuba
BOARD OF SUPERVISORS
JANUARY 5, 2010 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 6:02 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 Bauske, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemyer. Chair Griego presided.

I. PLEDGE OF ALLEGIANCE - Presentation of Color and Pledge led by Lindhurst High School Air Force Junior ROTC consisting of Cadet Captain Gave Navarro, Cadet Technical Sergeant Jaime Gutierrez, Cadet Technical Sergeant Roberto Ramirez, and Cadet Senior Airman Michael Quinn-Esquerda

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

III. OATH OF OFFICE - Treasurer-Tax Collector Dan Mierzwa

The Clerk of the Board administered the Oath of Office to Treasurer-Tax Collector Dan Mierzwa.

IV. CHAIRMAN OF THE BOARD STATEMENT - Chairman Nicoletti

Chairman Nicoletti memorialized former employees Mr. Dan Montgomery and Ms. Toni Morris, commended the residents of the county, employees, department heads, and elected officials for their support and efforts throughout the year. Mr. Nicoletti also commended his wife, Maggie, for all support and consideration throughout his tenure.

V. ELECTION OF OFFICERS - Chair and Vice Chair: Appointed Chair Mary Jane Griego and Vice Chair Roger Abe.

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

MOTION: Move to appoint Vice Chair Abe    MOVED: Andy Vasquez    SECOND: Mary Jane Griego
AYES: Andy Vasquez, Mary Jane Griego, John Nicoletti, Roger Abe, Hal Stocker NOES: None ABSTAIN: None

Chair Griego presented a plaque to Supervisor Nicoletti in recognition of his chairmanship for 2009 and spoke about the upcoming completion of the levee projects, upcoming budget challenges, and job creation in 2010.

VI. RECESS - at 6:22 p.m. and reconvened at 6:42 with all present as indicated above.

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

A. Administrative Services

1. Approve assignment of lease and agreement and consent thereto between Honeycutt Aviation, Red Carpet Aviation Services, Inc. and the County of Yuba concerning fixed-base operations at Yuba County Airport and authorize the Chair to execute to same. (09-385) Approved.
2. Approve amendment to lease and use permit between Honeycut Aviation, Red Carpet Aviation Services, Inc., and County of Yuba concerning fixed-base operations at Yuba County Airport and authorize the Chair to execute to same. (09-586) Approved.

B. Agricultural Commissioner

1. Adopt resolution approving Fish and Game Advisory Commission to participate in project filed with the Federal Energy Regulatory Commission for licensing renewal of Yuba County Water Agency by supporting Agency’s application. (Protective Inspection Committee recommends approval) (10-001) Adopted Resolution No. 2010-1 which is on file in Yuba County Resolution Book No. 41 entitled: "RESOLUTION APPROVING AND AUTHORIZING THE YUBA COUNTY FISH AND GAME ADVISORY COMMISSION TO PARTICIPATE IN THE YUBA RIVER DEVELOPMENT PROJECT FILED WITH THE FEDERAL ENERGY REGULATORY COMMISSION (FERC NO. 2246) FOR THE LICENSING RENEWAL OF THE YUBA COUNTY WATER AGENCY BY THE COMMISSION ACTIVELY SUPPORTING THE WATER AGENCY'S APPLICATION FOR THE RENEWAL OF THEIR LICENSE AND REPORTING THE COMMISSION'S EFFORTS AND SUCCESS IN PROCURING THE LICENSE RENEWAL OF FERC NO. 2246."

C. Board of Supervisors

1. Appoint Brian Bertolini, Tom Inderbitzen, and Paul Baggett, as Directors to Brophy Water District pursuant to Elections Code §10515 for four, four, and two year terms respectively. (10-002) Approved.

D. Child Care Planning Council

1. Approve Certification Statement Regarding Composition of Local Planning Council Membership and authorize the Chair to execute same. (10-003) Approved.

E. Clerk of the Board of Supervisors

1. Approve list of ongoing Boards, Commissions, and Committees appointed by the Board as of December 31, 2009. (10-004) Approved.

2. Approve minutes of the meetings of December 8 and 15, 2009. (10-005) Approved as written.

F. Community Development and Services

1. Approve lease agreement with Dobbins Oregon House Improvement Foundation for park improvements using 2002 Parks Bond Act funds and authorize the Chair to execute same. (10-006) Approved.

VIII. PUBLIC COMMUNICATIONS:

Mr. Jeff Olson, Highway 20, suggested county policy changes to encourage preservation of historical records prior to 1922 through the California Room at the Yuba County Library.

Ms. Unni Shelton, Yuba City, suggested forming a nonprofit entity to oversee stimulus grant funds for housing rehabilitation within the county.

IX. COUNTY DEPARTMENTS

A. Administrative Services

1. Adopt resolution authorizing the Director of Administrative Services to apply for an use grant monies allocated by the California Energy Commission under the energy efficiency block grant program to retrofit county Courthouse/Jail with energy efficient lighting. (Five minute estimate) (10-007)
Director Doug McCoy recapped the proposed use of funds for courthouse lighting and responded to Board inquiries. Adopted Resolution No. 2010-2 which is on file in Yuba County Resolution Book No. 41 entitled: “RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATIVE SERVICES TO APPLY FOR AND USE GRANT MONIES ALLOCATED BY THE CALIFORNIA ENERGY COMMISSION UNDER THE ENERGY EFFICIENCY BLOCK GRANT PROGRAM TO RETROFIT COUNTY COURTHOUSE/JAIL WITH ENERGY EFFICIENT LIGHTING.”

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

B. Board of Supervisors

1. Authorize out of state travel for Supervisor Mary Jane Griego and Planning Director Wendy Hartman to attend the 2010 New Partners for Smart Growth February 4-6, 2010 in Seattle, Washington. (Five minute estimate) (10-008)

Planning Director Wendy Hartman highlighted conference seminars advising a scholarship of $1,000 was awarded to help with associated costs and responded to Board inquiries.

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

C. Community Development and Services

1. Award contract to Drake Haglan & Associates for civil engineering design for Smartsville Road over Vineyard Creek Bridge Replacement project and authorize the Chair to execute same. (Five minute estimate) (10-009)

Public Works Director Mike Lee recapped the project and responded to Board inquiries.

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

X. CORRESPONDENCE – (10-010)

A. Letter from California Department of Fish and Game advising of recommended 2010/11 deer hunts for Yuba County.

B. Letter from National Association of Counties enclosing a publication entitled Jail Population Management: Elected County Officials' Guide to Pretrial Services. Copy with attachment provided to Sheriff Durfor

B1. Letter from California Sudden Infant Death Syndrome Advisory Council commanding Sheriff Durfor for community service.


D. Letter from California Corrections Standards Authority regarding 2008-2010 biennial inspection of the Yuba County Jail.

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E. Letter from California Department of Housing and Community Development advising of authority to incur costs and draw funds for certain activities related to agreement 09-NSPI-6129.

F. Letter from South Feather Water and Power enclosing petition for temporary transfer of water/water rights.

G. Letter from Pacific Gas and Electric Company advising of interested parties meeting on the draft habitat expansion plan in the lower Yuba River.

H. Letter from California Fish and Game Commission enclosing proposed emergency action relating to the Pacific fisher.

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

XI. BOARD AND STAFF MEMBERS' REPORTS: Reports were received on the following:

Supervisor Stocker:
- Memorial Adjournments - Mrs. Freddie Mae Cotter, Mr. William Taylor, Mr. Cleo Ledbetter, Mr. Nathan Smith, and Mr. Noel Smith
- Childhood Obesity advisory committee activity
- Smartsville Road and bridge repair and Morning Dove Road rehabilitation
- Shooting of guns in Loma Rica area
- Record retention policy and accessibility
- Cemetery district funding and LAFCO's participation
- Kibbe Road haul road

Supervisor Abe:
- Regional Council of Rural Counties meeting held December 16, 2009
- California State Association of Counties climate change task force and communications coordinator
- Sacramento Area Council of Governments January 13, 2010 workshop on bicycle trails and safety changes

Supervisor Vasquez:
- Toys For Tot, Teddy Bear Drive, and Yuba Sutter Toy Run successes
- Retirement ceremony for Lt. Downs and Sgt. Williamson

Supervisor Nicoletti:
- Three Rivers Levee Improvement Authority settlement agreement with Naumas Inc.
- Thank you letter for Lindhurst Junior ROTC program
- Memorial Adjournments - Mrs. Sharon Baggett and Mr. C. Wally Hord

County Administrator Robert Bendorf and Assistant County Administrator Randy Margo: Commended board members for previous year activity and positive impacts for upcoming years

XII. CLOSED SESSION: The Board retired into closed session at 7:57 p.m. to discuss the following:

A. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property located at Yuba County Airport Negotiating Parties: Regional Waste Management Authority/County of Yuba-Doug McCoy Negotiation: Terms of Lease

The Board returned at 8:17 p.m. with all present as indicated above.

Chair Griego advised direction was given to Mr. Doug McCoy related to terms of the lease.
XIII. ADJOURN - At 8:17 p.m. in memory of Mrs. Sharon Baggett, Mrs. Freddie Mae Cotter, Mr. C. Wallie Heard, Mr. Cleo S. Ledbetter, Mr. Nathan Smith, Mr. Noel Smith, and Mr. William Taylor by Chair Griego.

ATTEST: DONNA STOTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

Approved: January 19, 2010

Chair