

BUTTE COUNTY BOARD OF SUPERVISORS

MINUTES

AUGUST 5, 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 9:25 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, Assistant 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)

CONSENT AGENDA

- 0818-001
1. Butte County Office of Education (BCOE) - After School Programs - approval is requested for a revenue agreement with BCOE for the implementation of the Club Live programs. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount receivable of \$36,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET B-7 TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT. (Contract No. R41043)(Behavioral Health)
 2. MCPP Healthcare Consulting - approval is requested for this sole source agreement with MCPP for the provision of services related to the department's transition to the Avatar Electronic Medical Record system. The term of the agreement is July 1, 2008 to June 30, 2009 with a maximum amount payable of \$50,000 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
 3. Department of Employment and Social Services (DESS) - approval is requested for an agreement with DESS for the provision of social services related to the Connecting Circles of Care program. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$78,200 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X17283)(Behavioral Health)

4. Department of Mental Health (DMH) - amendment - approval is requested for an amendment to the revenue agreement with DMH for services provided to individuals who qualify for Medi-Cal funded outpatient mental health services. The amendment contains revisions in Exhibit B which shows the final allocated amount for Fiscal Year (FY) 2007/2008 as \$2,468,532 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RELATED RESOLUTION 08-099 AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40886)(Behavioral Health)
5. Department of Employment and Social Services (DESS) - approval is requested for an agreement with DESS for the provision of an Alcohol and Drug Resource Specialist for the Northern California Regional Partnership for Safe and Stable Families (PSSF) grant. The term of the agreement is October 1, 2007 through June 30, 2010 with a maximum amount receivable from DESS in the amount of \$222,853 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-6 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS AS DETAILED IN THE AGENDA REPORT.(Behavioral Health)
6. Northern Valley Catholic Social Services (NVCSS) - amendment - approval is requested for an amendment to the agreement with NVCSS for the provision of mental health services for children at North Community Day School and South Community Day School. The amendment increases the maximum amount payable by \$25,476.66 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16721)(Behavioral Health)
7. Butte County Behavioral Health Board - action requested - APPOINT NANCY A. BRYANT AS A COMMUNITY MEMBER; APPOINT DAVID CLARK AND BARBARA FOY AS CONSUMER MEMBERS TO TERMS TO END DECEMBER 31, 2011. (Behavioral Health)
8. Resolution Approving the Substance Abuse Crime Prevention Act of 2000 and Offender Treatment Program - consideration of a resolution approving Butte County's Fiscal Year 2008/2009 County Plan - action requested - ADOPT RESOLUTION 08-100 AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)

9. Cash Advance for Community Development Block Grant (CDBG) Program - authorization is requested for a cash advance of \$100,000 from the General Fund. The County of Butte is currently operating several grants through the CDBG program. Funding for each grant is secured with an agreement from the California Department of Housing and Community Development, and Butte County requests funds for each grant as a reimbursement. The cash advance will be replaced once all reimbursements for Fiscal Year 2008/2009 are received - action requested - AUTHORIZE CASH ADVANCE OF \$100,000 FOR FISCAL YEAR 2008/2009. (Chief Administrative Office)
10. Tamara Miller, PE - amendment - approval is requested for an amendment to the agreement with Tamara Miller, PE for the provision of engineering services related to the submittal of a loan application to the State Water Resources Control Board for sewer infrastructure installation in the Greater Chico Urban Area. The amendment increases the maximum amount payable by \$50,000 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)
11. Fiscal Year (FY) 2008 State Homeland Security Grant Program - approval is requested for a resolution authorizing the application for grant funds available through the State Homeland Security Grant Program -action requested - ADOPT RESOLUTION 08-101 AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER AND/OR THE EMERGENCY SERVICES OFFICER TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO THE GRANT. (Chief Administrative Office)
12. Resolution Recognizing the Continuing Existence of Local Emergency Declarations - approval is requested for a resolution recognizing the continuance of the local emergency declarations for the June 2008 Firestorm (Ophir-Humboldt fires) which began on June 10, 2008, and the June 2008 Butte Lightning Complex which began on June 21, 2008 - action requested - ADOPT RESOLUTION 08-102 AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office)
13. Resolution Proclaiming August 2008 as Child Support Awareness Month - action requested - ADOPT RESOLUTION 08-103 AND AUTHORIZE THE CHAIR TO SIGN. (Child Support Service)

14. Request for Consolidation - Biggs Unified School District - the District has submitted Resolution Number 1 ordering a general obligation bond election, establishing specifications of the election order, and requesting consolidation of the election with the statewide General Election to be held November 4, 2008 - action requested - APPROVE CONSOLIDATIONS. (Clerk-Recorder/Elections)
15. Request for Consolidation - El Medio Fire Protection District - the District has submitted Resolution Number 2008-02 and Resolution #R-08-003 requesting consolidation of an election with the statewide General Election to be held November 4, 2008 for the purpose of submitting to qualified voters within the boundaries of the District, the question of the adoption of a special tax for emergency response and fire protection services - action requested - APPROVE CONSOLIDATIONS. (Clerk-Recorder/Elections)
16. Request for Consolidation - Oroville Union High School District - the District has submitted Resolution Number 1-08/09 ordering a school bond election, establishing specifications of the election order, and requesting consolidation of the election with the statewide General Election to be held November 4, 2008 - action requested - APPROVE CONSOLIDATIONS. (Clerk-Recorder/Elections)
17. Certification of Statement of Votes Cast - Pursuant to California Elections Code Section 15372, the Clerk Recorder/Registrar of Voters submits the Certification of Statement of Votes Cast for the Direct Primary Election held on June 3, 2008 - action requested - ACCEPT CERTIFICATION OF STATEMENT OF VOTES CAST. (Clerk-Recorder/Elections)
18. Brown's River Records Preservation - amendment - approval is request for this amendment for the provision historical record restoration and preservation. The amendment extends the term of the agreement through June 30, 2009. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16048)(Clerk-Recorder/Elections)

19. PFA, Inc - amendment - approval is requested for an amendment to the agreement with PFA, Inc. for the conversion of records on microfilm to digital. The amendment extends the term of the agreement through June 25, 2009. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16618)(Clerk-Recorder/Elections)
20. Pacific Municipal Consultants (PMC) - amendment - approval is requested for an amendment to the agreement with PMC for the provision of processing planning applications. The amendment extends the term of the agreement through June 30, 2009. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16227)(Development Services)
21. Restore Positions and Accept Unanticipated Building Fee Revenue - Due to the property damage caused by the recent fires in Butte County, the department is anticipating an increase in building permit activity and a related increase in revenue for Fiscal Year 2008/2009. The department requests the unanticipated revenue fund four of the fifteen budget-necessitated position losses identified at the budget hearings. The four positions are: one Building Inspector position, two Permit Technician positions, and one Code Enforcement Officer position for a total cost of \$201,561 - action requested - APPROVE BUDGET TRANSFER B-10 (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT IN ORDER TO RESTORE FOUR POSITIONS WITHIN THE DEPARTMENT. (Development Services)
22. City of Chico Adjustment to Smucker Transportation Impact Fee - the department was notified that the City of Chico has agreed to adjust Smucker's transportation Impact Fee to \$6,796.20. This adjustment is a result of a recalculation of the trips and transportation impacts after Smucker's expansion/consolidation - action requested - AUTHORIZE DEVELOPMENT SERVICES TO COLLECT THE CHICO URBAN AREA TRANSPORTATION IMPACT FEES BASED ON THE CITY OF CHICO'S ANALYSIS OF THE REDUCED TRAFFIC IMPACT. (Development Services)

23. Harold Thomas - amendment - approval is requested for an amendment to the agreement with Harold Thomas which provides for payment of various expenses associated with his assignment to the District Attorney's Office to prosecute environmental crimes. The California Department of Fish and Game pays Mr. Thomas' salary and benefit costs, and the County pays for mileage, training, and other business related expenses. The proposed amendment extends the term of the agreement to June 30, 2009 and increases the maximum amount payable by \$13,254. All other terms and provisions remain the same. The funds for Mr. Thomas' expenses are from monetary settlements of environmental cases - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET TRANSFER B-8 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Contract No. X15184)(District Attorney)
24. California Department of Health Care Services (DHCS) - approval is requested for this Medi-Cal Data Privacy and Security agreement with DHCS in order to ensure the privacy and security of Medi-Cal Personally Identifiable Information (PII). The agreement requires that any access, use, or disclosure of Medi-Cal PII be in accordance with state and federal regulations and laws - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL. (Employment and Social Services)
25. Northern Valley Catholic Social Service (NVCSS) - approval is requested for an agreement with NVCSS for the provision of group, individual, and family counseling and assessment services. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$75,000 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)
26. Counseling Solutions - approval is requested for an agreement with Counseling Solutions for the provision of individual, group, and family counseling services. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$75,000 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)

27. Regents of the University of California - UC Davis - approval is requested for this agreement for the provision of training services needed to successfully meet federal and state welfare reform requirements. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$29,440 (department budget). The University will provide an in-kind contribution of \$4,416 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)
28. Butte Fire Safe Council - amendment - approval is requested for an amendment to the revenue agreement with the Butte Fire Safe Council for the purpose of hiring Cal Fire Tehama Glenn Conservation Crews for fuel reduction for the Fire Safe Council on approved projects. The amendment extends the term of the agreement through June 30, 2009. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R40957)(Fire)
29. Butte Fire Safe Council - amendment - approval is requested for an amendment to the agreement with Butte Fire Safe Council to implement projects under the Secure Rural Schools and Community Self-Determination Act of 2000(HR 2389). The amendment extends the term of the agreement through June 30, 2009. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16265)(Fire)
30. Budget Transfer and Fixed Asset Purchase - approval is requested for budget transfers in the amount of \$17,000. The funds will be used to purchase two former Butte Unit State Fire Engines on behalf of two volunteer companies in Forest Ranch and Butte Creek Canyon. One engine costs \$8,000 and the other \$9,000 - action requested - APPROVE BUDGET TRANSFER B-9 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT; AND APPROVE FIXED ASSET PURCHASE OF TWO STATE FIRE ENGINES.(Fire)
31. SIGMA Data Systems, Inc. - amendment - approval is requested for an amendment to the sole source agreement with SIGMA which provides system software to support the routine applicant tracking and processing operations of recruitment processes. The amendment extends the term of the agreement through March 5, 2009 and increases the maximum amount payable by \$4,675. All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X15169)(Human Resources)

32. Library Donations - pursuant to Government Code Section 25355, donations of \$731.80 from the Oroville Friends of the Library; \$135 from an anonymous source; \$6,298 from the Chico Friends of the Library; \$100 from Jackie Curtis in honor of Richard C. Peters, O.D.; \$1,200 from the Paradise Friends of the Library; \$100 from Maudie Penney have been received for the purchase of books; \$471.60 from the Paradise Friends of the Library has been received for operations - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION. (Library)
33. Butte County Library Board - action requested - APPOINT PAT KOSKINEN TO A TERM TO END DECEMBER 31, 2008. (Library)
34. Medifax-EDI, LLC - amendment - approval is requested for an amendment to the sole source agreement with Medifax-EDI, LLC for the provision of electronic billing services. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$90,000 (department budget)- action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X11682)(Public Health)
35. Monthly Investment Report - submitted is the Monthly Investment Report dated June 30, 2008, in accordance with the Statement of Investment Policy dated July 1, 2007 - action requested - ACCEPT FOR INFORMATION.(Treasurer/Tax Collector)
36. Trust Under the Butte County Employees' Deferred Compensation Plan (Rabbi Trust) - amendment - approval is requested for an amendment to the Rabbi Trust in order to comply with current IRS requirements - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ACCEPT FOR INFORMATION COPIES OF THE MODEL PLAN DOCUMENTS FOR BUTTE COUNTY'S DEFERRED COMPENSATION PLAN. (Treasurer/Tax Collector)
37. Biggs Veterans Memorial Hall Committee - action requested - APPOINT THE FOLLOWING VETERANS OF FOREIGN WARS (VFW), POST 3811 TO TERMS TO END JUNE 30, 2009: PHIL HOHMAN, DELEGATE; ERNIST HOHMAN, DELEGATE; NORRIS ANDERSON, DELEGATE; ANTONIO "TONY" AIRESA, DELEGATE; F.A. "MIKE" MCDONALD, DELEGATE; FRANK MATHAUSER, DELEGATE. (Other Departments and Agencies)
38. Chico Veterans Memorial Hall Committee - action requested -

APPOINT BILL EDMISTON, DELEGATE, AMERICAN LEGION POST 17; APPOINT JOE TURNER, ALTERNATE, AMERICAN LEGION POST 17; GENE CLEMENTS, DELEGATE, AMERICAN VETERANS (AMVETS), CHICO POST 2813; GARY IMHOFF, ALTERNATE, AMVETS, CHICO POST 2813; HENNIE VAN DE VELDE, DELEGATE, CARING VETERANS INC; RICHARD SNOW, ALTERNATE, CARING VETERANS INC; HANK SNOW, DELEGATE, DISABLED AMERICAN VETERANS (DAV), CHAPTER 125; JAMES WOLSKE, ALTERNATE, DAV, CHAPTER 125; BILL ANDRUS, DELEGATE, VFW, CHICO POST 1555; LARRY WAHL, ALTERNATE, VFW, CHICO POST 1555; SCOTT WILL, DELEGATE, VIETNAM VETERANS OF AMEWERICA (VVA), BUTTE COUNTY CHAPTER 582; AND CARL "BUTCH" C. FREDERICKSON, ALTERNATE, VVA, BUTTE COUNTY CHAPTER 582 TO TERMS TO END JUNE 30, 2009. (Other Departments and Agencies)

- 39. Gridley Memorial Hall Committee - action requested - APPOINT DAN COLE, DELEGATE, AMERICAN LEGION; JOHN KUCEK, ALTERNATE, AMERICAN LEGION; ARNULFO RUIZ, DELEGATE, VFW; EDWARD KAWASAKI, DELEGATE, CITIZEN VETERAN; FRANK KAWASAKI, DELEGATE, CITIZEN VETERAN; SAM MCKEY, DELEGATE, CITIZEN VETERAN, TO TERMS TO END JUNE 30, 2009. (Other Departments and Agencies)

- 40. Oroville Memorial Hall Committee - action requested - APPOINT RON SCHARBOR, DELEGATE, AMERICAN LEGION; VENE THOMPSON, ALTERNATE, AMERICAN LEGION; ROBERT SIMPSON, DELEGATE, MILITARY ORDER OF COOTIES; FRANK ODDO, ALTERNATE, MILITARY ORDER OF COOTIES; ROLAND "BUD" STRANG, DELEGATE, VFW POST 1747; DENNIS WOLFE, ALTERNATE, VFW POST 1747; JOHN ARCHIBALD, DELEGATE, CITIZEN VETERAN; JIM BRUCE, DELEGATE, CITIZEN VETERAN; BOB MOREHOUSE, DELEGATE, CITIZEN VETERAN; SAM BEBOUT, ALTERNATE, CITIZEN VETERAN; EMANUEL JOHNSON, ALTERNATE, CITIZEN VETERAN TO TERMS TO END JUNE 30, 2009. (Other Departments and Agencies)

- 41. Paradise Memorial Hall Committee - action requested - APPOINT PETER J. FREITAG, DELEGATE, AMERICAN LEGION; HARRY HUDSON, ALTERNATE, AMERICAN LEGION; WALT KOERNER, DELEGATE, CALIFORNIA VETERANS SQUARE DANCE ASSOCIATION; DAVE CURRY, ALTERNATE, CALIFORNIA VETERANS SQUARE DANCE ASSOCIATION; JOSEPH FRANK, DELEGATE, DAV; CARROLL TRADER, ALTERNATE, DAV; RAYMOND S. JOHNSON, DELEGATE, PVC; RICHARD CAMPBELL, DELEGATE, VFW; RAYMOND FLORES, ALTERNATE, VFW, TO TERMS TO END JUNE 30, 2009. (Other Departments and Agencies)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA.

2 M

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

PRESENTATION OF THE RESOLUTION PROCLAIMING AUGUST 2008 AS CHILD SUPPORT AWARENESS MONTH TO SHARON STONE, THE DIRECTOR OF CHILD SUPPORT SERVICES.

REGULAR AGENDA

0818-002 Boards, Commissions and Committees.

1. Appointments to Listed Vacancies. (NONE)
2. Board Member or Committee Reports. (NONE)

0818-003 Update on Current Budget and Legislative Issues by the Chief Administrative Officer.

C. BRAIN HADDIX, CHIEF ADMINISTRATIVE OFFICER REPORTED THE STATE BUDGET HAS NOT BEEN PASSED YET. HE REPORTED THE GOVERNOR HAS A PROPOSAL TO INCREASE SALES TAX BY ONE CENT. THERE IS A POTENTIAL THAT THE STATE WILL SUSPEND PROPOSITION 1A.

PRESENTATION BY ANDY PICKETT, DEPUTY ADMINISTRATIVE OFFICER.

PRESENTATION REGARDING THE RECENT FIRES AND RECOVERY EFFORTS IN BUTTE COUNTY BY RICH HALL, DIRECTOR OF GENERAL SERVICES.

PRESENTATION BY CATHI GRAMS, DIRECTOR OF EMPLOYMENT AND SOCIAL SERVICES REGARDING THE ASSISTANCE PROVIDED TO INDIVIDUALS AFFECTED BY THE FIRES.

PRESENTATION BY VANCE SEVERIN OF ENVIRONMENTAL HEALTH REGARDING THE REMOVAL OF HAZARDOUS WASTE.

PRESENTATION BY BILL MANNELL, SOLID WASTE MANAGER.

PRESENTATION BY NANCY SPRINGER, ASSISTANT BUILDING OFFICIAL FROM DEVELOPMENT SERVICES.

PRESENTATION BY JOHN GULSERIAN, EMERGENCY SERVICES OFFICER REGARDING THE COSTS INCURRED BY THE COUNTY.

CLOSED SESSION

0818-004 **THE BOARD RECESSED AT 10:10 A.M. TO CLOSED SESSION REGARDING:**

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): THREE CASES:

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. POE INTERVENTION (FERC PROJECT 2107);
3. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION (NIGC);
CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA;

INITIATION OF LITIGATION PURSUANT TO GOV. CODE Sec. 54956.9(c) - ONE POTENTIAL CASE;

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.

THE BOARD RECONVENED AT 10:29 A.M. FROM CLOSED SESSION REGARDING:

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): THREE
CASES:

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. POE INTERVENTION (FERC PROJECT 2107);
3. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION (NIGC);
CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA;

INITIATION OF LITIGATION PURSUANT TO GOV. CODE Sec. 54956.9(c) -
ONE POTENTIAL CASE;

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. (No Announcements)

PUBLIC HEARINGS AND TIMED ITEMS

0818-005 Public Hearing - Introduction of an Ordinance Amending Chapter 26 of the Butte County Code - The proposed ordinance amends the Butte County Code to require urban improvements for all new buildings, provides for an in-lieu fee for future improvement in urban areas, and allows for the postponement of improved installation for a period of up to five years. The related resolution establishes Standard Estimating rates for calculation of in-lieu fee or bonding of improvements - action requested - WAIVE THE READING OF THE ORDINANCE; AND CONTINUE CONSIDERATION OF THE RESOLUTION ESTABLISHING ESTIMATING RATES TO COINCIDE WITH THE ADOPTION OF THE ORDINANCE. (Public Works)

PRESENTATION BY MIKE CRUMP, DIRECTOR OF DEVELOPMENT SERVICES.

PUBLIC HEARING OPENED: 10:41 A.M.
PUBLIC HEARING CLOSED: 10:41 A.M.

MOTION: I MOVE TO WAIVE THE READING OF THE ORDINANCE WITH AN AMENDMENT TO THE ORDINANCE WHICH DEFINES "SUBSTANTIAL IMPROVEMENTS" AS: ANY RECONSTRUCTION, REHABILITATION, ADDITION, OR OTHER IMPROVEMENT TO A STRUCTURE, THE TOTAL COST OF WHICH EQUALS OR EXCEEDS 50 PERCENT OF THE MARKET VALUE OF THE STRUCTURE BEFORE THE START OF CONSTRUCTION OF THE IMPROVEMENT; AND CONTINUE CONSIDERATION OF THE RESOLUTION ESTABLISHING ESTIMATING RATES TO COINCIDE WITH THE ADOPTION OF THE ORDINANCE.

2 M

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

REGULAR AGENDA

0818-006 Update of General Plan 2030 Process by Director-Development Services.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

0818-007 Update Regarding Upcoming Butte County Code Amendments

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES. (2998)

0818-008 Public Hearing - Itemized Cost of Nuisance Abatement for property located at 1920 B Street, Oroville, APN 035-073-020. This property was abated April 9-14, 2008 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$4,835.66; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED. (Development Services)

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

WENDY JONES, CODE ENFORCEMENT OFFICER, ANSWERED QUESTIONS OF THE BOARD.

PUBLIC HEARING OPENED: 10:53 A.M.
PUBLIC HEARING CLOSED: 10:53 A.M.

MOTION: I MOVE TO APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$4,835.66; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

M 2

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

0818-009 Public Hearing - Itemized Cost of Nuisance Abatement for property located at 41 Meeting Place, Palermo, APN 027-340-013. This property was abated April 14-16, 2008 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$5,238.65; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED. (Development Services)

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

PUBLIC HEARING OPENED: 10:55 A.M.
PUBLIC HEARING CLOSED: 10:55 A.M.

MOTION: I MOVE TO APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$5,238.65; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

M 2

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

0818-010 Public Hearing - Itemized Cost of Nuisance Abatement for property located at 1232 French Avenue, Gridley, APN 021-132-061. This property was abated April 16, 2008 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$2,591.88; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED. (Development Services)(1:12:15)

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

PUBLIC HEARING OPENED: 10:58 A.M.
PUBLIC HEARING CLOSED: 11:07 A.M.

WILLA SAMPRUCCI, OWNER OF THE PROPERTY ADDRESSED THE BOARD.

MOTION: I MOVE TO APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$2,591.88 AND SUGGEST THE OWNER OF THE PROPERTY TO ATTEMPT TO WORK OUT A PAYMENT ARRANGEMENT WITH THE TAX COLLECTOR, IF POSSIBLE; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

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

REGULAR AGENDA

0818-011 Introduction of an Ordinance Amending Section 20-133 of Chapter 20 of the Butte County Code - consideration of an ordinance which will amend the Butte County Code to be in alignment with the Fire Safe Regulations adopted by the California Department of Forestry and Fire Protection pursuant to Public Resources Code Section 4290 - action requested - WAIVE THE READING OF THE ORDINANCE. (Public Works)

PRESENTATION BY MIKE CRUMP, DIRECTOR OF PUBLIC WORKS.

MOTION: I MOVE TO WAIVE THE READING OF THE ORDINANCE.

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

0818-012 Resolution Regarding Four Appeals of Planning Commission Resolution 08-24 Modifying and Adopting a Revised Order to Comply Regarding an Amended Mining and Reclamation Permit for the New Era Mine - consideration of a resolution documenting the Motion of Intent approved at the June 24, 2008 Board of Supervisors meeting to deny the appeals of Richard Meyers, Lucy Cooke, and the residents of Butte Valley and Paradise and to affirm the validity of Mining and Reclamation Permit No. 81-135 - action requested - STAFF RECOMMENDS THE BOARD ADOPT THE RESOLUTION 08-104 DENYING THE APPEALS OF RICHARD MEYERS, LUCY COOKE, AND THE RESIDENTS OF BUTTE VALLEY AND PARADISE; GRANT THE APPEAL OF NORTH CONTINENT LAND AND TIMBER; FIND THAT MINING AND RECLAMATION PERMIT 81-135 AND THE SUGGESTED MODEL RECLAMATION PLAN ARE VALID ENTITLEMENTS; AND RESCIND THE PLANNING COMMISSIONS RESOLUTION 08-24 AND THE REVISED ORDER TO COMPLY FOR THE NEW ERA MINE.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.(1:38:02)(*822)

KEITH WAGNER ADDRESSED THE BOARD. BLAIR WILL ADDRESSED THE BOARD.

MOTION: I MOVE TO ADOPT THE RESOLUTION DENYING THE APPEALS OF RICHARD MEYERS, LUCY COOKE, AND THE RESIDENTS OF BUTTE VALLEY AND PARADISE; GRANT THE APPEAL OF NORTH CONTINENT LAND AND TIMBER; FIND THAT MINING AND RECLAMATION PERMIT 81-135 AND THE SUGGESTED MODEL RECLAMATION PLAN ARE VALID ENTITLEMENTS; AND RESCIND THE PLANNING COMMISSIONS RESOLUTION 08-24 AND THE REVISED ORDER TO COMPLY FOR THE NEW ERA MINE.

2 M

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

Items Removed from the Consent Agenda for Board Consideration and Action. (NONE)

0818-013 Resolution Calling for an Election on an Advisory Measure Regarding Additional Development of Native American Gaming Casinos - consideration of a resolution calling for an election on as advisory measure on the November 4, 2008 ballot to determine whether the County of Butte should support proposals for additional Native American Gaming Casinos within the unincorporated areas of the County - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

THIS RESOLUTION WAS NOT ADOPTED. THERE WAS NO VOTE ON THIS ITEM.

SUPERVISOR CONNELLY INDICATED THAT HE INITIATED THIS ITEM IN ORDER TO ATTEMPT TO DETERMINE WHETHER THE PUBLIC AND/OR THE BOARD OF SUPERVISORS OPPOSE OR SUPPORT ADDITIONAL GAMING FACILITIES OF ANY TYPE IN BUTTE COUNTY.

THE BOARD DIRECTED THE CHIEF ADMINISTRATIVE OFFICER TO SET A WORKSHOP TO BE HELD AT A FUTURE BOARD MEETING IN ORDER FOR THE PUBLIC TO PROVIDE INPUT AND FOR VARIOUS COUNTY DEPARTMENTS TO PROVIDE REPORTS REGARDING THE IMPACTS OF EXISTING GAMING FACILITIES AND THE POTENTIAL IMPACTS OF ADDING ADDITIONAL GAMING FACILITIES IN BUTTE COUNTY. IT WAS ALSO REQUESTED THAT STAFF PROVIDE INFORMATION REGARDING THE STATE AND FEDERAL LAWS THAT REGULATE GAMING FACILITIES. (2:12:16)

0818-014 PUBLIC COMMENT

PASTOR KEVIN THOMPSON ADDRESSED THE BOARD.

CLOSED SESSION

0818-015 **THE BOARD RECESSED AT 12:05 P.M. TO CLOSED SESSION REGARDING:**

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): THREE CASES:

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. POE INTERVENTION (FERC PROJECT 2107);
3. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION (NIGC);
CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA;

INITIATION OF LITIGATION PURSUANT TO GOV. CODE Sec. 54956.9(c) - ONE POTENTIAL CASE;

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.

THE BOARD RECONVENED AT 2:45 P.M. FROM CLOSED SESSION REGARDING:

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): THREE CASES:

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. POE INTERVENTION (FERC PROJECT 2107);

3. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION (NIGC);
CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA;

INITIATION OF LITIGATION PURSUANT TO GOV. CODE Sec. 54956.9(c) -
ONE POTENTIAL CASE;

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

COUNTY COUNSEL, BRUCE ALERT MADE ONE ANNOUNCEMENT OUT OF CLOSED
SESSION. HE REPORTED THAT THE BOARD VOTED UNANIMOUSLY TO INITIATE
LITIGATION AGAINST THE DEPARTMENT OF WATER AND RESOURCE WITH
RESPECT TO THE EIR FILED WITH THE STATE WATER RESOURCE CONTROL
BOARD ON THE STATE CLEAN WATER ACT CERTIFICATION.

ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE
THE BOARD, THE MEETING WAS ADJOURNED
AT 2:45 P.M., TO RECONVENE AT A
REGULAR MEETING OF THE BOARD TO BE
HELD TUESDAY, AUGUST 19, 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: _____