

# BUTTE COUNTY BOARD OF SUPERVISORS

## MINUTES

APRIL 7, 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 9:06 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. Iturria, 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)

0908-001 ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION.

1. Resolution Authorizing the Issuance of Butte-Glenn Community College District Election of 2002 General Obligation Bonds, Series C - consideration of a resolution authorizing the issuance of Series C Bonds to complete the construction and improvement projects approve by the voters in 2002. These bonds are general obligations of the District and do not constitute an obligation of the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AUTHORIZE THE DEPARTMENT TO PROCESS ALL DOCUMENTS NECESSARY TO COMPLETE THE SALE AND ISSUANCE OF BONDS. (Treasurer-Tax Collector)

THE DEPARTMENT REQUESTED THIS ITEM BE REMOVED FROM THE CONSENT AGENDA AND PLACED ON THE REGULAR AGENDA.

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CONSENT AGENDA

- 0908-002
1. Work Training Center (WTC) - amendment - approval is requested for an amendment to the agreement with WTC for the provision of the Stomp Out Stigma program in which Department of Behavioral Health consumers provide information and education regarding mental illness to community groups. The amendment increases the maximum amount payable by \$12,000 (department budget utilizing Mental Health Services Act funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

2. Department of Alcohol and Drug Programs (ADP) - amendment - approval is requested for an amendment to the Combined Negotiated Net Amount (NNA) and Drug/Medi-Cal agreement with ADP. The amendment increases the Fiscal Year 2009/2010 amount receivable by \$58,747 (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 No. 09-048 APPROVING AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Contract No. R40955)(Behavioral Health)
3. Adoption of an Ordinance Amending Chapter 8 of the Butte County Code Relating to Emergency Services - consideration of an ordinance which will change the name of the Butte County Office of Emergency Services to the Butte County Office of Emergency Management in order to remain consistent with the California Emergency Management Agency, formerly called the State Office of Emergency Services. The ordinance also contains minor changes to be consistent with State and Federal emergency response guidelines - action requested - ADOPT ORDINANCE NO. 4002 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 3-24-09 [Item 3.11])(Chief Administrative Office)
4. Butte County Public Defender Consortium - In 2008, the Butte County Public Defender Consortium extended its agreement with the County for a three-year period. The agreement included a 1% cost of living adjustment (COLA) effective July 1, 2009. The Executive Director of the Consortium has informed the County that the Consortium has elected to forego this COLA - action requested - ACCEPT FOR INFORMATION. (Chief Administrative Office)
5. Oroville Cemetery District - On March 3, 2009, the Board of Supervisors passed a motion to remove a single trustee from the Oroville Cemetery District. While the Board has the authority to remove all appointed trustees and appoint itself as the board of trustees, the power to remove only one trustee is more limited - action requested - 1) RECONSIDER THE MARCH 3, 2009 ACTION REMOVING GORDON ANDOE FROM THE OROVILLE CEMETERY DISTRICT; 2) RESCIND THE MARCH 3, 2009 ACTION; AND 3) REINSTATE HIM TO A TERM TO END JANUARY 1, 2011. (County Counsel)
6. Adoption of an Ordinance Adopting Standards for Limited Density Owner-Built Dwellings with Findings - consideration of an ordinance adding regulations for Limited Density Owner-Built Rural Dwellings as provided in Title 25 of the California Code of Regulations to Chapter 26 of the Butte County Code. At the March 24, 2009 meeting, the Board directed that three references to the "principal residence" on pages 2, 3 and 5 of the proposed ordinance be changed to only show "residence" - action requested - ADOPT ORDINANCE NO. 4003 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 3-24-09 [Item 4.05])(Development Services)

7. Resolution Approving the Utilization of Twenty-Four (24) Density Transfer Units (DTUs) for the Emerald Sea Tentative Subdivision Map (TSM 05-18 Schuster) - consideration of the utilization of 24 DTUs for the Emerald Sea Tentative Subdivision Map in accordance with the provisions of the Stephens' Development Agreement relating to the Sierra Moon Subdivision (TSM 03-01 Schuster). The Butte County Planning Commission approved TSM 05-18 to divide a 250-acre property located at 3746 Keefer Road in and adjacent to the North Chico Specific Plan into 34 residential parcels ranging in size from 1.39 acres to 64.60 acres on February 26, 2009. The Planning Commission conditioned approval of TSM 05-18 upon adoption of a resolution by the Board of Supervisors authorizing the utilization of the DTUs in the proposed subdivision - action requested - ADOPT RESOLUTION NO. 09-049 AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)  
  
\* PLEASE SEE MOTION ON CONSENT AGENDA FOR THE VOTE ON THE ITEM ABOVE.
8. Pacific Municipal Consultants (PMC) - amendment - approval is requested for an amendment to the agreement with PMC to modify and clarify the scope of work on the Las Plumas Master Environmental Assessment Project. The amendment extends the term of the agreement through September 30, 2009 and increases the maximum amount payable by \$6,925 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Development Services)
9. Transfer of Equipment - approval is requested to transfer two computers to the Butte Interagency Narcotics Task Force (BINTF). The computers are not on the department's fixed asset ledger and are valued under \$50 each - action requested - AUTHORIZE TRANSFER OF TWO COMPUTERS TO BINTF. (District Attorney)
10. California Department of Forestry and Fire Protection (CAL FIRE) - approval is requested for the cooperative agreement with CAL FIRE for the provision of fire protection services in the unincorporated areas of Butte County. The term of this agreement is July 1, 2008 through June 30, 2009 with a maximum amount payable of \$13,058,827 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RELATED RESOLUTION NO. 09-050 APPROVING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Fire)

11. Signature Services, A Property Management Company - approval is requested for a recast lease agreement with Signature Services for the property located at 5910 Clark Road, Suites H & I. The Department of Behavioral Health operates the Paradise Community Counseling Center out of this location. The facility is comprised of approximately 2,736 square feet of office space. The term of the agreement is April 1, 2009 through March 31, 2012 with an initial monthly payment of \$2,276.54 which is \$0.83207 per square foot. Fixed rate increases of 1.5% and 2.5% in the second and third years of the lease replace less favorable escalation terms based on the Consumer Price Index - action requested - APPROVE RECAST LEASE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (General Services)
12. Resolutions Honoring Butte County Employees for Dedicated Years of Service - presentation of awards to Butte County employees. Jane Dolan, Walter Dunn, Rosemary Dickson, and Vance Severin each have thirty years of service to Butte County - action requested - ADOPT RESOLUTION NOS. 09-051, 09-052, 09-053, 09-054 (4) AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
13. Library Donations - pursuant to Government Code Section 25355, donations of \$731.80 from the Oroville Friends of the Library; \$3,000 from the Chico Friends of the Library; \$200 from Maudie Penney; \$225.50 from an anonymous source; \$100 from Ron and Nancy Brower in honor of Edith Springer; \$200 from Sheri Pybas; and \$550 from CA Bilingual Association have been received for Books; \$471.60 from Friends of the Library; and \$435.95 from Gridley Friends of the Library have been received for Operations - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION. (Library)
14. Resolution Establishing Public Service Hours for Butte County Library - consideration of a resolution which details new public service hours for all branches of the Butte County Library as detailed in the agenda report. These changes are a result of the need to immediately reduce budget expenditures - action requested - ADOPT RESOLUTION NO. 09-055 AND AUTHORIZE THE CHAIR TO SIGN. (Library)
15. California Department of Public Health - (CDPH) - approval is requested for a revenue agreement with CDPH for the provision of activities that will raise the immunization rates of infants, preschool age, and school age children. The term of the agreement is January 1, 2009 through December 31, 2009 with a maximum amount receivable of \$67,683 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Health)

- 16. Resolution of Intent to Name a Public Road - Reconstruction of Highway 99 created a new frontage road that requires a road name. The County requested that the property owners served by the road submit road name preferences. Four of the five property owners who responded recommended the name Book Farm Road. One property owner requested three alternate names, each of which duplicated existing roads within Butte County. The road name coordinator recommends the name Book Farm Road be approved - action requested - ADOPT RESOLUTION NO. 09-056 WHICH SETS A PUBLIC HEARING FOR APRIL 21, 2009 AT 10:10 A.M. AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 17. Transfer of Asset - In 1996, the Sheriff's office accepted a 1984 military ambulance for use as the Sheriff's SWAT vehicle which was used until last year when a new vehicle was purchased with OES grant funds. In 1996, the title was recorded to show Butte County as the sole owner, but the title should have shown the U.S. Government as the lien holder. Approval is requested to transfer the vehicle back to the U.S. Government - action requested - APPROVE TRANSFER OF COUNTY VEHICLE #768 BACK TO THE U.S GOVERNMENT. (Sheriff-Coroner)
- 18. Monthly Investment Report - submitted is the Monthly Investment Report dated February 27, 2009, in accordance with the Statement of Investment Policy dated July 1, 2008 - action requested - ACCEPT FOR INFORMATION. (Treasurer-Tax Collector)
- 20. Water Advisory Committee - action requested - ACCEPT THE RECOMMENDATION OF THE BUTTE COUNTY WATER COMMISSION, AND REAPPOINT NORA TODENHAGEN TO A TERM TO END JANUARY 6, 2013. (Water and Resource Commission)
- 21. Amendment to Butte County Water Advisory Committee (WAC) By-Laws - approval is requested for amendments to the WAC by-laws. The Butte County Water Commission reviewed and approved the amendments at their March 4, 2009 meeting - action requested - ACCEPT THE RECOMMENDATION OF THE BUTTE COUNTY WATER COMMISSION, AND APPROVE AMENDED BY-LAWS. (Water and Resource Commission)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF ITEM 3.19 WHICH WAS MOVED FROM THE CONSENT AGENDA TO THE REGULAR AGENDA. APPROVAL OF THE CONSENT AGENDA IS MADE WITH THE NOTATION THAT SUPERVISOR DOLAN VOTED NO ON ITEM 3.07, THE RESOLUTION APPROVING THE UTILIZATION OF TWENTY-FOUR (24) DENSITY TRANSFER UNITS (DTUS) FOR THE EMERALD SEA TENTATIVE SUBDIVISION MAP (TSM 05-18 SCHUSTER)

2 M

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

REGULAR AGENDA

0908-003 ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION.

1. Resolution Authorizing the Issuance of Butte-Glenn Community College District Election of 2002 General Obligation Bonds, Series C - consideration of a resolution authorizing the issuance of Series C Bonds to complete the construction and improvement projects approve by the voters in 2002. These bonds are general obligations of the District and do not constitute an obligation of the County of Butte - action requested - ADOPT RESOLUTION NO. 09-057 AND AUTHORIZE THE CHAIR TO SIGN; AUTHORIZE THE DEPARTMENT TO PROCESS ALL DOCUMENTS NECESSARY TO COMPLETE THE SALE AND ISSUANCE OF BONDS. (Treasurer-Tax Collector)

THE DEPARTMENT REQUESTED THIS ITEM BE REMOVED FROM THE CONSENT AGENDA AND PLACED ON THE REGULAR AGENDA.

MOTION: I MOVE TO ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AUTHORIZE THE DEPARTMENT TO PROCESS ALL DOCUMENTS NECESSARY TO COMPLETE THE SALE AND ISSUANCE OF BONDS.

2 M

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

0908-004 PRESENTATION OF RESOLUTIONS TO ADOPTED ON THE CONSENT AGENDA:

1. RESOLUTION HONORING JANE DOLAN FOR 30 YEARS OF SERVICE TO BUTTE COUNTY.
2. RESOLUTION HONORING ROSEMARY DICKSON FOR 30 YEARS OF SERVICE TO BUTTE COUNTY.
3. RESOLUTION HONORING VANCE SEVERIN FOR 30 YEARS OF SERVICE TO BUTTE COUNTY.

WALTER DUNN, WHO ALSO HAS 30 YEARS OF SERVICE TO BUTTE COUNTY, WAS UNABLE TO ATTEND.

0908-005 Boards, Commissions and Committees.

- 1. Appointments to Listed Vacancies. (NONE)
- 2. Discussion on Board Representative to Northern Regional Training and Education Consortium (NoRTEC) Governing Board and Workforce Investment Board (WIB) - action requested - CONSIDER NEW BOARD REPRESENTATIVE TO NORTEC/WIB AND MAKE APPOINTMENT; AND/OR AUTHORIZE FORMAL REQUEST TO NORTEC TO CHANGE MEETING DATES. (Supervisor Dolan)

SUPERVISOR DOLAN REPORTED THAT SHE IS BUTTE COUNTY'S REPRESENTATIVE ON THE NORTEC BOARD, WHICH MEETS FOUR TIMES PER YEAR. HOWEVER, SHE IS NEVER ABLE TO ATTEND BECAUSE THE NORTEC MEETINGS CONFLICT WITH THE BUTTE COUNTY ASSOCIATION OF GOVERNMENTS (BCAG) AND BUTTE COUNTY AIR QUALITY MANAGEMENT DISTRICT MEETINGS WHICH ARE HELD ON THE 4<sup>TH</sup> THURSDAY OF EACH MONTH.

THE BOARD DID REQUEST THAT INTERIM CHIEF ADMINISTRATIVE OFFICER ASSIGN A STAFF MEMBER TO ATTEND THE QUARTERLY MEETINGS IF NORTEC IS UNABLE TO CHANGE THE MEETING DATES AS REQUESTED. (20:51)

MOTION: I MOVE TO AUTHORIZE FORMAL REQUEST TO NORTEC TO CHANGE THEIR MEETING DATES.

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

- 3. Board Member or Committee Reports.

SUPERVISOR KIRK REQUESTED THAT THE BOARD RE-ESTABLISH AN AD-HOC DEPARTMENT HEAD COMPENSATION SUBCOMMITTEE TO REVIEW APPOINTED DEPARTMENT HEADS SALARIES, CONTRACTS, AND THE PAY FOR PERFORMANCE PROGRAM. (26:24)

MOTION: I MOVE TO APPOINT SUPERVISOR KIRK TO THE DEPARTMENT HEAD COMPENSATION SUBCOMMITTEE.

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

MOTION: I MOVE TO APPOINT SUPERVISOR DOLAN TO THE DEPARTMENT HEAD COMPENSATION SUBCOMMITTEE.

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

SUPERVISOR YAMAGUCHI REPORTED THAT THE FOREST RANCH COMMUNITY HAS RE-ESTABLISHED A FIRE SAFE COUNCIL.

SUPERVISOR YAMAGUCHI ALSO REPORTED THAT NORCAL EMS IS ASKING FOR A POTENTIAL INCREASE IN THEIR FEES. HE WILL REPORT BACK WHEN A DECISION IS MADE.



SUPERVISOR LAMBERT REPORTED THAT HE AND SUPERVISOR CONNELLY ATTENDED THE SUTTER BUTTES FLOOD CONTROL AGENCY MEETING. HE ALSO REPORTED THAT HE WILL BE HOLDING A TOWN HALL MEETING ON APRIL 23 AT 6:30 AT THE FARMER'S HALL IN GRIDLEY TO DISCUSS THE POTENTIAL THAT THE AREA MAY BE DESIGNATED AS PART OF A FLOOD PLAIN AT SOME POINT IN THE FUTURE.

SUPERVISOR LAMBERT REPORTED THAT SUTTER COUNTY WILL BE ADDED TO THE FOUR COUNTY MEMORANDUM OF UNDERSTANDING (MOU) CURRENTLY MADE UP OF BUTTE, COLUSA, GLENN AND TEHAMA COUNTIES. ON APRIL 1, 2009, THE BUTTE COUNTY WATER COMMISSION APPROVED A RECOMMENDATION TO THE BOARD OF SUPERVISORS TO SUPPORT THE ADDITION OF SUTTER COUNTY.

SUPERVISOR KIRK REPORTED THAT SHE AND SUPERVISOR LAMBERT ATTENDED THE PEACE OFFICER OF THE YEAR LUNCHEON.

SUPERVISOR DOLAN REPORTED THAT THE BUTTE COUNTY DEPARTMENT OF WATER AND RESOURCE CONSERVATION WILL BE HOLDING A WATER AWARENESS WORKSHOP ON THURSDAY, APRIL 16, 2009 AT THE CHICO MASONIC FAMILY CENTER.

CHAIR CONNELLY THAT HE AND SUPERVISOR LAMBERT MET WITH THE MAYOR AND VICE MAYOR OF THE CITY OF OROVILLE, AND THE MAYOR WAS OPEN TO DISCUSSIONS ON REVENUE SHARING WITH THE COUNTY. HE AND SUPERVISOR LAMBERT WILL CONTINUE TO MEET WITH THE CITY AND WILL REPORT BACK TO THE FULL BOARD ON THE PROGRESS OF THE MEETINGS.

BRUCE ALPERT, COUNTY COUNSEL REPORTED THAT CONGRESSMAN TOM MCCLINTOCK HAS WRITTEN A STRONG LETTER IN SUPPORT OF BUTTE COUNTY REGARDING THE BUTTE COUNTY'S EFFORTS AND SUPPORTS THE CONCEPT OF INTERIM FINANCIAL RELIEF TO BUTTE COUNTY.

0908-006 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 STATE BUDGET. HE REPORTED THAT THE STATE OF CALIFORNIA WILL NOT BE RECEIVING \$10 BILLION IN FEDERAL FUNDS TO AVOID \$1.8 BILLION IN HIGHER TAXES AND \$948 MILLION IN PROGRAM CUTS. HE REPORTED THAT THE LEGISLATIVE ANALYST'S OFFICE IS NOW ESTIMATING A STATE DEFICIT OF \$8 BILLION WHICH COULD INCREASE TO \$15 BILLION IF THE MAY 19, 2009 BALLOT MEASURES FAIL. (49:12)

0908-007 Update of General Plan 2030 Process by Director-Development Services.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED AN UPDATE TO THE BOARD.

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RECESS: 10:05 A.M.  
RECONVENE: 10:20 A.M.

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0908-008 Discussion Regarding Butte County Assessor Vacancy - On March 20, 2009, Butte County's Assessor, Ken Reimers announced his resignation from his position as County Assessor effective April 30, 2009. Pursuant to Government Code Section 25304, the Board of Supervisors must fill a vacancy to this position. The appointee will hold office for the balance of the term which ends January 3, 2011 - action requested - DISCUSS THE APPOINTMENT PROCESS AND DIRECT STAFF AS NEEDED. (Chief Administrative Office)

GREG ITURRIA, INTERIM CHIEF ADMINISTRATIVE OFFICER PRESENTED THIS ITEM.

THE BOARD DIRECTED THAT STAFF PROVIDE A REPORT AT THE NEXT BOARD OF SUPERVISORS MEETING (APRIL 21, 2009). (1:00:54)

0908-009 Consideration of Options for County Service Area (CSA) No. 31 (Schohr's Swimming Pool District) and CSA No. 34 (Gridley Swimming Pool District) - The Butte Local Agency Formation Commission (LAFCO) has requested the Board of Supervisors review and consider options for the two swimming pool districts - action requested - PROVIDE COMMENTS FOR STAFF TO SUBMIT TO LAFCO. (Public Works/Chief Administrative Office)

PRESENTATION BY MIKE CRUMP, DIRECTOR OF PUBLIC WORKS.

THE BOARD DIRECTED THE RESPONSE LETTER TO LAFCO SHOULD STATE THAT CSA 31 AND CSA 34 SHOULD CONTINUE TO PROVIDE SWIMMING POOL SERVICES UNTIL A MORE SUITABLE ENTITY, SUCH AS A RECREATION AND PARK DISTRICT CAN OFFER MORE RECREATIONAL ACTIVITIES FOR THE RESIDENTS OF THE SOUTH COUNTY. THE BOARD INDICATED THAT IT WOULD BE APPROPRIATE THAT THE CITIES OF BIGGS AND GRIDLEY BE THE JURISDICTIONS TO ASSIST WITH THE ESTABLISHMENT OF A RECREATIONAL ENTITY TO SERVE SOUTH COUNTY RESIDENTS. (1:06:29)(1:18:15)

0908-010 Discussion on the Butte County Master Fee Schedule - On March 24, 2009, the Board of Supervisors adopted a comprehensive Master Fee Schedule that included many revisions to existing fees. Due to the level of public interest, the Board of Supervisors has requested additional discussion regarding these fees. Staff from various departments will be available to respond to questions regarding specific fees - action requested - PROVIDE DIRECTION TO STAFF AND DIRECT THAT ANY CHANGES TO THE ADOPTED MASTER FEE SCHEDULE RETURN ON A FUTURE AGENDA FOR CONSIDERATION AT A NOTICED PUBLIC HEARING. (1:22:19)(1:30:18)

PRESENTATION BY SHARI MCCRACKEN, DEPUTY ADMINISTRATIVE OFFICER.

MOTION: I MOVE TO HAVE THE ALL FEES FOR THE FOLLOWING DEPARTMENTS COME BACK BEFORE THE BOARD FOR FURTHER CONSIDERATION: FIRE, DEVELOPMENT SERVICES, ASSESSOR, AND THE ENVIRONMENTAL HEALTH DIVISION OF PUBLIC HEALTH.

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

D.C. JONES AND BOB KROMER ADDRESSED THE BOARD.

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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.

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0908-011 Recessed at 10:55 a.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  
APRIL 7, 2009

Called to order at 10:55 a.m. in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Members present: Dolan, Kirk, Lambert, Yamaguchi and Chair Connelly. Also present: Assisant Clerk, Kathleen Moghannam.

Agenda Items

0902-001 Election of Butte Local Agency Formation Commission (LAFCO) Special District Representatives - submitted is an election ballot for two LAFCO positions: the Non-Enterprise Special District Regular Commissioner and the Enterprise or Non-Enterprise Special District Alternate Commissioner. The Board of Directors may vote for the nominees included on the ballot for either or both positions or may vote for a write-in candidate - action requested - 1) SELECT A CANDIDATE FOR THE NON-ENTERPRISE SPECIAL DISTRICT REGULAR COMMISSIONER; AND 2) SELECT A CANDIDATE FOR THE ENTERPRISE OR NON-ENTERPRISE SPECIAL DISTRICT ALTERNATE COMMISSIONER.

MOTION: I MOVE TO APPOINT LOREN GILL FOR THE THE NON-ENTERPRISE SPECIAL DISTRICT REGULAR COMMISSIONER; AND APPOINT LOREN GILL FOR THE ENTERPRISE OR NON-ENTERPRISE SPECIAL DISTRICT ALTERNATE COMMISSIONER.

M 2

VOTE: 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.

Adjournment

Adjourned at 10:59 a.m. as the Thompson Flat Cemetery District Board of Directors and convene as the Butte County Board of Supervisors.

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PUBLIC HEARINGS AND TIMED ITEMS (None)

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CLOSED SESSION

0908-012 **THE BOARD RECESSED AT 11:00 A.M. TO CLOSED SESSION REGARDING:**

PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER AND LIBRARY DIRECTOR.

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
10. INFORMATION SERVICES DIRECTOR
11. LIBRARY DIRECTOR
12. PUBLIC HEALTH DIRECTOR
13. PUBLIC WORKS DIRECTOR
14. WATER AND RESOURCE CONSERVATION DIRECTOR.

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

LABOR NEGOTIATORS: LAURA BRUNSON  
EMPLOYEE ORGANIZATION: BCEA, BCMEA, CWA, DSA -  
MANAGEMENT/SUPERVISORY UNIT, DSA -  
GENERAL UNIT, BCCOA - SUPERVISORY  
UNIT, BCCOA - GENERAL UNIT, PPOA, AND  
PEA.

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): THREE 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. LIGHTNER V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 136070.

**THE BOARD RECONVENED AT 1:22 P.M. TO CLOSED SESSION REGARDING:**

PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER AND LIBRARY DIRECTOR.

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
10. INFORMATION SERVICES DIRECTOR
11. LIBRARY DIRECTOR
12. PUBLIC HEALTH DIRECTOR
13. PUBLIC WORKS DIRECTOR
14. WATER AND RESOURCE CONSERVATION DIRECTOR.

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

LABOR NEGOTIATORS: LAURA BRUNSON  
EMPLOYEE ORGANIZATION: BCEA, BCMEA, CWA, DSA -  
MANAGEMENT/SUPERVISORY UNIT, DSA -  
GENERAL UNIT, BCCOA - SUPERVISORY  
UNIT, BCCOA - GENERAL UNIT, PPOA, AND  
PEA.

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): THREE 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. LIGHTNER V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 136070. (No Announcements)

ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 1:22 P.M., TO RECONVENE AT A SPECIAL MEETING OF THE BOARD TO BE HELD TUESDAY, APRIL 14, 2009 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: \_\_\_\_\_