

BUTTE COUNTY BOARD OF SUPERVISORS

MINUTES

FEBRUARY 10, 2009



County Supervisors

Bill Connelly, District 1
Jane Dolan, District 2
Maureen Kirk, District 3
Steve Lambert, District 4
Kim Yamaguchi, District 5

Gregory G. Iturria, Interim Chief
Administrative Officer and
Clerk of the Board

Bruce Alpert, County Counsel

Called to order at 9:07 a.m. in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Dolan, Kirk, Lambert, Yamaguchi, and Chair Connelly. Also present: Gregory G. Iturrua, Interim 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

- 0903-001
1. California Department of Food and Agriculture (CDFA) - approval is requested for a revenue agreement with CDFA in which the County will provide services for placing and servicing traps for the detection of exotic pests that are considered hazardous to agriculture. The term of the agreement is July 1, 2008 through June 30, 2010 with a maximum amount receivable of \$57,182 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. R41095)(Agriculture)
 2. Appropriations for Transfer of Impact Fees to New Special Revenue Fund - On January 27, 2009, the Board authorized the Auditor-Controller and Treasurer-Tax Collector to establish a new Special Revenue Fund for impact fees. In order to properly transfer funds to the new Special Revenue Impact Fee Fund, appropriations must be in place. The source of funds for the appropriations is the Reserved Fund Balance of the General Fund, Road Fund and Fire Fund, which will now transfer to the new Special Revenue Fund for Impact Fees - action requested - APPROVE THE REQUEST FOR APPROPRIATIONS IN ORDER TO TRANSFER IMPACT FEE FUNDS TO THE NEW SPECIAL REVENUE IMPACT FEE FUND. (Auditor-Controller)
 3. Resolution Recognizing Joan Townsend Upon her Retirement from Butte County - action requested - ADOPT RESOLUTION 09-012 AND AUTHORIZE THE CHAIR TO SIGN. (Board of Supervisors)
 4. Resolution Recognizing Judith Terry Upon her Retirement from Butte County - action requested - ADOPT RESOLUTION 09-013 AND AUTHORIZE THE CHAIR TO SIGN. (Board of Supervisors)

5. District 4 Appointments - Supervisor Lambert has submitted his nominations for District 4 representatives for the following: 1) the Butte County Planning Commission; 2) the Butte County Fair Board; 3) the Agricultural Advisory Committee; 4) the Butte County Water Commission; and 5) the Butte County Housing Authority Board. The term for each appointment will end January 7, 2013 - action requested - APPOINT ED BECKER TO THE BUTTE COUNTY PLANNING COMMISSION; APPOINT LEIGH ANN JONES TO THE BUTTE COUNTY FAIR BOARD; REAPPOINT MARK LAVY TO THE AGRICULTURAL ADVISORY COMMITTEE; REAPPOINT RYAN SCHOHR TO THE BUTTE COUNTY WATER COMMISSION; AND REAPPOINT LARRY HAMMAN TO THE BUTTE COUNTY HOUSING AUTHORITY BOARD. (Board of Supervisors)
6. District 5 Appointments - Supervisor Yamaguchi has submitted his nominations for District 5 representatives for the following: 1) the Butte County Housing Authority Board; 2) the Butte County Fish and Game Commission; and 3) the Butte County Planning Commission. The term for each appointment will end January 7, 2013 - action requested - APPOINT CHRISTINE BOYLE TO THE BUTTE COUNTY HOUSING AUTHORITY BOARD; APPOINT HUGH SMITH TO THE BUTTE COUNTY FISH AND GAME COMMISSION; AND REAPPOINT FERNANDO MARIN TO THE BUTTE COUNTY PLANNING COMMISSION. (Board of Supervisors)
7. Adoption of an Ordinance Adding Section 1-17.5, Seal of the County of Butte, and Section 1-17.6, Use of the County Seal, to Chapter 1 of the Butte County Code -action requested - ADOPT ORDINANCE 3996 AND AUTHORIZE THE CHAIR TO SIGN; UPON ADOPTION, DIRECT THE SEAL BE FILED IN THE OFFICE OF THE COUNTY CLERK. (FROM 1-27-09 [item 3.09])(Chief Administrative Office)
8. Resolution Amending the Composition of the County of Butte Indian Gaming Local Community Benefit Committee - On September 30, 2008, the Governor signed AB 158 which amended Government Code Section 12715. As a result of that amendment, the composition of the County of Butte Indian Gaming Local Community Benefit Committee will be changed from seven (7) members to five (5) members: two (2) representatives from the Board of Supervisors, one (1) representative from the City of Oroville, and two (2) representatives from the tribes. This change is a result of the new language in the statute which states that if there is only one city within 4 miles of any casino and that casino is entirely within the unincorporated area of the County, then city representation shall be one individual - action requested - ADOPT RESOLUTION 09-014 AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office)

9. June Lightning Complex Fires After Action Report - submitted is the After Action Report prepared by William Sager, Fire Chief (retired) of the Butte County Fire Department - action requested - ACCEPT FOR INFORMATION. (Chief Administrative Office)
10. Quincy Library Group (QLG) Litigation Fund - approval is requested to continue to participate in the litigation regarding fuel reduction and forest restoration projects. The County has funded similar requests in the last two fiscal years. QLG is requesting a \$4,500 contribution from Butte County (department budget) - action requested - DIRECT STAFF TO PROVIDE PAYMENT TO THE QUINCY LIBRARY GROUP LITIGATION FUND FOR FISCAL YEAR 2008/2009. (Chief Administrative Office)
11. Approval of Minutes - action requested - APPROVE MINUTES OF JANUARY 27, 2009. (Chief Administrative Office)
12. Lillian Rickards - approval is requested for a recast lease agreement with Lillian Rickards for the property located at 260 Cohasset Road in Chico. The term of the recast lease is February 1, 2009 through January 31, 2014 with an initial monthly payment of \$3,200 which is \$0.94120 per square foot (department budget using MHSA revenue) - action requested - APPROVE RECAST LEASE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (General Services)
13. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows:

DISTRICT ATTORNEY - deletes one (1) vacant position of Legal Secretary due to anticipated delays in reimbursement from the State for the Child Abduction and Recovery Program. This will decrease the allocated positions in budget unit 320-003 from 3 to 2 - action requested - ADOPT THE RESOLUTION 09-015 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
14. Award of Bid for a New Hazardous Materials Unit - approval is requested to award a bid for a Hazardous Materials Unit. Gridley Country Ford was the lowest responsible and responsive bidder with a bid in the amount of \$45,636.49. 100% of the cost of the vehicle will come from the Hazardous Materials Trust Fund -action requested - AWARD BID TO GRIDLEY COUNTRY FORD AUTHORIZING FIXED ASSET PURCHASE IN THE AMOUNT OF \$45,636.49; AND APPROVE RELATED BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Fire)

15. Library Donations - pursuant to Government Code Section 25355, donations of \$200 from Alma Herrera; \$3,000 from Chico Friends of the Library; \$100 from Maudie Penney; \$1,200 from Paradise Friends of the Library; and \$686.25 from an anonymous source have been received for Books; \$944.43 from the Paradise Friends of the Library for Operations - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION. (Library)
16. Resolution Recognizing David M. Scott Upon His Retirement from Butte County after Fourteen Years of Service - action requested - ADOPT RESOLUTION 09-016 AND AUTHORIZE THE CHAIR TO SIGN. (Probation)
17. Freeway Agreement with the State of California Covering a Portion of State Highway Route 70 - approval is requested for a Freeway Agreement covering a portion of State Highway Route 70 from Palermo Road to the Oroville City Limit at 0.3 mile South of Grand Avenue. The proposed updated Freeway Agreement documents the revised boundary between the County and the City of Oroville as well as State-planned highway improvements in the area. Approval is also requested for a related resolution - action requested - APPROVE FREEWAY AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; ADOPT RELATED RESOLUTION 09-017 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
18. Request for Release of Invitation for Bids - approval is requested for the department to release an invitation for bids to install additional soil gas probes for the Neal Road Sanitary Landfill. The installation is required due to changes in Title 27 regulations - action requested - AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO RELEASE AN INVITATION FOR BIDS TO INSTALL SOIL GAS PROBES. (Public Works)
19. Accept Donation - approval is requested to accept a donation by Mr. Raynor Gimbal of a 2001 Winnebago Ultimate Advantage motor home valued at \$119,300. The vehicle will be used by Butte County Search and Rescue as a command vehicle - action requested - ACCEPT DONATION AND AUTHORIZE LETTER OF APPRECIATION. (Sheriff-Coroner)
20. Ecolab Pest Control Services - approval is requested for an agreement with Ecolab Pest Control Services for the provision of pest prevention and elimination services at various locations. The term of the agreement is November 1, 2008 through October 31, 2011 with a maximum amount payable of \$27,742 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Sheriff-Coroner)

- 21. Monthly Investment Report - submitted is the Monthly Investment Report dated December 31, 2008, in accordance with the Statement of Investment Policy dated July 1, 2008 - action requested - ACCEPT FOR INFORMATION. (Treasurer/Tax-Collector)

- 22. State of California Employment Development Department (EDD) - amendment - approval is requested for an amendment to the agreement with EDD for the provision of wage and employment verification data. The amendment increases the maximum amount payable by \$8,392.62 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Treasurer/Tax-Collector)

- 23. Recommendations of the Butte County Water Commission for Appointments to the Butte County Water Advisory Committee - action requested - APPOINT/REAPPOINT THE FOLLOWING MEMBERS TO TERMS TO END JANUARY 11, 2013: APPOINT RAYMOND ANTONOWICH AS THE DURHAM SUB-INVENTORY UNIT REPRESENTATIVE; REAPPOINT COUNCIL MEMBER TOM NICKEL AS AT-LARGE REPRESENTATIVE FOR THE CITY OF CHICO; APPOINT COUNCIL MEMBER DAVE PITTMAN AS THE AT-LARGE REPRESENTATIVE FOR THE CITY OF OROVILLE; AND APPOINT COUNCIL MEMBER JOE DIDUCA AS THE AT-LARGE REPRESENTATIVE FOR THE TOWN OF PARADISE. (Water and Resource Conservation)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA.

M 2

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

PRESENTATION OF RESOLUTIONS TO JUDITH TERRY, JOAN TOWNSEND, AND DAVID SCOTT. (202)

RECESS: 9:20 A.M.

RECONVENE: 9:33 A.M.

REGULAR AGENDA

0903-002 Boards, Commissions and Committees.

1. Appointments to Listed Vacancies.

MOTION: I MOVE TO APPOINT PAUL L. MOORE TO THE BUTTE COUNTY PLANNING COMMISSION AS DISTRICT 2 REPRESENTATIVE.

M 2

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

MOTION: I MOVE TO REAPPOINT HOWARD HAMMAN TO THE BUTTE COUNTY FISH AND GAME COMMISSION AS DISTRICT 4 REPRESENTATIVE.

2 M

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

MOTION: I MOVE TO REAPPOINT ALL OF THE REMAINING DISTRICT 5 REPRESENTATIVES THAT HAVE NOT BEEN REAPPOINTED. (THOSE REAPPOINTMENTS ARE AS FOLLOWS: REAPPOINT JERRY MENDON TO THE AGRICULTURAL ADVISORY COMMISSION; REAPPOINT DOUG FLESHER TO THE GRIDLEY SWIMMING POOL DISTRICT; REAPPOINT STEVE SIEDENGLANZ TO THE ECONOMIC DEVELOPMENT CORPORATION; REAPPOINT BILL FITZGERALD TO THE SURFACE MINING AGGREGATE OPERATIONS COMMITTEE; AND REAPPOINT GEORGE BARBER TO THE BUTTE COUNTY WATER COMMISSION.)

2 M

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

2. Board Member or Committee Reports. (551)(17:43)

SUPERVISOR KIRK REPORTED THAT SHE HAD RECEIVED \$500 DONATION FROM THE BUTTE MEADOWS AND JONESVILLE COMMUNITY ASSOCIATION. THE ASSOCIATION THANKED THE BOARD AND THE COUNTY FOR THE INSTALLATION OF A GUARDRAIL IN BUTTE MEADOWS.

0903-003 Update on Current Budget and Legislative Issues by the Interim Chief Administrative Officer.

GREGORY G. ITURRIA, INTERIM CHIEF ADMINISTRATIVE OFFICER PROVIDED A REPORT ON THE FEDERAL STIMULUS PACKAGE.

HE DID REQUEST THAT THE BOARD RECONSIDER HOLDING THE ECONOMIC STRATEGY SPECIAL MEETING SCHEDULED FOR TUESDAY, FEBRUARY 17, 2009 BECAUSE THE SUBJECT OF ECONOMIC DEVELOPMENT WILL BE COVERED AT THE SPECIAL GENERAL PLAN 2030 MEETING THAT WILL BE HELD ON WEDNESDAY, FEBRUARY 18, 2009. THE BOARD OF SUPERVISORS AGREED TO CANCEL THE SPECIAL MEETING SCHEDULED FOR TUESDAY, FEBRUARY 17, 2009.

0903-004 Update of General Plan 2030 Process by Director-Development Services.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

0903-005 Update Regarding Upcoming Butte County Code Amendments.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

PUBLIC HEARINGS AND TIMED ITEMS

0903-006 Timed Item - Fiscal Year 2008/2009 Second Quarter Financial Report and Recommendations - The Interim Chief Administrative Officer will provide updated information regarding economic trends, cash flow, the credit market, and the status of the County's current budget and next year's budget - action requested - 1) ACCEPT FISCAL YEAR 2008/2009 SECOND QUARTER FINANCIAL REPORT; 2) DIRECT STAFF TO RETURN WITH SPECIFIC MEASURES TO REDUCE ONGOING EXPENDITURES FOR CONSIDERATION AT THE MARCH 3, 2009 BOARD OF SUPERVISORS MEETING; AND 3) AUTHORIZE THE CHAIR TO SIGN A LETTER TO STATE OF CALIFORNIA REPRESENTATIVES ADVISING THAT THE COUNTY WILL LIKELY BE FORCED TO CLOSE DOWN HEALTH AND HUMAN SERVICE PROGRAMS AND TRANSPORTATION PROJECTS IN EARLY SPRING IF THE STATE PAYMENTS FOR THESE SERVICES ARE NOT PROVIDED TIMELY. (Chief Administrative Office)(1428)(42:32)

PRESENTATION BY GREGORY G. ITURRIA, INTERIM CHIEF ADMINISTRATIVE OFFICER.

MOTION: I MOVE TO 1) ACCEPT FISCAL YEAR 2008/2009 SECOND QUARTER FINANCIAL REPORT; 2) DIRECT STAFF TO RETURN WITH SPECIFIC MEASURES TO REDUCE ONGOING EXPENDITURES FOR CONSIDERATION AT THE MARCH 3, 2009 BOARD OF SUPERVISORS MEETING; AND 3) AUTHORIZE THE CHAIR TO SIGN A LETTER TO STATE OF CALIFORNIA REPRESENTATIVES ADVISING THAT THE COUNTY WILL LIKELY BE FORCED TO CLOSE DOWN HEALTH AND HUMAN SERVICE PROGRAMS AND TRANSPORTATION PROJECTS IN EARLY SPRING IF THE STATE PAYMENTS FOR THESE SERVICES ARE NOT PROVIDED TIMELY.

M 2

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

RECESS: 10:25 A.M.
RECONVENE: 10:35 A.M.

REGULAR AGENDA

0903-007 A Matter on Which a Public Hearing Has Been Held and a Motion of Intent Adopted - Appeal of Planning Commission's Denial of Variance 08-0001 (Ronald Kohler) - At the January 27, 2009 Board of Supervisors meeting, the Board considered an appeal of a Planning Commission denial of a variance to allow a deck and deck cover to encroach 2.5 feet into the required 5-foot side setback. The Board made a motion of intent with findings to uphold the appeal by the applicant - action requested - ADOPT RESOLUTION 09-018 MAKING FINDINGS, UPHOLDING THE APPEAL, AND APPROVING VARIANCE 08-0001. (Department of Development Services)

MOTION: I MOVE TO ADOPT RESOLUTION MAKING FINDINGS, UPHOLDING THE APPEAL, AND APPROVING VARIANCE 08-0001.

2 M

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

0903-008 Report on Butte County Tourism Program - Presentation by Debra Lucero & Associates on Butte County's Tourism Program - action requested - ACCEPT FOR INFORMATION. (Chief Administrative Office)

PRESENTATION BY DEBRA LUCERO.

PUBLIC HEARINGS AND TIMED ITEMS

0903-009 Timed Item - Interim 2008 Countywide User Fee Study Report - presentation of the Interim 2008 Countywide User Fee Study Report/Cost Analysis generated by NBS Local Government Solutions. The report details the cost of County services eligible for User Fees. This study was commissioned by the Administrative Office at the direction of the Board of Supervisors five years ago to conduct such studies at regular intervals. Departments will utilize the results of this report to recommend updated fee amounts at a future meeting. Consideration will be given to local conditions, prevailing market rates, and public benefit attributable to each activity prior to making the final recommendations - action requested - ACCEPT FOR INFORMATION; DIRECT STAFF TO RETURN WITH PROPOSED FEES, CLEARLY IDENTIFYING ANY DEPARTMENT RECOMMENDED DISCOUNTS; AND DIRECT STAFF TO PREPARE A COMPREHENSIVE MASTER FEE SCHEDULE REPORTING ALL CURRENT AND RECOMMENDED FEES. (Chief Administrative Office)

PRESENTATION BY GREGORY G. ITURRIA, INTERIM CHIEF ADMINISTRATIVE OFFICER. JANNETTE HAHN FROM NBS PROVIDED A REPORT. (*800)(1:56:51)

A MEMBER OF THE PUBLIC, JOHN KELTIE, ADDRESSED THE BOARD.

MR. ITURRIA INFORMED THE BOARD THAT STAFF WILL BRING BACK A COMPREHENSIVE MASTER FEE SCHEDULE REPORTING ALL CURRENT AND RECOMMENDED FEES. IT IS EXPECTED THIS ITEM WILL RETURN ON THE MARCH 24, 2009 BOARD AGENDA.

0903-010 Butte County Community Wildfire Protection Plan (CWPP) 2009 - approval is requested for the certification of the CWPP and a project list amendment for 2009. The CWPP serves as the County's master wildland fire planning document and certification of the plan and the amendment is critical for applications to 2009 State and Federal grants - action requested - APPROVE THE PROJECT LIST AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN THE COMMUNITY WILDFIRE PROTECTION PLAN CERTIFICATION AND AGREEMENT.
(Fire)(*1326)(2:10:05)

BRENDA WRIGHTMEYER ADDRESSED THE BOARD.

MOTION: I MOVE TO APPROVE THE PROJECT LIST AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN THE COMMUNITY WILDFIRE PROTECTION PLAN CERTIFICATION AND AGREEMENT.

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

0903-011 Resolution to Authorize the Sale and Issuance of Oroville Union High School District (OUHSD) Election of 2008 General Obligation Bonds - consideration of a resolution which authorizes the issuance of \$12,000,000 in general obligation bonds. Pursuant to the approval of more than 55% of the voters in the November 4, 2008 election, and the resolution adopted on January 21, 2009 by the OUHSD, it is requested the Board authorize the issuance of the bonds on behalf of the OUHSD. The bonds are payable from the levy of an ad valorem tax against the taxable property in the District and are not an obligation of the County - action requested - ADOPT RESOLUTION 09-019 AND AUTHORIZE THE CHAIR TO SIGN.
(Treasurer/Tax Collector)

PRESENTATION BY PEGGY MOAK, ASSISTANT TREASURER/TAX COLLECTOR.

MOTION: I MOVE TO ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

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

CLOSED SESSION

0903-012 **THE BOARD RECESSED AT 11:46 A.M. TO CLOSED SESSION REGARDING:**

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION (NIGC); CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA;
3. SIGNALIZED INTERSECTION V. COUNTY OF BUTTE (BUTTE CO. SUP. COURT CASE NO. 145636);
4. BUTTE ENVIRONMENTAL COUNCIL V. COUNTY OF BUTTE (BUTTE CO. SUP. COURT CASE NO. 144968); AND
5. FIRST RESPONDER V. COUNTY OF BUTTE; COURT OF APPEAL, THIRD APPELLATE DISTRICT, CASE NO. C060407.

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

THE BOARD RECONVENED AT 1:07 P.M. FROM CLOSED SESSION REGARDING:

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION (NIGC); CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA;
3. SIGNALIZED INTERSECTION V. COUNTY OF BUTTE (BUTTE CO. SUP. COURT CASE NO. 145636);
4. BUTTE ENVIRONMENTAL COUNCIL V. COUNTY OF BUTTE (BUTTE CO. SUP. COURT CASE NO. 144968); AND
5. FIRST RESPONDER V. COUNTY OF BUTTE; COURT OF APPEAL, THIRD APPELLATE DISTRICT, CASE NO. C060407.

INITIATION OF LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(c) - ONE POTENTIAL CASE. (No Announcements)

REGULAR AGENDA

0903-013 Regulations for Limited Density Owner-Built Rural Dwellings - Discussion of a draft ordinance which would allow for the adoption of regulations for Limited Density Owner-Built Rural Dwellings in Concow fire area - action requested - DISCUSS DRAFT ORDINANCE AND PROVIDE DIRECTION; AND DIRECT THE OFFICE OF COUNTY COUNSEL TO PREPARE AN ORDINANCE FOR ADOPTION BASED ON DIRECTION. (Department of Development Services)

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICE AND SCOTT RUTHERFORD, MANAGER, BUILDING DIVISION PROVIDED A REPORT TO THE BOARD.

THE FOLLOWING MEMBERS OF THE PUBLIC ADDRESSED THE BOARD: SARAH SALSBURY, SHARON NORTH, DOT MORRIS, DAVE SCHLAGER, AMANDA PYLE, MARVIN ROUTE, AND THOMAS GRUGG.

THE BOARD PROVIDED SPECIFIC DIRECTION AND AMENDMENTS TO DEVELOPMENT SERVICES AND COUNTY COUNSEL REGARDING THE KEY POINTS ON THE PROPOSED ORDINANCE. STAFF WILL INCORPORATE BOARD CHANGES AND DIRECTION AND RETURN TO THE BOARD FOR INTRODUCTION AND ADOPTION OF THE ORDINANCE

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

Recessed at 2:35 p.m. as the Butte County Board of Supervisors and Convene as the Thompson Flat Cemetery District Board of Directors.

THOMPSON FLAT CEMETERY DISTRICT
BOARD OF DIRECTORS
MINUTES
FEBRUARY 10, 2009

Called to Order at 2:35 p.m. in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Members present: Dolan, Kirk, Lambert, Yamaguchi and Connelly. Also present: Assisant Clerk, Kathleen Moghannam.

Agenda Items (NO ITEMS)

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 is prohibited from taking action on any item not listed on the agenda.

0901-001 Adjournment

Adjourned at 2:35 p.m. as the Thompson Flat Cemetery District Board of Directors and convene as the Butte County Public Facilities Financing Corporation Board of Directors.

BUTTE COUNTY PUBLIC FACILITIES FINANCING CORPORATION

MINUTES

FEBRUARY 10, 2009

Called to Order at 2:35 p.m. in the Board of Supervisors Room, 25 County Center Drive, Oroville. Board members present: Connelly, Dolan, Yamaguchi, Kirk and Lambert. Also present: Kathleen Moghannam, Deputy Clerk.

0901-001 Approval of Minutes - action requested - APPROVE MINUTES OF SEPTEMBER 8, 2008.

MOTION: I MOVE TO APPROVE THE MINUTES OF SEPTEMBER 9, 2008.
2 M

VOTE: 1 Y 2 Y 3 Y 4 AB 5 Y (MOTION CARRIED 4-0 WITH SUPERVISOR LAMBERT ABSTAINING)

0901-002 Appointment of New Officers - action requested - APPOINT OFFICERS AS FOLLOWS: PRESIDENT - CHAIR CONNELLY; VICE PRESIDENT - VICE CHAIR DOLAN; SECRETARY/TREASURER - C. LINDA BARNES; AND LESSEE REPRESENTATIVES - C. LINDA BARNES AND PEGGY MOAK.

MOTION: I MOVE APPOINT OFFICERS AS FOLLOWS: PRESIDENT - CHAIR CONNELLY; VICE PRESIDENT - VICE CHAIR DOLAN; SECRETARY/TREASURER - C. LINDA BARNES; AND LESSEE REPRESENTATIVES - C. LINDA BARNES AND PEGGY MOAK.

VOTE: 2 M
1 Y 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 is prohibited from taking action on any item not listed on the agenda.

Other Business (None)

Adjournment

Adjourned at 2:36 p.m. as the Butte County Public Facilities Financing Corporation Board of Directors and reconvene as the Board of Supervisors.

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.

ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 2:37 P.M., TO RECONVENE AT A SPECIAL MEETING OF THE BOARD TO BE HELD WEDNESDAY, FEBRUARY 18, 2008 AT 9:00 A.M.

BILL CONNELLY, CHAIR
BUTTE COUNTY BOARD OF SUPERVISORS

ATTEST:

Gregory G. Iturria, Interim Chief Administrative
Officer and Clerk of the Board

By: _____