The County of Yuba
BOARD OF SUPERVISORS
FEBRUARY 22, 2011 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:32 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. Supervisor Griego was absent. Also present were County Administrator Robert Bendorf, Deputy County Counsel Pat Garamone, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chair Abe presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Vasquez

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker – Supervisor Griego absent

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

A. Agricultural Commissioner

1. Approve letter supporting California Fire Safe Councils request for three (3) million dollars of the remaining proposition 84 funds to be used to fund Fire Safe Coordinators in the Sierras and authorize the Chairman to execute same. (073-11) Approved.

B. Board of Supervisors

1. Approve removing Paul Shelgren from the Fish and Game Advisory Commission as recommended by the Commission. (Ten minute estimate) (074-11) Approved.

C. Clerk of the Board of Supervisors

1. Approve minutes of the meetings of February 8 and 9, 2011. (075-11) Approved as written.

D. Community Development and Services

1. Award contract to R.M. Harris Company, Inc., apparent low bidder, for the Honcut Creek Bridge project and authorize the Chairman to execute same upon review and approval of Counsel. (076-10) Approved.

IV. PUBLIC COMMUNICATIONS: No one came forward.

02/22/11 - BOS

MINUTE BOOK NO. 68 PAGE 33
V. COUNTY DEPARTMENTS

A. Health and Human Services

1. Adopt resolution authorizing the Director of Health and Human Services Department to submit proposals to the State of California, Department of Veterans Affairs to obtain funding for the purposes of improving utilization of veterans benefits for California veterans and authorizing the Chairman to accept, if awarded, any and all funds on behalf of the County. (Ten minutes estimate) (077-11) Director Suzanne Nobles recapped request to apply for grants and responded to Board inquiries.

Adopted Resolution No. 2011-15, which is on file in Yuba County Resolution Book No. 42 entitled: "RESOLUTION AUTHORIZING THE DIRECTOR OF HEALTH AND HUMAN SERVICES DEPARTMENT TO SUBMIT PROPOSALS TO THE STATE OF CALIFORNIA, DEPARTMENT OF VETERANS AFFAIRS, TO OBTAIN FUNDING FOR THE PURPOSES OF IMPROVING UTILIZATION OF VETERANS BENEFITS FOR CALIFORNIA VETERANS AND AUTHORIZING THE CHAIRMAN TO ACCEPT, IF AWARDED, ANY AND ALL FUNDS ON BEHALF OF THE COUNTY."

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

B. Board of Supervisors

1. Consider letter from Brigit Barnes regarding Ostrom Road Landfill Conditional Use Permit and take action as appropriate. (Continued from February 8, 2011) (Thirty minute estimate) (065-11) Supervising Environmental Health Specialist Paul Donoho and Planning Director Wendy Hartman provided a PowerPoint presentation on the process which approved the Conditional Use Permit for the Ostrom Road Landfill including the following:
   • Local Enforcement Agency (LEA) – Yuba County Environmental Health Department
     o Properly trained and equipped staff
     o Development and State of California Department of Resources Recycling and Recovery (CalRecycle) approval of an LEA Program Plan
     o Maintain a Hearing Panel for permit enforcement and appeal process
       ▪ Bi-County Solid Waste Independent Hearing Panel
   • California Environmental Quality Act (CEQA) process for Conditional Use Permit (CUP) 92-06 Amendment No 2.
   • Ostrom Road Landfill zoning designation of Exclusive Agriculture (AE-80)
   • Sludge Drying
     o Proposed land treatment unit reviewed by Regional Water Quality Control Board and LEA
   • Landfill Gas to Energy System
     o Determined CUP 92-06 and 1998 Environmental Impact Report (EIR) explicitly allowed methane gas extraction
     o Approved variance (VAR2009-0001) to setbacks to allow for expansion of the cogeneration facility
     o Reviewed by Feather River Air Quality Management District for compliance with clean air standards
Supervisor Abe left the meeting at 9:55 a.m. and returned at 9:56 a.m.

- Berm height for flood protection
  - Joint Technical Document section 4.4.2 and Appendix B:
    - Landfill flood study: 2 foot raised roadway in specified areas
- Modified Gravel Pack Thickness
  - from 12 inches to 9 inch and does not affect the integrity of the liner system beneath
  - Liner does not eliminate risk of failure
    - Includes extensive monitoring system to provide early detection of leakage that might occur
- Modified alternative design to the five (5) foot to groundwater separation
  - Review and approved by Regional Water Quality Control Board
- Review Alternative Daily Cover (ADC) and affect on landfill
  - Eliminates the necessity to import soil for daily cover and lessens the impact on landfill
  - ADC’s are industry standards that have been tested and approved by CalRecycle
- Ratio of waste-to-cover being used at the landfill
- Impacts of rail spur and San Francisco project on life of landfill
  - Issue to be evaluated as part of the application request for CUP 2009-0001

Ms. Hartman recapped the process for CUP 2009-0001: Rail spur and CUP modification

- Landfill capacity obligation
  - Material from San Francisco contract projected to take up less than 20 percent of landfill capacity

Ms. Hartman advised complaints received are treated as a code violation and investigated, advising the department had not found any violations of the Conditional Use Permit or the current EIR and requested direction from the Board.

Recology Ostrom Road General Manager Phil Graham responded to specific inquiries regarding:

- Quarterly checks of ground water monitoring wells, and analyzed leachate for contamination
- Monitor well depth of 35 to 40 foot
- Leachate not stored in the liner system; but collected in a sump and pumped out
- A portion of leachate is recycled to help degrade refuse and increases the amount of methane gas

County Administrator Robert Bendorf responding to inquiries regarding contamination advised Golder and Associates staff collects samples and forwards them to an analyzing company, results are then returned to Recology and forwarded to the County.

Recology General Manager Dave Vaughn responded to inquiries on the following:

- Curbside sorting program
- Transfer stations
- Sampling for hazardous waste reviewed by LEA

Golder and Associates Civil Engineer Tim Haskell, responded to specific questions regarding similar landfills located near waterways with shallow ground water and in a 100 year flood plan.

Ms. Wendy Hartman responded to specific inquiries regarding the cogeneration aspect in CUP 2009-0006.
Responding to inquiries from the Board whether Recology Ostrom Road landfill was operating legally and within the Conditional Use Permit, the following individuals responded affirmatively:

- Mr. Paul Donoho advised the County is diligent in conducting inspections, reviewing reports, and follow-up on complaints
- Environmental Health Director Tej Maan advised Recology Ostrom Road landfill operates legally and complies with all local and state rules
- Mr. Tim Haskell concurred

The Board recessed at 11:33 a.m. and reconvened at 11:45 with all members present as indicated above.

The following individuals spoke:
Ms. Brigit Barnes
Mr. Kelly Smith
Mr. David Tam
Ms. Sandra Gilbert
Mr. Matt Comant
Ms. Louise Ahart
Mr. Phil Graham
Mr. Dave Vaughn
Mr. Richard Paskowitz

MOTION: Move to proceed with scoping meeting, and no issues out of compliance with the Conditional Use Permit
MOVED: John Nicoletti
SECOND: Andy Vasquez
AYES: John Nicoletti, Andy Vasquez, Hal Stocker
NOES: Roger Abe
ABSENT: Mary Jane Greigo
ABSTAIN: None

VI. CORRESPONDENCE - (078-11)

A. Letter from State of California Department of Child Support Services regarding medical support requirement in child support orders to comply with Senate Bill 580, effective January 1, 2011.

B. Two letters from Mr. Jeffrey Olson requesting support of a resolution for General Vang Pao’s burial at Arlington National Cemetery and the naming of a county conference room in honor of Ms. Sandy Fonley.

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

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

Supervisor Stocker:
- Memorial adjournment - Ms. Mary Elizabeth Stone
- Memorial adjournment - Mr. Arthur Warren Umland
- Commended Public Works Department for snow removal efforts
- County policy on flags
- Fire Safe Council feasibility study on biomass plants and recent letter of support for Teichert’s grant request
Supervisor Vasquez: Discussions regarding adoption of Yuba County Ordinance Code

Supervisor Nicoletti:
- Peace Officer of the Year dinner held February 19, 2011
- Friday Night Live Reach Program held February 17, 2011 and town hall meeting to be held March 26, 2011
- Budget challenges for Senior Center in Olivehurst and opportunities seniors could provide to the community
- Memorial adjournment on behalf of Supervisor Griego - Mr. Wallace McClain
- Memorial adjournment - Mr. Louis J. Menghini

Supervisor Abe: Sierra Sacramento Valley EMS meeting held February 18, 2011 and fingerprint background checks

Chairman Abe:
- Established an ad hoc committee to review the Yuba County Ordinance Code appointing Supervisors Vasquez and himself to remain active until December 31, 2011
- Received Board consensus for a letter of support for Teichert’s grant request

County Administrator Robert Bendorf: Attended Peace Officer of the Year dinner held February 19, 2011, and consideration of officers honored for recognition before the full Board

VIII. ADJOURN: 12:49 p.m. by Chairman Abe in honor of Ms. Mary Elizabeth Stone, Mr. Arthur Warren Umland, Mr. Wallace McClain, and Mr. Louis J. Menghini.

ATTEST: DONNA STOTTLMEYER
CLERK OF THE BOARD OF SUPERVISORS

BY: Rachel Ferris, Deputy Clerk

Approved: March 8, 2011