

BUTTE COUNTY BOARD OF SUPERVISORS

MINUTES

MAY 25, 2010



County Supervisors

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

Scott Tandy, Interim Chief
Administrative Officer and
Clerk of the Board

Bruce Alpert, County Counsel

Called to order at 9:05 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: Scott Tandy, 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.

Chair Connelly dedicated the moment of silence to George Gaekle, Butte County's first Chief Administrative Officer. He passed away on May 24, 2010.

Observation of a Moment of Silence.

1014-001 CORRECTIONS AND/OR CHANGES TO THE AGENDA.

1. Budget Adjustment - approval is requested for a budget adjustment in the amount of \$3,573. At Supervisor Dolan's request, these funds will be transferred from the District 2 travel and office supply accounts to the Library budget unit in order to pay for a self-check out machine for the Chico Branch - action requested - APPROVE BUDGET ADJUSTMENT (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Supervisor Dolan)

SCOTT TANDY, CHIEF ADMINISTRATIVE OFFICER REMOVED THIS ITEM FROM THE AGENDA FOR ADDITIONAL STAFF REVIEW. NO ACTION WILL BE TAKEN ON THIS ITEM. IT WILL RETURN ON ANOTHER AGENDA.

2. GovernmentJobs.com - agreement with GovernmentJobs.com to upgrade the existing computer software currently used for online job application, reporting, and tracking employees. The term of the agreement is from June 1, 2010 to June 30, 2012 with a maximum amount payable of \$46,500 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Human Resources)

SUPERVISOR YAMAGUCHI REQUESTED THIS ITEM BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

CONSENT AGENDA

- 1014-002 1. Requests from Butte County Resource Conservation District and Richvale Recreation and Park District for a Three-Year Audit Period - Government Code Section 26909(b)(3) allows special districts to replace a required annual audit with an audit to be conducted at specified intervals as recommended by the County Auditor. Both Districts have unanimously adopted resolutions requesting the three-year audit period - UNANIMOUSLY APPROVE REQUESTS FOR A THREE-YEAR AUDIT PERIOD FOR THE RESOURCE CONSERVATION DISTRICT AND THE RICHVALE RECREATION AND PARK DISTRICT. (Auditor-Controller)
2. Crestwood Behavioral Health, Inc. - amendment - Crestwood Behavioral Health, Inc. provides behavioral intervention and psychosocial rehabilitation to consumers with mental disorders in secure residential settings. The amendment increases the maximum amount payable by \$282,734.60 (department budget utilizing Realignment funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
3. Feather River Tribal Health, Inc. - amendment - Feather River Tribal Health, Inc. provides case assessment; individual, group, and family therapy; rehabilitation services; plan development; and crisis intervention for Behavioral Health clients. The amendment increases the maximum amount payable by \$42,552.20 (department budget utilizing State and Federal Medi-Cal funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
4. Kindred Healthcare, dba Medical Hill Rehab Center, LLC - amendment - Kindred Healthcare provides services to improve the adaptive functioning of chronic mentally disordered patients. The amendment increases the maximum amount payable by \$37,950 (department budget utilizing Realignment funds) - action requested - APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X17888) (Behavioral Health)
5. Modesto Residential Living Center, LLC - amendment - Modesto Residential Living Center, LLC provides 24 hour board and care for Behavioral Health patients. The amendment decreases the maximum amount to be paid by \$57,367.50 (department budget utilizing Realignment funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract x17928)(Behavioral Health)

6. Willow Glen Care Center - amendment - Willow Glen Care Center provides 24 hour residential care for chronically mentally ill elderly adults who are unable to maintain traditional residential placements. The amendment increases the maximum amount payable by \$67,214 (department budget utilizing Realignment funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.(Contract X17912)(Behavioral Health)
7. Valley Oak Children's Services - amendment - Valley Oak Children's Services provides therapeutic childcare services which includes case assessment, therapy, and crisis intervention. The amendment increases the maximum amount payable by \$121,554.34 (department budget utilizing MHSA funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.(Contract X17777)(Behavioral Health)
8. Resolution Opposing Any Elimination of Funding for Adult Health Care Centers - action requested - ADOPT RESOLUTION 10-077 AND AUTHORIZE THE CHAIR TO SIGN. (Supervisor Kirk)
9. Oroville Mosquito Abatement District - action requested - APPOINT DENNIS DIVER TO A TERM TO END MAY 25, 2012. (Supervisor Connelly)
10. Resolution Authorizing Examination of Sales and Use Tax Records - approval is requested for a resolution which will allow authorized representatives of the County to examine the confidential sales and use tax records of the State Board of Equalization (BOE) pertaining to sales and use taxes collected by the BOE for the County, pursuant to Revenue and Taxation Code Section 7056 - action requested - ADOPT RESOLUTION NO. 10-078 AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office)
11. Budget Adjustments - approval is requested for two budget adjustments in the Impact Fees Fund to accurately reflect the service levels which were adopted for the current fiscal year (FY) budget:

The first adjustment increases the transfer of Development Impact Fees by \$14,416 from Water Tender Impact Fee revenue to the Fire Protection Fund. This transfer is needed to fund already approved expenditures in the current FY for the Fire Protection Volunteer Program.

The second adjustment increases the account for refunds in the Impact Fees Fund by \$4,557. This adjustment is needed because a refund was issued in August of 2009, but without an adequate budget in place for this purpose, the charge was applied to the only current appropriation in the fund which is for the transfer of the Library Material Impact Fees to the Library Fund. Neither adjustment has a General Fund impact - action requested - APPROVE BUDGET ADJUSTMENTS (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS.(Chief Administrative Office)

12. Approval of Minutes - action requested - APPROVE MINUTES OF MARCH 30, 2010 AND MAY 11, 2010.(Chief Administrative Office)
13. Anne Robin - employment agreement with Anne Robin for the Director of Behavioral Health. The term of the agreement is June 7, 2010 through June 6, 2013 with an initial annual salary of \$127,800. A \$5,000 allowance is provided to cover actual relocation expenses - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)
14. Resolution Amending the Conflict of Interest Code to Include the Newly Created Wastewater Advisory Committee - The Political Reform Act (Gov. Code Sections 81000 et seq.) requires the County to amend its Conflict of Interest Code when circumstances change. The Wastewater Advisory Committee was recently created by Resolution No. 10-043. Therefore, the County's Conflict of Interest Code has been updated to include the Wastewater Advisory Committee and to provide for additional disclosure categories - action requested - ADOPT RESOLUTION NO. 10-079 AND AUTHORIZE THE CHAIR TO SIGN. (County Counsel)
15. Youth for Change - agreement with Youth for Change for the Adoptions Promotion and Support Program. The term of the agreement is March 1, 2010 through June 30, 2011 with a maximum amount payable of \$64,004 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE BUDGET ADJUSTMENT (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Employment and Social Services)
16. Budget Adjustment - approval is requested for a budget adjustment in the amount of \$10,500 from Contingencies for the repair of the septic system at Fire Station 64, Kelly Ridge - action requested - APPROVE BUDGET ADJUSTMENT (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (General Services)

17. Butte County Fair Board Association - agreement with Butte County Fair Board Association for sheltering large animals in the event of an emergency. The term of the agreement is November 1, 2009 through October 31, 2015. The rates are as follows: \$1,000 per day for use of each barn; \$1,500 per day for the Arena; and \$18 per day per camp site or RV site - action requested - APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.(General Services)
18. Resolution Adopting Butte County Salary and Benefits of Non-Represented Classifications - consideration of a resolution which will repeal and replace Resolution No. 07-184. This resolution updates the following sections:
- “Section 1.2 Salary - Deputy Administrative Officer and All Other Non-Represented Positions” - The new resolution allows the Board of Supervisors the discretion to consider maintaining historical salary relationships within the departments;
- “Section 5.2.1 - Retired Employee Options” - This section will now contain a two-tiered provision for retiree health benefits for employees hired after January 1, 2010 - action requested - ADOPT RESOLUTION NO. 10-080 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
19. County Medical Services Program Governing Board - The County Medical Services Program (CMSP) was established in 1983 to address the health care needs of medically indigent adults. At that time, Butte County entered into a County Participation Agreement with the State Department of Health Services (DHS) to participate in CMSP. Approval is requested for the Amended and Restated County Participation agreement with DHS which updates and clarifies the existing requirements, obligations, and practices related to CMSP - action requested - APPROVE THE AMENDED AND RESTATED COUNTY AGREEMENT FOR PARTICIPATION IN CMSP AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW OF COUNTY COUNSEL AND AUDITOR-CONTROLLER. (Public Health)
20. Resolution Authorizing the Submittal of a Grant Application to the California Department of Resources Recycling and Recovery (CalRecycle) - resolution authorizing the department to apply for funds to support local solid waste and landfill permit and inspection programs - action requested - ADOPT RESOLUTION NO. 10-081 AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR OF ENVIRONMENTAL HEALTH AND/OR A DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO THE GRANT. (Public Health)

21. Butte Oroville Veterinary Hospital - amendment - Butte Oroville Veterinary Hospital provides services for animals impounded by the Animal Control Division. The amendment extends the term of the agreement to June 30, 2011 and increases the maximum amount payable by \$8,000 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract X16162)(Public Health)
22. Fixed Asset Purchase - approval is requested to purchase one wireless temperature monitoring system which tracks the temperature of refrigerators and freezers that hold collected specimens. The estimated cost is \$7,500 (department budget utilizing H1N1 grant funds) - action requested - APPROVE FIXED ASSET PURCHASE OF MONITORING SYSTEM; AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS.(Public Health)
23. Resolution Amending the Improvement Standards Pursuant to Chapter 19 of the Butte County Code - consideration of a resolution which will amend the parts of the Improvement Standards that pertain to on-site wastewater systems. This resolution eliminates potential contradictory requirements between the new On-Site Wastewater Systems Ordinance, which becomes effective June 1, 2010, and provisions in the Improvement Standards for Subdivisions, Parcel Maps, and Site Improvement in Chapter 20 of the Butte County Code - action requested - ADOPT THE RESOLUTION NO. 10-082 AND AUTHORIZE CHAIR TO SIGN.(Public Health)
24. Construction of the Oro Bangor Highway Rehabilitation Project, County Project No. 10661-2009-1 - This project will rebuild a 2.1 mile section from Whitehall Ravine to Swedes Flat Road. The estimated construction costs of \$1,370,000 will be funded with \$1,200,000 in Proposition 1B funds and augmented with Road Funds to cover the balance - action requested - 1) APPROVE PLANS AND SPECIFICATIONS; 2) AUTHORIZE THE CHAIR AND DIRECTOR TO SIGN PLANS; AND 3) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ADVERTISE FOR BIDS. (Public Works)
25. Proposition 1B Local Streets and Roads Bond Funds - The State of California has announced plans to distribute the remainder of the Proposition 1B Funds and is requiring local entities to program these allocations. Approval is requested to program and allocate \$4,683,061.81 for FY 2009/10 - action requested - APPROVE THE PROGRAMMING AND ALLOCATION OF PROPOSITION 1B LOCAL STREETS AND ROAD FUNDS FOR PROJECTS DETAILED IN THE AGENDA REPORT.(Public Works)

- 26. Identix, Incorporated - amendment - Identix, Inc. provides maintenance services for two Livescan fingerprinting machines located in the Records Division and the jail. The amendment extends the term of the agreement through June 30, 2011. 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. (Sheriff-Coroner)
- 27. Resolution Recognizing Deputy Karen Taber Upon Her Retirement From Butte County - ADOPT RESOLUTION NO. 10-083 AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff-Coroner)
- 28. Adoption of an Ordinance Amending Butte County Code Section 2-166 Delegating Investment Authority to the Butte County Treasurer-Tax Collector - consideration of an ordinance which will delegate investment authority to the Treasurer-Tax Collector for Fiscal Year 2010/2011. This ordinance will replace No. 4005 which expires June 30, 2010 - action requested - ADOPT ORDINANCE 4022 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 5-11-10 [3.31])(Treasurer/Tax Collector)
- 29. Immedia, A Division of Columbia Ultimate - amendment - Immedia provides a customer letter and collections software system for the Central Collections Division. The amendment extends the term of the agreement through June 30, 2011 and increases the maximum amount payable by \$2,000 (department budget). 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. X10088)(Treasurer/Tax Collector)
- 30. 3Core Loan Administration Board - action requested - REAPPOINT CARLA HELD TO A TERM TO END JUNE 10, 2012. (Other Departments and Agencies)
- 31. Resolution Recognizing May 2010 as Teen Pregnancy Awareness Month - action requested - ADOPT RESOLUTION NO. 10-084 AND AUTHORIZE THE CHAIR TO SIGN. (Other Departments and Agencies)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION ITEM 3.09 WHICH WAS REMOVED FROM THIS AGENDA AND ITEM 3.19 WHICH WAS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

2 M

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

PRESENTATION OF RESOLUTIONS ADOPTED ON THE CONSENT AGENDA.

1. Resolution Opposing Any Elimination of Funding for Adult Health Care Centers - DIANE COOPER PUCKETT, DIRECTOR OF THE PEG TAYLOR CENTER ACCEPTED THE RESOLUTION. JUDY SIMMONS AND GEORGE DALY, REPRESENTATIVE FOR THE CENTER WERE ALSO IN ATTENDANCE.
2. Resolution Recognizing Deputy Karen Taber Upon Her Retirement From Butte County - DEPUTY TABER ACCEPTED THE RESOLUTION.
3. Resolution Recognizing May 2010 as Teen Pregnancy Awareness Month - LUANN CICCONE, CENTER DIRECTOR OF THE CHICO PLANNED PARENTHOOD OFFICE ACCEPTED THE RESOLUTION.

REGULAR AGENDA

1014-003 Boards, Commissions and Committees.

1. Appointments to Listed Vacancies. (None)
2. Hall of Records/Emergency Operations Center Ad Hoc Committee - action requested - ESTABLISH A HALL OF RECORDS/EMERGENCY OPERATIONS CENTER AD HOC COMMITTEE. (Chief Administrative Office)

MOTION: I MOVE TO APPOINT SUPERVISOR KIRK AND SUPERVISOR YAMAGUCHI TO THE HALL OF RECORDS/EMERGENCY OPERATION CENTER AD HOC COMMITTEE.

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

3. Board Member or Committee Reports.

SUPERVISOR DOLAN REPORTED ON THE SACRAMENTO RIVER CONSERVATUION AREA FORUM. (18:51)

SUPERVISOR LAMBERT REPORTED THAT THE BALLOTS FROM THE SUTTER BUTTE FLOOD CONTROL AGENCY THAT WILL BE MAILED OUT NEXT WEEK IN THE BIGGS/GRIDLEY AREA REGARDING THE FLOOD PROTECTION ASSESSMENT DISTRICT.

SUPERVISOR CONNELLY REPORTED ON A MEETING THAT HE AND SUPERVISOR LAMBERT HAD WITH THE BUTTE COUNTY WATER DEPARTMENT.

SUPERVISOR CONNELLY REPORTED ON A MEETING REGARDING THE FEDERAL ENERGY REGULATORY COMMISSION. (28:56)

SUPERVISOR KIRK REPORTED THAT THE ANNUAL REPORT OF THE FIRST 5 BUTTE COUNTY CHILDREN AND FAMILIES COMMISSION WILL BE ON THE JUNE 8, 2010 BOARD OF SUPERVISORS AGENDA.

SUPERVISOR YAMAGUCHI REPORTED ON THE BUTTE COUNTY BEHAVIORAL HEALTH BOARD.

1014-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer.

SCOTT TANDY, INTERIM CHIEF ADMINISTRATIVE OFFICER PROVIDED A REPORT TO THE BOARD.(31:28) HE REPORTED THAT BUTTE COUNTY HAS EARNED THE HIGHEST CREDIT RATING POSSIBLE FROM BOTH MOODY'S AND STANDARD & POOR'S CREDIT RATING AGENCIES. THESE RATINGS WILL ASSIST BUTTE COUNTY IN OBTAINING A TAX AND REVENUE ANTICIPATION NOTE (TRAN).

C. LINDA BARNES, TREASURER-TAX COLLECTOR ADDRESSED THE BOARD REGARDING THE CREDIT RATING. (35:40)

MR. TANDY REPORTED ON THE STATE BUDGET AND ANTICIPATED CUTS TO SOCIAL SERVICE PROGRAMS.

CATHI GRAMS, DIRECTOR OF EMPLOYMENT OF SOCIAL SERVICES AND BOB MARTINEZ, DIRECTOR OF BEHAVIORAL HEALTH ADDRESSED THE BOARD REGARDING HOW THE STATE BUDGET WILL AFFECT THE PROGRAMS IN THEIR DEPARTMENTS.

PUBLIC HEARINGS AND TIMED ITEMS

1014-005 Public Hearing - Itemized Cost of Nuisance Abatement for the Property Located at 2455 B Street, Oroville, CA, APN 035-112-003 - This property was abated by the County between February 23 and February 26, 2010 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$5,332.90 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 PETE CALARCO, ASSISTANT DIRECTOR OF DEVELOPMENT SERVICES. (52:30)

PUBLIC HEARING OPENED: 9:56 A.M.
PUBLIC HEARING CLOSED: 9:56 A.M.

MOTION: I MOVE TO APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$5,332.90 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)

1014-006 Public Hearing - Vacation of a Public Utility Easement Serving Lots 24-29 of the Thengvall Tract Unit One in the Town of Richvale - Property owners have submitted a request and petition to summarily vacate Public Utility Easements which have not been used by the public utilities in more than 25 years - action requested - 1) FIND THAT THE PUBLIC UTILITY EASEMENT IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE; 2) ADOPT RESOLUTION NO. 10-086 AND AUTHORIZE THE CHAIR TO SIGN; AND 3) DIRECT RECORDATION OF THE RESOLUTION. (Public Works)

PRESENTATION BY MIKE CRUMP, DIRECTOR OF PUBLIC WORKS.

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

MOTION: I MOVE TO 1) FIND THAT THE PUBLIC UTILITY EASEMENT IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC USE; 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 3) DIRECT RECORDATION OF THE RESOLUTION.

M 2

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

1014-007 Update of General Plan 2030 Process by Director-Development Services.

PETE CALARCO, ASSISTANT DIRECTOR OF DEVELOPMENT SERVICES PROVIDED A REPORT TO THE BOARD.

1014-008 Comprehensive Economic Development Strategy Project Priority List 2010-2011 - The Economic Development Administration (EDA) requires the 3CORE to complete a five-year planning document, the Comprehensive Economic Development Strategy (CEDs), in order to guide regional economic development efforts. The proposed CEDs priority project list is being presented to the Board of Supervisors for review, possible amendments, and approval - action requested - REVIEW, AMEND AS NECESSARY, AND APPROVE THE PRIORITY PROJECT LIST; AND DIRECT STAFF TO FORWARD TO 3CORE FOR INCLUSION INTO THE CEDs DOCUMENT. (Chief Administrative Office)

JENNIFER MACARTHY, MANAGER OF PROGRAM DEVELOPMENT PROVIDED A REPORT TO THE BOARD. MARC NEMENIC, EXECUTIVE DIRECTOR OF 3 CORE PROVIDED A REPORT TO THE BOARD. (1:05:28)

MOTION: I MOVE TO APPROVE THE PRIORITY PROJECT LIST MOVING THE DEVELOPMENT OF A DATABASE OF INDUSTRIAL AND COMMERCIAL PROPERTIES WITHIN THE UNINCORPORATED AREA OF THE COUNTY NOTING CERTIFIED "SHOVEL-READY" FROM PRIORITY B (PROJECTS WITHIN FIVE YEARS) AND TO PRIORITY A (NEAR TERM PROJECTS) AND DIRECT STAFF TO FORWARD TO 3CORE FOR INCLUSION INTO THE CEDs DOCUMENT.

2 M

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

1014-009 Resolution Requesting Waiver of CAL FIRE Administrative Charge - Butte County is one of thirty-five counties that has a Cooperative Fire Protection agreement with CAL FIRE for a wide variety of services. Part of this agreement, CAL FIRE includes an administrative charge by which the State can recover administrative costs and overhead. This charge is 11% of costs. This equals \$1,068,940 of the current \$10,786,577 cooperative agreement. If these charges were reduced or eliminated, the County would be better able to maintain appropriate levels of service. Approval is requested for a resolution to be sent to CAL FIRE to request the State suspend the administrative charge for FY 2010/2011. Additionally, the resolution can be sent to other counties to determine if those counties are interested requesting the suspension of this charges - action requested - ADOPT RESOLUTION NO. 10-085 AND RELATED LETTER AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office on behalf of Supervisor Connelly)(1:18:58)

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

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.

1014-010 Proposed Amendment to Butte County Code Chapter 24 (Zoning) to Address Private Off-Highway Vehicle (OHV) Courses - The department has prepared a proposed ordinance amending Chapter 24 to establish regulations for private OHV courses. Staff requests direction from the Board, including: standards for use permit approval, minimum parcel size, minimum setbacks, maximum allowable noise levels, allowable hours of operations, and requirements for acoustical studies - action requested - PROVIDE DIRECTION TO STAFF REGARDING FINDINGS AND STANDARDS OF THE PROPOSED CODE AMENDMENT. (Development Services)

PRESENTATION BY CLAUDIA STUART, PRINCIPAL PLANNER WITH DEVELOPMENT SERVICES. (1:23:58)

THE FOLLOWING MEMBERS OF THE PUBLIC ADDRESSED THE BOARD: DOUGLAS TEETER; ZANE SCHRAEDER; QUINN HOGAN; ANNA BRITT; MIKE WILLIAMS; (2:04:54); ROBERT PARKER, DON FLEENER; JEFF FONTANA; GEORGE MENAS; AND ROXANNE PARKER.

THE BOARD PROVIDED DIRECTION TO STAFF TO BRING BACK ISSUES AND OPTIONS RELATED TO LIMITING NOISE, DUST, HOURS OF OPERATION AND TO LOOK INTO THE USE OF EXISTING CODE FOR ANY CURRENT COMPLAINTS. THE BOARD WILL PROVIDE FURTHER DIRECTION TO STAFF AFTER THOSE OPTIONS ARE DISCUSSED AT A FUTURE MEETING. THE BOARD ALSO REQUESTED A COPY OF THE PLACER COUNTY NOISE ORDINANCE.

NO ACTION WAS TAKEN ON THIS ITEM TODAY. THE BOARD PROVIDED DIRECTION TO STAFF ONLY.

1014-011 Introduction of an Ordinance Amending Butte County Code Chapter 26-13.1 - consideration of a proposed ordinance which will add three new options for postponing the installation of frontage improvements for new single family residences and duplexes. These options are more consistent with the methods the Cities and Town use to defer urban frontage improvements in the incorporated areas of Butte County - action requested - WAIVE READING OF ORDINANCE. (Public Works)

PRESENTATION BY MIKE CRUMP, DIRECTOR OF PUBLIC WORKS.

MOTION: I MOVE TO WAIVE READING OF ORDINANCE.
M 2

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

1014-012 ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION.

- 1. GovernmentJobs.com - agreement with GovernmentJobs.com to upgrade the existing computer software currently used for online job application, reporting, and tracking employees. The term of the agreement is from June 1, 2010 to June 30, 2012 with a maximum amount payable of \$46,500 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Human Resources)

SUPERVISOR YAMAGUCHI REQUESTED THIS ITEM BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

CHARLIE WILSON ANSWERED QUESTIONS OF THE BOARD.

MOTION: I MOVE TO APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

2 M

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

RECESS

Recessed at 12:21 p.m. as the Butte County Board of Supervisors and convened as the Thompson Flat Cemetery District Board of Directors.

THOMPSON FLAT CEMETERY DISTRICT
BOARD OF DIRECTORS
MINUTES
MAY 25, 2010

1002-001 Called to order at 12:21 p.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: Assistant Clerk, Kathleen Moghannam.

AGENDA ITEMS (NO ITEMS)

PUBLIC COMMENT (Limited to Five Minutes)

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 12:21 p.m. as the Thompson Flat Cemetery District Board of Directors and convened as the Butte County Board of Supervisors.

CLOSED SESSION

1014-013 **THE BOARD RECESSED AT 12:22 P.M. TO CLOSED SESSION REGARDING:**

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

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. DRY CREEK COALITION v. NORTH CONTINENT LAND AND TIMBER, ET AL; BUTTE COUNTY SUPERIOR COURT CASE NO. 144532; AND
3. NORTH CONTINENT LAND AND TIMBER, INC. v. BUTTE COUNTY, ET AL; SACRAMENTO COUNTY SUPERIOR COURT CASE NO. 34-2010-80000542.

INITIATION OF LITIGATION PURSUANT TO GOV. CODE SEC. 54956 (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
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 3:25 P.M. FROM CLOSED SESSION REGARDING:

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

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. DRY CREEK COALITION v. NORTH CONTINENT LAND AND TIMBER, ET AL; BUTTE COUNTY SUPERIOR COURT CASE NO. 144532; AND
3. NORTH CONTINENT LAND AND TIMBER, INC. v. BUTTE COUNTY, ET AL; SACRAMENTO COUNTY SUPERIOR COURT CASE NO. 34-2010-80000542.

INITIATION OF LITIGATION PURSUANT TO GOV. CODE SEC. 54956 (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
10. INFORMATION SERVICES DIRECTOR
11. LIBRARY DIRECTOR
12. PUBLIC HEALTH DIRECTOR
13. PUBLIC WORKS DIRECTOR
14. WATER AND RESOURCE CONSERVATION DIRECTOR. (No Announcements)

ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 3:25 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, JUNE 8, 2010 AT 9:00 A.M.

BILL CONNELLY, CHAIR
BUTTE COUNTY BOARD OF SUPERVISORS

ATTEST:

Scott Tandy, Interim Chief Administrative
Officer and Clerk of the Board

By: _____