The County of Yuba

BOARD OF SUPERVISORS

MAY 1, 2012 – 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 Stottlemyer. Chairman Stocker presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Griego

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

A. Clerk of the Board of Supervisors

1. Approve minutes of the regular meeting of April 17, 2012. (158-12) Approved as written.

B. Community Development and Services

1. Approve amendment to agreement with Yuba Sutter Training Zone to continue aquatic recreation services for summer 2012 and authorize the Chairman to execute same. (159-12) Approved.

IV. PUBLIC COMMUNICATIONS:

Ms. Lori Jacobs, Oregon House, regarding opposing Senate Bill 1221. Received consensus to send letter of concern, impacts at Bullards Bar recreation, and fiscal impacts.

Mr. Richard Boyd. Gary Drive, regarding risk and home insurance coverage.

Mr. Glenn Green, Karen Way, regarding comments on marijuana ordinance code.

V. COUNTY DEPARTMENTS

A. Board of Supervisors

1. Appoint a Board and public member to the Marysville Redevelopment Agency Oversight Board and take action as appropriate. (160-12)
MOTION: Move to appoint Supervisor Nicoletti and solicit for public member
MOVED: Mary Jane Griego SECOND: Andy Vasquez
AYES: Mary Jane Griego, Andy Vasquez, John Nicoletti, Roger Abe, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None

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

A. Ordinance - Hold public hearing, waive reading, and adopt ordinance adding Chapter 7.40 addressing marijuana cultivation as a public nuisance to the Yuba County Ordinance Code. (Second reading) (Continued from April 17, 2012) (15 minute estimate) (137-12) Community Development and Services Director Kevin Mallen recapped the defined areas of cultivation. Chairman Stocker opened the public hearing.

The following individuals spoke:
- Mr. Steve King, Olivehurst
- Mr. Jeffrey Lake, Attorney, San Diego
- Mr. Jonathan Finegold, Attorney, Camptonville
- Mrs. Tina Matlock, Marysville read statement from Christopher Matlock
- Mr. Lee Boutt, Poplar Avenue
- Mr. Michael McCauley, Sacramento County
- Ms. Kathie Thelen, Yuba County
- Mr. Curtis Allen, Olivehurst
- Ms. Karolyn McCall, Dobbins
- Mr. David Lincoln, Penn Valley
- Ms. Edie Miller, Nevada County
- Mr. Jahsun Handy, Michelle Way
- Ms. Carmel Garcia, Yuba County
- Ms. Lew Neal, Indiana School Road
- Ms. Sharon Garrison, Browns Valley
- Ms. Annie Walker
- Mr. Bill W rotten, Olivehurst
- Mr. Ivan Pack, Olivehurst
- Ms. Rachael Adams, Camptonville
- Ms. Tabatha Burleson, Olivehurst
- Ms. Paula Miller, Camptonville
- Mr. Jim Phipps, Marysville
- Mr. Andy Veru, Dobbins
- Ms. Carol Cornejo, Oregon House
- Mr. Arron Waymeyer, Yuba County
- Mr. Dan Sullivan, Olivehurst

MOTION: Move to close public hearing MOVE: Mary Jane Griego SECOND: Hal Stocker
AYES: Mary Jane Griego, Hal Stocker, John Nicoletti, Andy Vasquez, Roger Abe
NOES: None ABSENT: None ABSTAIN: None

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

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Adopted Ordinance No. 1518, which is on file in Yuba County Ordinance Book No. 23, entitled: AN ORDINANCE ADDING CHAPTER 7.40 ADDRESSING MARIJUANA CULTIVATION AS A PUBLIC NUISANCE TO THE YUBA COUNTY ORDINANCE CODE."

MOTION: Move to continue Cultivation Ordinance Ad Hoc Committee until December 31, 2012
MOVED: Mary Jane Griego  SECOND: Hal Stocker
AYES: Mary Jane Griego, Hal Stocker, John Nicoletti, Andy Vasquez, Roger Abe
NOES: None  ABSENT: None  ABSTAIN: None

VII. CORRESPONDENCE - (161-12)

A. Letter from Sutter-Yuba Substance Abuse Advisory Board supporting a local fee to fund enforcement and compliance checks to reduce underage tobacco access. Received.

B. Notice from Planning Department advising of scoping meeting May 16, 2012, 6:00 p.m. in Board Chambers regarding preparation of draft environmental impact report/assessment for Recology's Conditional Use Permit. Received.

C. Letter from Yuba County Clerk/Recorder Registrar of Voters advising of opportunities for observation of the election processes and procedures associated with the June 5, 2012 Presidential Primary Election. Received.

VIII. BOARD AND STAFF MEMBERS' REPORTS:

Supervisor Vasquez: Motocross event and clarification on the Yuba River access

Mr. Jarrad Fisher, MMX Inc., discussed proposed access and additional waiver of road inspection fee and encroachment fees.

MOTION: Move to add to the agenda waiver of road inspection and encroachment fees as item of business that arose after the agenda was posted that requires Board action
MOVED: Andy Vasquez  SECOND: John Nicoletti
AYES: John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe, Hal Stocker,
NOES: None  ABSENT: None  ABSTAIN: None

County Administrator Robert Bendorff advised the subject fees are road funds and would require reimbursement by the General Fund.

MOTION: Move to waive 50 percent of $420 road inspection fees, pre and post event, and encroachment permit of $105 which amounts to $473
MOVED: Andy Vasquez  SECOND: Roger Abe
AYES: Andy Vasquez, Roger Abe, John Nicoletti
NOES: Mary Jane Giiego, Hal Stocker  ABSENT: None  ABSTAIN: None

Supervisor Griego left the meeting at 8:19 p.m. and did not return.

Supervisor Nicoletti:
○ Bellflower Communities
○ Blue Star Moms event for collection of supplies for soldiers
○ Success of Perspectives event held April 27, 2012
Received consensus for Chairman to execute letter of support for Wheatland School District Tobacco Education Grant Application

Supervisor Abe:
- Perspective Event held April 27, 2012
- Blue Star Mom Event
- Yuba Sutter Veterans Stand Down Event
- Received consensus for Chairman to execute letter of support for Assembly Bill 2577
- Regional Council or Rural Counties Board voted to change name to Rural Counties Representative of California

Supervisor Stocker:
- Memorial Adjournment - Mrs. Theadate Ione Phillips
- Perspectives Event held April 27, 2012
- Pioneer's Day
- Presentation of proclamation to Eagle Scout Dylan Wofford

IX. **ADJOURN**: 8:25 p.m. by Chairman Stocker in memory of Mrs. Theadate Ione Phillips.

[Signature]
Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS

[Signature]
Approved:

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