

BUTTE COUNTY BOARD OF SUPERVISORS

MINUTES

MAY 6, 2008



County Supervisors

Bill Connelly, District 1
Jane Dolan, District 2
Maureen Kirk, District 3
Curt Josiassen, District 4
Kim Yamaguchi, District 5

C. Brian Haddix, Chief Administrative
Officer and Clerk of the Board

Bruce Alpert, County Counsel

Called to order at 9:06 a.m. in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Connelly, Dolan, Yamaguchi, Kirk and Chair Josiassen. Also present: C. Brian Haddix, Chief Administrative Officer, Bruce Alpert, County Counsel and Kathleen Moghannam, Associate Clerk of the Board.

Pledge of Allegiance to the Flag of the United States of America.

Observation of a Moment of Silence.

CORRECTIONS AND/OR CHANGES TO THE AGENDA. (None)

ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION. (None)

CONSENT AGENDA

- 0810-001
1. Megabyte Systems Inc. - approval is requested for a sole source agreement and addenda with Megabyte Systems Inc. for the provision of software maintenance and support, SQL server database support, and web services for the Butte County Property Tax System. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$205,937.76 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Assessor)
 2. CRP, Incorporated - approval is requested for a revenue agreement with CRP, Incorporated for the receipt of Substance Abuse and Mental Health Services Administration funding for the Friday Night Live Mentoring Program. The term of the agreement is March 3, 2008 through March 3, 2009 with a maximum amount receivable of \$30,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
 3. Resolution Recognizing May as Mental Health Month and May 8, 2008 as Children's Mental Health Day - action requested - ADOPT RESOLUTION 08-053 AND AUTHORIZE THE CHAIR TO SIGN.
 4. 7-Up Bottling Company of Chico, Inc. - amendment - approval is requested for an amendment to the lease agreement with 7-Up Bottling Company, Inc. for the property located at 586 Rio Lindo Avenue, Chico. The amendment extends the term of the lease through November 30, 2014 and increases the maximum amount payable by \$94,441.32. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X13213) (Behavioral Health)

5. Counseling Solutions - amendment - approval is requested for an amendment to the agreement with Counseling Solutions for the provision of mental health services to children. The amendment increases the maximum amount payable by \$74,999.40 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16649) (Behavioral Health)
6. Youth for Change - amendment - approval is requested for an amendment to the agreement with Youth for Change for the provision of mental health services, day treatment programs, medication support services, and crisis intervention to youth clients and their families. The amendment increases the maximum amount payable by \$496,144.01 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16772) (Behavioral Health)
7. Letter of Support - approval is requested for a letter of support for a demonstration project at the Chico De-Composition Center. The Board is being asked to consider supporting in principle the siting, testing, and development of a methane-digester at the Chico De-Composition Center, subject to all regulatory approvals. The project has the potential for creating valuable soil amendments for the agricultural community, generating energy, and demonstrating the economic viability of using a methane digester as a means of using and disposing of urban and agricultural green waste. All project costs would be covered by a grant, and no county funding is requested - action requested - APPROVE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN. (Supervisor Kirk) (Board of Supervisors)
8. Sharon Stone, Director of Child Support Services; Richard Price, Agricultural Commissioner; and John Wardell, Chief Probation Officer - amendments - approval is requested for amendments to each employment agreement as follows: Director of Child Support Services - the term of the amendment is February 1, 2008 through January 31, 2011 with an annual base salary of \$121,075; Agricultural Commissioner - the term of the amendment is May 8, 2008 through May 7, 2012 with an annual base salary of \$107,916; Chief Probation Officer - the term of the amendment is July 15, 2008 through July 14, 2011 with an annual base salary of \$130,771 - action requested - APPROVE AGREEMENT AMENDMENTS (3) AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)

9. Fiscal Year (FY) 2008 State Emergency Management Performance Grant Program - approval is requested for the department to submit a grant application to the Governor's Office of Emergency Services in order to support activities related to emergency and disaster prevention, preparedness, response, and recovery. The Butte County Operational Area has been allocated \$105,824. The grant requires a dollar for dollar county match - action requested - APPROVE APPLICATION FOR GRANT AND AUTHORIZE CHIEF ADMINISTRATIVE OFFICER AND/OR EMERGENCY SERVICES OFFICER TO EXECUTE GRANT APPLICATION DOCUMENTS; AND ADOPT RELATED RESOLUTION 08-054 AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office)
10. Butte County Information Systems (BCIS) - approval is requested for an agreement with BCIS as required by Local Child Support Agencies Letter 07-02. The term of the agreement is July 1, 2008 through June 30, 2009 with an estimated cost of \$163,556 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Child Support Services)
11. DFM Associates - amendment - approval is requested for an amendment to the agreement with DFM Associates for the Election Information Management System (EIMS), a software package that automates the County Registrar of Voters' office. The amendment extends the term of the agreement through June 30, 2011 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X10610) (Clerk-Recorder)
12. DFM Associates - amendment - approval is requested for an amendment to the agreement with DFM Associates for the Recorder's Information and Image Management System (RiiMS), a software package that automates the County Recorder's office. The amendment extends the term of the agreement through June 30, 2011 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X10815) (Clerk-Recorder)
13. Carol A. Smoots - amendment - approval is requested for an amendment to the agreement with Carol A. Smoots at Perkins Coie, LLP for the provision of legal services relating to the Federal Energy Regulatory Commission's re-licensing of the California Department of Water Resources' facility at Lake Oroville - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (County Counsel)

14. Transitional Housing Placement - Plus (THP-Plus) Program - approval is requested for three agreements for the provision of the THP-Plus program, which was established by the State to provide affordable housing and comprehensive supportive services for youths transitioning out of foster care and probation. The agreements are with Northern California Youth and Family Programs, Remi Vista, Inc., and Youth for Change. Each agreement has a term of January 1, 2008 through June 30, 2008 with a maximum amount payable of \$75,852.67 (department budget)- APPROVE (3) AGREEMENTS AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)
15. Resolution Recognizing the Week of May 4-10, 2008 as Wildfire Awareness Week - action requested - ADOPT RESOLUTION 08-055 AND AUTHORIZE THE CHAIR TO SIGN. (Fire)
16. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows: TREASURER-TAX COLLECTOR - requests a reclassification of one (1) position of Manager-Finance and Investment (Class Code 1262) to the classification of Assistant Treasurer-Tax Collector (Class Code 1261). Due to the consolidation of financial services within Administration, the position title of Manager-Finance and Investment will be eliminated from the Treasurer-Tax Collector's Office ("the department"); however, most of the duties being performed by that position will remain in the department. The department is proposing a return to the two (2) assistant department head organizational structure that functioned successfully prior to 2004. HUMAN RESOURCES - requests to change the salary range for the classification of Assistant, Treasurer-Tax Collector (Class Code 1261) from range 71 to range 65. This change is concurrent with the Treasurer-Tax Collector's request to change back to the two (2) assistant department head organizational structure that existed prior to April 2004; the department also requests to add the classification of Project Manager, Capital Improvement (Class Code 4608) to section 57, reference F of the Salary Ordinance titled, "Management, Confidential and Supervisory Unit." The salary range for these new classifications will be set at 55 from section 57, reference L of the Salary Ordinance, titled "Salary Schedule for all Classifications with assigned range numbers (Except BCCOA, DSA, Non-Rep, and Linked)." This new classification was agreed to by both the Department of Human Resources and the applicable Employee Association. GENERAL SERVICES - Concurrent with the Human Resources Department request to add the classification of Project Manager, Capital Improvement (Class Code 4608) to the Salary Ordinance, the General Services Department requests to add two (2) positions of Project Manager, Capital Improvement to their current position allocations. These two (2) new positions were approved and appropriated for in the Fiscal Year 2007/2008 budget; the department also requests to add one (1) position of Auditor-Accountant, Associate, Auditor-Accountant,

Accounting Specialist (Class Code 1274/275/1283). This change to be effective May 19, 2008. AUDITOR-CONTROLLER - deletes one (1) position of Auditor-Accountant or Auditor-Accountant, Associate or Accounting Specialist (Class Codes 1274/1275/1283). This change to be effective May 19, 2008. CLERK RECORDER - deletes one (1) vacant position of Administrative Analyst or Administrative Analyst, Senior (Class Codes 1026/1025) from the Elections Division and add one (1) flexibly staffed position of Administrative Assistant or Administrative Assistant, Senior (Class Codes 1054/1058) to the Elections Division. PUBLIC HEALTH - requests to extend various sunset and term positions to an end date of June 30, 2009. The extension applies to one position of each of the following: Program Manager, Public Health; Certified Nurse Practitioner or Physicians Assistant; Mental Health Clinician; Public Health Education Specialist, Senior or Public Health Education Specialist or Public Health Education Specialist, Associate; Public Health Education Specialist, Senior or Public Health Education Specialist or Public Health Education Specialist, Associate; Administrative Assistant or Office Specialist, Senior; Information Systems Analyst, Senior or Information Systems Analyst or Information Systems Analyst, Associate; The extension applies to three positions of the following: Administrative Analyst, Associate or Administrative Analyst or Administrative Analysts, Senior - action requested - ADOPT RESOLUTION08-056 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

17. Resolution of Benefits of Butte County Department Heads - consideration of a resolution that will amend Section 17, Pay Plan, related to salaries for appointed department heads in order to implement gradual salary increases after the survey to determine a new median salary is completed - action requested - ADOPT RESOLUTION 08-057 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
18. Advanced Step Hire - Assistant Chief Administrative Officer - pursuant to Personnel Rule 11.13, the Interim Director of Human Resources is requesting the Board approve the Advanced Step Hire of Mike Spata at Step 5 of the salary range for the Assistant Chief Administrative Officer position effective the date of hire - action requested - APPROVE ADVANCED STEP HIRE OF MIKE SPATA TO STEP 5 OF THE SALARY RANGE. (Human Resources)

19. California Environmental Protection Agency - approval is requested for this revenue agreement with the State in order to receive grant funding for the implementation of the California Aboveground Petroleum Storage Act. This law transfers the authority and responsibility for the inspection of aboveground petroleum storage tank facilities to local Certified Unified Program Agencies (CUPAs). The Environmental Health Division is Butte County's CUPA. The term of the agreement is January 1, 2008 to March 1, 2010 with a maximum amount receivable of \$101,358.67 - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFERS B-286 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Public Health)
20. James Wood, M.D. - amendment - approval is requested for an amendment to the agreement with James Wood, M.D. for the provision of medical consulting and medical eligibility determinations. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$9,999 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16039) (Public Health)
21. California Department of Public Health (CDPH) - amendment - approval is requested for an amendment to the revenue agreement with CDPH to fund the TeenSMART Outreach Program. The amendment extends the term of the agreement through June 30, 2011 and increases the maximum amount receivable of \$270,000 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40712) (Public Health)
22. 123 Engineering, Inc.- approval is requested for an agreement with 123 Engineering, Inc. for the provision of inspection services and a Structure Representative for the construction of Aguas Frias Road Bridge. The maximum amount payable on the agreement is \$623,263.30. The Federal Highway Bridge Program provides 88.5% reimbursement for the project and the State Transportation Improvement Program will fund the remaining 11.5% - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Works)
23. Resolution Certifying Annual Changes to Butte County Maintained Mileage - consideration of a resolution approving the changes to the County's maintained mileage. The maintained mileage for 2007 was determined to be 1,330.528 miles - action requested - ADOPT RESOLUTION 08-058 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

24. Federal Apportionment Exchange Program and State Match Program - approval is requested for the Fiscal Year 2007/2008 Federal Apportionment Exchange Program and State Match Program Agreement with the California Department of Transportation. The agreement will allow the Department of Transportation to exchange Regional Surface Transportation Program funds for non-federal funds. In addition to the exchange of funds, State matching funds are allocated from the State Highway Account to the Public Works Department - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND ADOPT RELATED RESOLUTION 08-059 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
25. Award of Bid for the Durham-Pentz Road/Butte Campus Drive Intersection Signalization Project, County Project No. 43341-06-01 - Four bids were received and opened on April 23, 2008 for the construction of the project. The lowest responsible and responsive bidder was Baldwin Contracting Company, Inc. of Chico, CA with a bid in the amount of \$458,362.31 - action requested - AWARD BID TO BALDWIN CONTRACTING COMPANY. (Public Works)
26. Resolution Recognizing May 15, 2008 as Peace Officers' Memorial Day and the Week of May 11-17, 2008 as Police Week - action requested - ADOPT RESOLUTION 08-060 AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT ALL COUNTY GOVERNMENT FLAGS TO BE FLOWN AT HALF-STAFF ON MAY 15, 2008. (Sheriff-Coroner)
27. Budget Transfer and Fixed Asset Purchase - approval is requested for a budget transfer of \$65,000 from Rural County Supplemental Funds. The department requests the funds be appropriated for the purchase of dispatch center consoles - action requested - APPROVE BUDGET TRANSFER B-303 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF NEW CONSOLES. (Sheriff-Coroner)
28. Budget Transfer and Fixed Asset Purchase - approval is requested to accept and appropriate \$12,500 in grant funds received from the National Rifle Association for the purchase of robotic mobile targets - action requested - APPROVE BUDGET TRANSFER B-302 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF TWO TACTICAL RANGE ROBOTS. (Sheriff-Coroner)
29. Accept Donation - approval is requested to accept the donation of a 1995 Tucker Sno-Cat to be used for Search and Rescue operations. The vehicle was donated by PG&E and has an estimated value of \$49,000 - action requested - ACCEPT DONATION OF SNO-CAT. (Sheriff-Coroner)

REGULAR AGENDA

0810-002 Boards, Commissions and Committees.

1. Appointments to Listed Vacancies. (None)

2. Board Member or Committee Reports.

SUPERVISOR CONNELLY REPORTED THAT AS A MEMBER OF THE FERC SUBCOMMITTEE HE HAS RECEIVED REQUESTS FROM A COUPLE OF MEMBERS OF THE PUBLIC REGARDING ACCESS TO LAKE OROVILLE AND SPECIFICALLY MENTIONED CRAIG ACCESS ROAD AND DARK CANYON ROAD WHICH ARE STATE MANTAINED ROADS.

SUPERVISOR CONNELLY ALSO MADE A REPORT ON THE SITE OF THE VETERANS MEMORIAL PARK IN OROVILLE.

SUPERVISOR KIRK REPORTED THAT SHE RODE THE BUS THROUGHOUT THE COUNTY FOR FOUR HOURS ON "SPARE THE AIR DAY."

SUPERVISOR DOLAN REPORTED THAT SHE AND CHIEF ADMINISTRATIVE OFFICER, BRIAN HADDIX MET WITH RUTH COLEMAN OF THE STATE'S PARKS DEPARTMENT TO DISCUSS THE COUNTY'S OPPOSITION TO THE PROPOSED RV PARK AND CAMPGROUND ON RIVER ROAD, CHICO. (598) (19:35)

0810-003 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (808) (25:18)

CHIEF ADMINISTRATIVE OFFICER, BRIAN HADDIX REPORTED ON THE CALIFORNIA STATE BUDGET. HE INDICATED THAT THE DEFICIT IN THE STATE OF CALIFORNIA EXCEEDS THE COMBINED DEFICITS OF ALL OF THE OTHER 49 STATES. (808)

0810-004 Update of General Plan 2030 Process by Director-Development Services.

UPDATE FROM TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES. HE REPORTED THAT THE PLANNING COMMISSION REVIEW BEGINS FRIDAY, MAY 9 IN THE BOARD OF SUPERVISORS CHAMBERS. THE BOARD REQUESTED TO RECEIVE A COPY OF THE REPORT TO THE PLANNING COMMISSION.

CHAIR JOSIASSEN RECOGNIZED BRUCE MCCLINTOCK, A MEMBER OF THE CITIZEN'S ADVISORY COMMITTEE FOR HIS TIME AND EFFORT. (908) (28:28)

0810-005 Update Regarding Upcoming Butte County Code Amendments.

UPDATE FROM TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES. (1751) (50:53)

0810-006 Public Hearing - Enloe Hospital - Tax Equity and Fiscal Responsibility Act of 1982 - consideration of a resolution approving issuance of up to \$250 million in bonds for Enloe Hospital's expansion project and to refinance existing debt. The bonds will be issued by California Statewide Communities Development Authority (CSCDA) on behalf of Enloe Hospital. Butte County is a member of CSCDA, having adopted a "joining resolution" and has used CSCDA to finance a number of projects. Section 147 (f) of the Internal Revenue Code of 1986 requires that any proposed financing be approved by a governmental unit having jurisdiction over the area in which the facility to be financed is located. The bonds are issued as limited obligations of CSCDA, not the County, and are payable solely out of the revenues and receipts derived from the loan made by CSCDA to Enloe with the proceeds of the bonds. The bonds proposed to be issued for the financing will be indebtedness of CSCDA, and the County will not be asked to approve or execute any of the documents relating to the financing - action requested - ADOPT RESOLUTION 08-062 AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office)

PUBLIC HEARING OPENED: 9:58 A.M.
PUBLIC HEARING CLOSED: 9:58 A.M.

MOTION: I MOVE TO ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.
(1866) (53:33)
 2 M
VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0810-007 Development of the Landfill Gas Utilization Project at the Neal Road Landfill - In November 2007, the department released a Request for Proposals (RFP) for the development of the Landfill gas utilization project at the Neal Road Landfill. Nine proposals were received and the RFP Evaluation Committee recommends Ameresco, Inc. as the preferred contractor for the project - action requested - SELECT AMERESCO, INC. AS THE PREFERRED CONTRACTOR TO THE RFP; AND AUTHORIZE STAFF TO NEGOTIATE A LEASE AGREEMENT AND LANDFILL GAS PURCHASE AGREEMENT AND RETURN TO THE BOARD FOR CONSIDERATION OF AGREEMENTS. (Public Works) (1918) (54:49)

PRESENTATION BY BILL MANNELL, SOLID WASTE MANAGER.

MOTION: I MOVE TO SELECT AMERESCO, INC. AS THE PREFERRED CONTRACTOR TO THE RFP; AND AUTHORIZE STAFF TO NEGOTIATE A LEASE AGREEMENT AND LANDFILL GAS PURCHASE AGREEMENT AND RETURN TO THE BOARD FOR CONSIDERATION OF AGREEMENTS.
 2 M
VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

RECESS: 10:15 A.M.
RECONVENE: 10:27 A.M.

0810-008 Public Hearing - Appeal of Planning Commission's Denial of Tentative Parcel Map 06-0034 (TPM06-0034) - consideration of an appeal of a Planing Commission denial of TPM06-0034 which was a request to divide a 10-acre parcel into two 5-acre parcels. The project is located one mile west of the Chico City Limits. Access to the City would be via Oak Way and Muir Avenue/Kennedy Avenue - action requested -

1) ADOPT RESOLUTION 08-063 DENYING THE APPEAL WITH THE FINDINGS THAT THE PROJECT IS INCONSISTENT WITH THE GENERAL PLAN AGRICULTURAL ELEMENT AND NOT CONDITIONALLY CONSISTENT WITH THE GREENLINE ORCHARD AND FIELD CROP (OFC) DESIGNATION OF THE SITE.

-OR-

2) ADOPT RESOLUTION GRANTING THE APPEAL, APPROVING THE WAIVER OF APPENDIX VII FOR PARCEL #2, ADOPTING A MITIGATED NEGATIVE DECLARATION PURSUANT TO CEQA, AND APPROVING THE TENTATIVE PARCEL MAP, SUBJECT TO FINDINGS AND CONDITIONS.

PRESENTATION BY STACEY JOLIFFE, PRINCIPAL PLANNER AND STEVE TROESTER, SENIOR PLANNER.

MICHAEL EVANS, REPRESENTATIVE FOR THE APPELLANT AND DENNIS FURRY, THE APPELLANT ADDRESSED THE BOARD.

BRUCE MCCLINTOCK ADDRESSED THE BOARD. (3244) (1:32:30)

PUBLIC HEARING OPENED: 10:34 A.M.
PUBLIC HEARING CLOSED: 10:45 A.M.

MOTION: I MOVE TO ADOPT RESOLUTION DENYING THE APPEAL WITH THE FINDINGS THAT THE PROJECT IS INCONSISTENT WITH THE GENERAL PLAN AGRICULTURAL ELEMENT AND NOT CONDITIONALLY CONSISTENT WITH THE GREENLINE ORCHARD AND FIELD CROP (OFC) DESIGNATION OF THE SITE.

M 2

VOTE: 1 Y 2 Y 3 Y 4 N 5 N (MOTION CARRIED 3-2)

0810-009 Ordinance Adding Article IA, Entitled "Barking Dogs," and Adding Section 4-20.2, Entitled "Catteries Prohibited," to Chapter 4, Entitled "Animals," of the Butte County Code - consideration of an ordinance modifying Chapter 4 of the Butte County Code - action requested - WAIVE THE READING OF THE ORDINANCE. (Public Health/County Counsel)

PRESENTATION BY PHYLLIS MURDOCK, DIRECTOR OF PUBLIC HEALTH.

THE FOLLOWING MEMBERS OF THE PUBLIC ADDRESSED THE BOARD: DENNIS MIRANDA, EDWARD NORBRIEGO, LARRY GRUNDMAN, JAMES TOWNSEND, AND CHARLENE MIRANDA.

DISTRICT ATTORNEY MIKE RAMSEY ADDRESSED THE BOARD. (1461) (1:52:28)

MOTION: I MOVE TO WAIVE THE READING OF THE ORDINANCE WITH THE FOLLOWING AMENDMENTS: 1)CHANGE THE PERIOD OF INCESSANT BARKING FROM 30 MINUTES TO 60 MINUTES; 2) CHANGE THE REQUIREMENT TO TWO NEIGHBOR AFFIDAVITS REPORTING PROBLEMS INSTEAD OF ONE; 3) REQUIRE THE ANIMAL CONTROL OFFICER BE PRESENT AT THE HEARING; 4) DROP THE MISDEMEANOR LANGUAGE PER THE RECOMMENDATIONS OF THE DISTRICT ATTORNEY; 5)REQUEST THE COMMITTEE COME BACK AT A LATER DATE REGARDING CAT LICENSES; 6) CHANGE TO SIX CAT MAXIMUM, INSTEAD OF EIGHT, ON PARCELS LESS THAN ONE ACRE IN AN URBAN AREA; AND 7) TO HAVE THIS ITEM COME BACK IN ONE YEAR TO REVIEW THE PROCESS.

2 M

VOTE: 1 Y 2 N 3 N 4 N 5 Y (MOTION FAILED TO CARRY) (2055) (2:31:39)

MOTION: I MOVE TO WAIVE THE READING OF THE ORDINANCE WITH THE FOLLOWING AMENDMENTS: 1)CHANGE THE PERIOD OF INCESSANT BARKING FROM 30 MINUTES TO 60 MINUTES; 2) CHANGE THE REQUIREMENT THAT ONLY ONE COMPLAINTANT AFFIDAVIT IS REQUIRED; 3) REQUIRE THE ANIMAL CONTROL OFFICER BE PRESENT AT THE HEARING; 4) DROP THE MISDEMEANOR ISSUES PER THE RECOMMENDATIONS OF THE DISTRICT ATTORNEY; 5)REQUEST THE COMMITTEE COME BACK AT A LATER DATE REGARDING CAT LICENSES; 6) CHANGE TO SIX CAT MAXIMUM, NOT EIGHT, ON PARCELS LESS THAN ONE ACRE IN AN URBAN AREA; AND 7) TO HAVE THIS SUBJECT COME BACK IN ONE YEAR TO REVIEW THE PROCESS.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

SUPERVISOR CONNELLY ANNOUNCED THAT HE HAD TO ATTEND ANOTHER MEETING AND WOULD RETURN IN APPROXIMATELY ONE HOUR. THE MEETING CONTINUED AND ANY VOTES TAKEN IN HIS ABSENCE WILL BE REFLECTED AS "NP" TO REPRESENT "NOT PRESENT" FOR DISTRICT ONE.

0810-010 Public Hearing - Sanitary Sewer Management Plans for County Service Area (CSA) 21, Skansen Sewer and CSA 82, Stirling City Sewer - approval is requested for the Development Plan and Schedule for these two CSAs. Approval is also requested for the first two elements of the Sewer System Management Plans for each CSA -action requested - APPROVE THE DEVELOPMENT PLAN, SCHEDULE AND FIRST TWO ELEMENTS OF THE SEWER SYSTEM MANAGEMENT PLANS FOR CSA 21 AND 82. (Public Works) (2506) (2:46:20)

PUBLIC HEARING OPENED: 11:55 A.M.
PUBLIC HEARING CLOSED: 11:55 A.M.

MOTION: I MOVE TO APPROVE THE DEVELOPMENT PLAN, SCHEDULE AND FIRST TWO ELEMENTS OF THE SEWER SYSTEM MANAGEMENT PLANS FOR CSA 21 AND 82.

2 M

VOTE: 1 NP 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

PUBLIC COMMENT (NONE)

Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda.

Recessed at 11:55 a.m. as the Butte County Board of Supervisors and Convene as the Butte County In-Home Supportive Services Public Authority Board.

BUTTE COUNTY
IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD
MINUTES
MAY 6, 2008

Called to order at 11:55 a.m. in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Members present: Dolan, Yamaguchi, Kirk and Chair Josiassen. Connelly is absent. Also present: Associate Clerk, Kathleen Moghannam.

Public Comment

0805-001 THE FOLLOWING MEMBERS OF THE PUBLIC ADDRESSED THE BOARD: MARILYN FRIEDMAN, SHIRLEY POWELL, ANNAMARIA V. GRIGSBY, BARBARA FARRAN, AND STEPHEN SMITH.

0805-002 **THE BOARD RECESSED TO CLOSED SESSION AT 12:08 P.M. REGARDING:**

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

LABOR NEGOTIATOR: CATHI GRAMS/LAURA BRUNSON/JACK HUGHES
EMPLOYEE ORGANIZATION: CUHW

THIS CLOSED SESSION ITEM WAS HEARD CONTEMPORANEOUSLY WITH THE BUTTE COUNTY BOARD OF SUPERVISORS CLOSED SESSION ITEMS.

THE BOARD RECONVENED AT 3:37 P.M. FROM CLOSED SESSION REGARDING:

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

LABOR NEGOTIATOR: CATHI GRAMS/LAURA BRUNSON/JACK HUGHES
EMPLOYEE ORGANIZATION: CUHW (No Announcements)

Adjournment

Adjourned at 3:37 p.m. as the Butte County In-Home Supportive Services Public Authority Board and reconvene as the Butte County Board of Supervisors.

CLOSED SESSION

0810-011 **THE BOARD RECESSED AT 12:08 P.M. TO CLOSED SESSION REGARDING:**

PUBLIC EMPLOYEE EMPLOYMENT, PERFORMANCE EVALUATIONS, INCLUDING:
GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957:

1. AGRICULTURAL COMMISSIONER
2. BEHAVIORAL HEALTH DIRECTOR
3. CHIEF ADMINISTRATIVE OFFICER
4. CHIEF PROBATION OFFICER
5. CHILD SUPPORT SERVICES DIRECTOR
6. COUNTY COUNSEL
7. DEVELOPMENT SERVICES DIRECTOR
8. EMPLOYMENT AND SOCIAL SERVICES DIRECTOR
9. HUMAN RESOURCES DIRECTOR/INTERIM DIRECTOR
10. INFORMATION SERVICES DIRECTOR
11. LIBRARY DIRECTOR
12. PUBLIC HEALTH DIRECTOR
13. PUBLIC WORKS DIRECTOR
14. WATER AND RESOURCE CONSERVATION DIRECTOR.

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): ONE CASE

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100).

THESE CLOSED SESSION ITEMS WERE HEARD CONTEMPORANEOUSLY WITH THE BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD CLOSED SESSION ITEMS.

THE BOARD RECONVENED AT 3:37 P.M. FROM CLOSED SESSION REGARDING:

PUBLIC EMPLOYEE EMPLOYMENT, PERFORMANCE EVALUATIONS, INCLUDING:
GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957:

1. AGRICULTURAL COMMISSIONER
2. BEHAVIORAL HEALTH DIRECTOR
3. CHIEF ADMINISTRATIVE OFFICER
4. CHIEF PROBATION OFFICER
5. CHILD SUPPORT SERVICES DIRECTOR
6. COUNTY COUNSEL
7. DEVELOPMENT SERVICES DIRECTOR
8. EMPLOYMENT AND SOCIAL SERVICES DIRECTOR
9. HUMAN RESOURCES DIRECTOR/INTERIM DIRECTOR
10. INFORMATION SERVICES DIRECTOR
11. LIBRARY DIRECTOR
12. PUBLIC HEALTH DIRECTOR
13. PUBLIC WORKS DIRECTOR
14. WATER AND RESOURCE CONSERVATION DIRECTOR.

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): ONE CASE

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100). (No Annoucements)

ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 3:37 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, MAY 20, 2008 AT 9:00 A.M.

CURT JOSIASSEN, CHAIR
BUTTE COUNTY BOARD OF SUPERVISORS

ATTEST:

C. Brian Haddix, Chief Administrative
Officer and Clerk of the Board

By: _____