The County of Yuba

BOARD OF SUPERVISORS

OCTOBER 8, 2013 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at 9:30 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. Also present were County Counsel Angil Morris-Jones, and Deputy Clerk of the Board of Supervisors Rachel Ferris. Chairman Vasquez presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Nicoletti

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.

County Counsel Angil Morris-Jones requested to pull Item VIII Closed Session as the item had been resolved.

MOTION: Move to approve Consent Agenda

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

A. Administrative Services

   1. Approve airport lease agreement with B.C. Schmidt Construction for corporate hangar lease site eleven, ground site five, and authorize Chair to execute same. (405-13) Approved.

   2. Approve airport lease agreement with Dennis J. James for corporate hangar lease site eleven, ground site two, and authorize Chair to execute same. (406-13) Approved.

B. Board of Supervisors


C. Clerk of the Board of Supervisors

   1. Approve minutes from the regular meeting of September 24, 2013. (408-13) Approved as written.

D. Clerk-Recorder/Elections

   1. Adopt resolution appointing members in lieu of election to the Board of Directors for Special Districts pursuant to Elections Code §10515. (409-13) Adopted Resolution No. 2013-105, which is on file in Yuba County Resolution Book No. 44, entitled: "APPOINT MEMBERS IN LIEU OF ELECTION TO THE BOARD OF DIRECTORS FOR SPECIAL DISTRICTS."
E. Emergency Services

1. Approve out of state travel for Emergency Operations Manager to attend training in Emmitsburg, Maryland, November 4 - 8, 2013, with expenses to be reimbursed through FEMA. (410-13) Approved.

2. Adopt resolution proclaiming the continued existence of a local emergency upon review by Board of Supervisors, relating to the water emergency at Gold Village. (411-13) Adopted Resolution No. 2013-106, which is on file in Yuba County Resolution Book No. 44, entitled: "RESOLUTION PROCLAIMING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY UPON REVIEW BY BOARD OF SUPERVISORS."

F. Health and Human Services

1. Approve agreement with Yuba Community College for Independent Living Program services and authorize Chair to execute. (Human Services Committee recommends approval) (412-13) Approved.

IV. SPECIAL PRESENTATION

   - Outstanding Leadership: Dustin Taub
   - Workforce Excellence: Bunny Keterman
   - Exceptional Teamwork: Jail division Staff
   - Workforce Excellence Sustained Effort: Ken Jones
   - Public Service Excellence: Michelle Gutierrez

Chairman Vasquez read and presented a proclamation to Michelle Gutierrez recognizing her county service and retirement.

Human Resources Director Martha Wilson presented Michelle Gutierrez with a plaque received from the City of Marysville.

V. PUBLIC COMMUNICATIONS:

Ms. Mary Battista, Dobbins, regarding neighbor dispute over nuisance caused by feral cats.

VI. COUNTY DEPARTMENTS

A. Board of Supervisors

1. Consider request from Eric Mortensen regarding waiver or reduction in fees related to placement of manufactured home at 4812 Pacific Avenue, Olivehurst and take action as appropriate. (Fifteen minute estimate) (414-13) Mr. Eric Mortenson recapped request for fee waiver, advising this would be his primary residence, and responded to Board inquiries.

Community Development and Services Director Kevin Mallen advised aside from nominal fees collected in the 1960's, no Capital Facilities Fees were ever collected on the property. Additionally a demolition permit was not issued for the removal of the original structure and a check with Google maps indicated the property had been vacant for at least 5 years.
Following Board discussion relating to a payment agreement. County Counsel Angil Morris-Jones advised staff could prepare a payment agreement between Mr. Mortenson and the County.

MOTION: Move to approve staff negotiating a payment agreement with Mr. Mortenson for the Capital Facilities fees for a time period no less than five years
MOVED: Mary Jane Griego        SECOND: Hal Stocker
AYES: Mary Jane Griego, Hal Stocker, Andy Vasquez, John Nicoletti, Roger Abe
NOES: None       ABSENT: None       ABSTAIN: None

2. Authorize providing letter of support for Camptonville Community Partnership grant request to Sierra Nevada Conservancy for Camptonville Biomass Business Center. (Ten minute estimate) (415-13) Cathy LaBlanc provided a brief recap and responded to Board inquiries.

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

3. Adopt resolution opposing proposed California Water Services Company rate increase. (Ten minute estimate) (416-13) Following Board discussion amending the resolution language, the following individual spoke: Mr. Bill Simmons, Marysville

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

Adopted Resolution No. 2013-107, which is on file in Yuba County Resolution Book No. 44, entitled: "THE YUBA COUNTY BOARD OF SUPERVISORS OPPOSES TO THE PROPOSED WATER RATE INCREASE AND THE EFFECTS IT WILL HAVE UPON THE RESIDENTS AFFECTED, AND ON THE COMMUNITY AT LARGE."

B. Community Development and Services

1. Receive information relating to commercial agriculture within the Valley Growth Boundary of the County's General Plan and provide staff direction regarding request from Sardeep Atwal. (Twenty minute estimate) (417-13) Community Development and Services Director Kevin Mallen and Planning Director Wendy Hartman recapped the history of the Valley Growth Plan and area encompassed including the following and responded to Board inquiries:
   - Policies promoting growth in the Valley Growth Plan
   - Right to Farm Ordinance Chapter 11.55
   - Plumas Lake Specific Plan
   - Yuba County Agricultural Commission
   - Conditional Use Permit (CUP)
   - Penalties

Mr. Sardeep Atwal expressed a desire to partnership with the County for the best use of the property and expressed concerns over the possibility of being required to have a 300 foot buffer zone. Mr. Atwal urged the Board to consider a joint CUP with Mr. Sohal as their properties are bisected by County Club Road.
MOTION: Move to approve a joint CUP for both the Atwal and Sohal properties and waive penalties
MOVED: Mary Jane Griego       SECOND: Hal Stocker
AYES: Mary Jane Griego, Hal Stocker, Andy Vasquez, John Nicoletti
NOES: Roger Abe    ABSENT: None    ABSTAIN: None

VII. BOARD AND STAFF MEMBERS’ REPORTS:

Supervisor Griego:
- SACOG committees and activities
- Preparation of presentation on SACOG funded projects in Yuba County
- Memorial Adjournment – Mr. Albert McNellis

Supervisor Nicoletti:
Meetings Attended:
- Fish and Game Advisory Commission
- Peach Tree Clinic – Affordable Care Act
- Sister City Association celebration October 10, 2013
- Tri-County Juvenile Hall

Supervisor Stocker:
- Memorial Adjournment - Mr. Dale Johnson
- Marijuana complaints

Supervisor Abe:
- Wheatland Lions club highway clean-up program on Saturday
- Memorial Adjournment – Mr. Gerald Dean “Jerry” Arnold

Supervisor Vasquez:
- Talent Contest November 2, 2013
- Linda Business Directory
- Linda Clean up October 19, 2013

VIII. ADJOURN: 11:29 a.m. by Chair Vasquez in memory of Mr. Albert McNellis, Mr. Dale Johnson, and Mr. Gerald Dean “Jerry” Arnold.

ATTEST: DONNA STOTTEMeyer
CLERK OF THE BOARD OF SUPERVISORS

Approved: October 24, 2013

By: Rachel Ferris, Deputy Clerk