

**BUTTE COUNTY BOARD OF SUPERVISORS**  
**MINUTES**  
**April 12, 2011**



County Supervisors

Bill Connelly, District 1  
Larry Wahl, District 2  
Maureen Kirk, District 3  
Steve Lambert, District 4  
Kim Yamaguchi, District 5

Paul Hahn, Chief Administrative Officer  
and Clerk of the Board

Bruce Alpert, County Counsel

Called to order at 9:04 a.m. in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Connelly, Wahl, Kirk, Yamaguchi, and Chair Lambert. Also present: Paul Hahn, 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.

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**1108-001**    **CORRECTIONS AND/OR CHANGES TO THE AGENDA**

1. Recommendations of the Butte County Water Commission for appointments to the Butte County Water Advisory Committee – As recommended by the Water Commission, appoint John Scott as Cherokee Sub-Inventory Unit Representative; Matthew Meninga as Chico Urban Area Sub-Inventory Unit Representative; Mike Miller as Pentz Sub-Inventory Unit Representative; Larry Lloyd as At-Large Foothill/Mountain Inventory Units Representative; Sharon Wallace as At-Large Big Chico Creek Watershed Alliance Representative; and Mark Sorenson as At-Large Municipality - City Of Chico Representative - action requested – MAKE APPOINTMENTS. (Water and Resource Conservation)

AT THE REQUEST OF THE DEPARTMENT, THIS ITEM WAS REMOVED FROM THE AGENDA AND WILL BE SUBMITTED FOR A FUTURE BOARD MEETING.

2. Budget Adjustment – The department requests \$30,000 in unanticipated revenues be appropriated to meet the required Maintenance of Effort (MOE) for State funding. The Unrefunded Gas Tax (UGT) provided by the state is the department's largest revenue source. Currently, the department receives \$366,000 in UGT funds. If the County spends less than the required MOE, the state can withhold the entire UGT for the following fiscal year – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Agriculture)

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

3. Resolution to Amend the Salary Ordinance – The resolution will amend the salary ordinance as follows:

PUBLIC HEALTH – requests to delete one vacant position of Program Manager-Environmental Health and add one position of Manager, Program Development. This change will more closely reflect the needs and duties required within the Environmental Health Division in the department. There is adequate savings in the department's budget to cover the additional salary and benefit costs of approximately \$8,916 per year associated with this change. This position is funded by Environmental Health fees and Public Health Realignment and will have no cost to the County's General Fund.

In addition, the department requests to delete one vacant position of Administrative Assistant and add one position of Administrative Analyst, Senior/Administrative Analyst/Administrative Analyst, Associate. Due to restructuring and shifting of duties within the department, the position will more closely reflect the needs of the department. The increased annual cost for this change is \$17,037, which is covered by the department's annual Emergency Preparedness and Response/Bioterrorism funding.

The department is also requesting to extend the sunset date for 5 Butte County Children and Families Commission positions, which are funded by the County's First 5 funding through to June 30, 2012. The 5 positions are: 1 position of Butte County Children and Families Commission-Director; 3 positions Administrative Analyst, Senior/Administrative Analyst/Administrative Analyst, Associate; and 1 position of Administrative Assistant, Senior/Administrative Assistant. These changes will leave the total allocations in the department unchanged.

All of the changes above will leave the total County allocations unchanged and have no financial impact on the County's General Fund – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

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

4. Relief of Accountability – approval is requested for relief of accountability in the amount of \$7,841 for a lost magnetic GPS. An investigation was performed by the District Attorney's Office as required – action requested – RELIEVE ACCOUNTABILITY FOR FIXED ASSET NUMBER 27381 AND DIRECT THIS ITEM BE REMOVED FROM THE FIXED ASSET LEDGER. (Sheriff-Coroner)

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

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**1108-002**    **CONSENT AGENDA**

1. Butte County Public Health - amendment to the agreement with Public Health for HIV/AIDS education, prevention, and detection services. The amendment increases the maximum amount payable by \$12,000 (department budget utilizing grant funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
2. Housing Authority of the County of Butte (HACB) - agreement with HACB for housing assistance for homeless individuals. The term of the agreement is March 15, 2011 through June 30, 2011 with a maximum amount payable of \$38,671 (department budget utilizing grant funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

3. National Community Development Institute (NCDI) - The Butte County Department of Behavioral Health has partnered with NCDI since 2009 to establish an African American Family & Cultural Center (AAFCC) in Southside Oroville. The amendment revises the original scope of work and increases the maximum amount payable by \$21,500 (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. (Behavioral Health)
4. Mental Health Services Act (MHSA) 2011/2012 Plan Update and Expenditure Report – This report is an annual program and fiscal update on the County’s MHSA component plans. Approval of this plan by the State of California releases MHSA funds to the Butte County Department of Behavioral Health – action requested – ACCEPT FOR INFORMATION. (Behavioral Health)
5. Budget Adjustment – approval is requested to reimburse the Federal Emergency Management Agency (FEMA) and the California Emergency Management Agency CalEMA a total of \$77,926 in overpaid disaster assistance funds received for the winter storms of 2005-2006. Butte County had received an advance of \$1,067,491 from FEMA and CalEMA. The overpayment was absorbed into the General Fund over the last few years – action requested – APPROVE BUDGET ADJUSTMENT FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES (4/5 vote required). (Chief Administrative Office)
6. Annual Certification of Compliance with Continuing Disclosure Requirements for Debt Issuance – submitted are the documents which support certification that all Continuing Disclosure Requirements have been met for the fiscal year ending June 30, 2010 – action requested – ACCEPT FOR INFORMATION. (Chief Administrative Office)
7. Revision of County Safety Policy – In 1991 Butte County adopted a Countywide safety policy as required by California Occupational Safety and Health Administration regulations. Annual review and periodic revisions are required to maintain regulatory compliance and ensure that the policy addresses the operational requirements of the organization. This revision maintains the overall structure of previous versions, includes recent regulatory changes, and provides additional detail in keeping with accepted best practices – action requested – APPROVE REVISED POLICY AND AUTHORIZE IMPLEMENTATION. (Chief Administrative Office)
8. Laboratory Corporation of America Holdings (Lab Corp) - amendment to the agreement with Lab Corp for genetic testing to prove paternity. The amendment extends the term of the agreement through June 30, 2013 and decreases the maximum amount payable to \$15,000 per fiscal year (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Child Support Services)
9. Request for Consolidation of Future Butte County Board of Education (BOE) Elections - On February 14, 2011, the Butte County BOE adopted Resolution No. 11-07, requesting consolidation of future governing board member elections held in each of the four trustee areas with the November even-numbered year statewide general elections – action requested – APPROVE CONSOLIDATION; AND ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Clerk-Recorder)

10. Prestige Landscaping Services - amendment to the agreement with Prestige Landscaping for landscape maintenance services for County Service Area (CSA) 172/Autumn Park Subdivision. The maintenance of a landscaped perimeter was a condition of approval for the subdivision, and homeowners within the CSA pay for the services via their tax bills. The amendment extends the term of the agreement through June 30, 2013 and increases the maximum amount payable by \$13,200 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Development Services)
11. Fixed Asset Purchase – approval is requested to purchase an automated file tracking system which includes equipment, software, installation and maintenance at a cost of \$14,394.84 (department budget) – action requested – APPROVE FIXED ASSET PURCHASE OF AUTOMATED FILE TRACKING SYSTEM; AND APPROVE RELATED BUDGET ADJUSTMENT. (District Attorney)
12. Budget Adjustment – request for approval of a budget adjustment for the Treasurer-Tax Collector’s Office to assist the department with the collection of In-Home Supportive Services (IHSS) overpayments as part of the FY 2010/2011 IHSS Program Integrity and Fraud Prevention and Investigation Plan. The estimated cost is \$10,000 (department budget) – action requested - APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Employment and Social Services)
13. Alliance for Workforce Development, Inc. (AFWD) - agreement with AFWD for employment resource services and work experience site development. The term of the agreement is April 1, 2011 through June 30, 2011 with a maximum amount payable of \$100,000 (department budget). There is no impact to General Purpose Revenues - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)
14. Butte County Children’s Services System Improvement Plan (SIP) – Submitted is the 2011 SIP prepared by Butte County Children’s Services and Juvenile Probation as required by the California Department of Social Services (CDSS). This year the Child Abuse Prevention, Intervention and Treatment (CAPIT), Community Based Child Abuse Prevention (CBCAP) and Promoting Safe and Stable Families (PSSF) Plan have been integrated as part of the SIP. The integrated SIP and CAPIT/CBCAP/PSSF Plan will be in effect through April 15, 2014 – action requested – 1) ACCEPT FOR INFORMATION AND AUTHORIZE THE CHAIR TO SIGN THE 2011 SIP AND THE CAPIT/CBCAP/PSSF PLAN; 2) APPROVE AND SIGN THE BUTTE COUNTY BOARD OF SUPERVISORS NOTICE OF INTENT; AND 3) ADOPT RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
15. Amendment to the In-Home Supportive Services Advisory Committee Bylaws – at a regular meeting on May 11, 2010 the Committee began the process of revising the Bylaws for the purpose of bringing them into alignment with current operations of the Committee. A final version of the Bylaws was unanimously approved at a regular meeting of the committee on November 9, 2010. Article VII, Section 1 of the Bylaws states that “All such amendments shall be subject to approval by the Board of Supervisors” - action requested – APPROVE THE IHSS ADVISORY COMMITTEE BYLAWS AS AMENDED AT A REGULAR MEETING OF THE COMMITTEE ON NOVEMBER 9, 2010. (Employment and Social Services)

16. Volunteer Efforts for the Victims of the Earthquake/Tsunami in Japan – The earthquake and tsunami in Japan has been described as one of the most significant natural disasters in the history of Japan. Besides monetary donations, volunteer efforts are also taking place to help provide aid. With the concurrence of the department director, approval is requested to allow Butte County employees release time to participate in volunteer activities related to helping the victims of the earthquake and tsunami. Release time will be paid time off during which the employee will continue to accrue benefits. The program will be subject to meet and confer with employee bargaining units. This action is consistent with how Butte County responded to the Hurricane Katrina disaster in 2005 – action requested – WITH THE APPROVAL OF THEIR DEPARTMENT DIRECTOR, APPROVE RELEASE TIME FOR EMPLOYEES WISHING TO VOLUNTEER TO AID THE VICTIMS OF THE EARTHQUAKE/Tsunami IN JAPAN, SUBJECT TO PROCEDURES APPROVED BY HUMAN RESOURCES AND THE CHIEF ADMINISTRATIVE OFFICER. (Human Resources)
17. Accept Donation – The Animal Control Division of the Public Health Department received a donation from Ms. Beth Miller. The equipment donated will be used for rescuing horses and other large and small animals. The estimated value of the equipment is \$4,000 – action requested – ACCEPT DONATION AND AUTHORIZE LETTER OF APPRECIATION. (Public Health)
18. Budget Adjustments for County Service Areas (CSA) 21 and 169 – The Regional Water Quality Control Board has directed CSA 21, Zones 1 and 4 and CSA 169, Zone 1 to make improvements for compliance in their waste discharge requirements by installing new monitoring wells that will provide more consistent monitoring samples. In order to provide reimbursement for project expenses, approval is requested for budget adjustments totaling \$45,121 – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Public Works)
19. Accept Unanticipated Revenue – approval is requested to accept \$1,386,146 in funds from the Transportation Development Act (TDA) to pay for the increased Street and Roads portion of the revised 2010/11 TDA claim and for road construction materials – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Public Works)
20. Golder Associates, Inc. - amendment to the agreement with Golder Associates for construction quality assurance monitoring and reporting services during the construction of the Module 4, Phase D base liner at the Neal Road Recycling and Waste Facility. The amendment changes the contract termination date to June 30, 2011 with no change in the cost of the services - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Works)
21. Golder Associates, Inc. - amendment to the agreement with Golder Associates for professional engineering services for the design of a base liner for the Module 4, Phase D base liner at the Neal Road Recycling and Waste Facility. The amendment changes the contract termination date to June 30, 2011 with no change in the cost of services - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Works)

22. Resolution Certifying Annual Changes to Butte County Maintained Mileage - consideration of a resolution approving the changes to the County’s maintained mileage. The maintained mileage for 2010 was determined to be 1,303.034 miles. This is a reduction of 3.686 miles from the previous year - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
23. Transfer of Equipment to Search and Rescue (S&R) – S&R acquires many types of equipment through donations. As the equipment ages and is no longer useful to the Sheriff’s office, pieces are transferred back to S&R to be sold. Proceeds of sales are used for future equipment replacements. The department requests to transfer 6 pieces of equipment back to S&R. The items are listed in the agenda report - action requested – REQUEST THE TRANSFER ITEMS BACK TO SEARCH AND RESCUE. (Sheriff-Coroner)
24. Accept Donation – The department requests to accept the donation of a 2006 military surplus trailer which will be used for cliff hanging rescue training by the Search and Rescue Team. The trailer has an estimated value of \$12,000 – action requested – ACCEPT DONATION. (Sheriff-Coroner)
25. Accept Unanticipated Revenue – approval is requested to accept \$1,562.28 in funding from the Shasta County Sheriff’s Office for California Narcotic Officers Association (CNOA) training – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Sheriff-Coroner)
26. Acceptance of Grant Funds from State of California - Department of Boating & Waterways - approval is requested to accept \$159,342 from the State of California for maintaining safe waterways via boater safety education, enforcement of unsafe acts and water rescue (department budget) - action requested – 1) ACCEPT GRANT AWARD; 2) RATIFY RELATED AGREEMENT EXECUTED BY THE SHERIFF AND AUTHORIZE SHERIFF OR HIS DESIGNEE TO EXECUTE RELATED REPORTS OR DOCUMENTS; AND 3) ADOPT RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff-Coroner)
27. Monthly Investment Report – submitted is the Monthly Investment Report dated February 28, 2011, in accordance with the Statement of Investment Policy dated July 1, 2010 – action requested – ACCEPT FOR INFORMATION. (Treasurer/Tax Collector)
28. Gridley-Biggs Cemetery District - Per his request, reappoint Lowell P. King as Trustee to a term to end May 1, 2015 - action requested - REAPPOINT LOWELL P. KING.
29. Resolution Recognizing April 2011 As Sexual Assault Awareness Month – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Rape Crisis Intervention and Prevention).

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF ITEM 3.33, WHICH WAS REMOVED FROM TODAY’S AGENDA, AND ITEMS 3.01, 3.17 AND 3.25 WHICH WERE PULLED FOR DISCUSSION ON THE REGULAR AGENDA.

M 2

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

**1108-003** Items Removed from the Consent Agenda for Board Consideration and Action.

- 1. Budget Adjustment – The department requests \$30,000 in unanticipated revenues be appropriated to meet the required Maintenance of Effort (MOE) for State funding. The Unrefunded Gas Tax (UGT) provided by the state is the department’s largest revenue source. Currently, the department receives \$366,000 in UGT funds. If the County spends less than the required MOE, the state can withhold the entire UGT for the following fiscal year – action requested – APPROVE THE BUDGET ADJUSTMENT (4/5 vote required). (Agriculture)

RICHARD PRICE, AGRICULTURAL COMMISSIONER ANSWERED QUESTIONS FROM THE BOARD.

MOTION: I MOVE TO APPROVE THE BUDGET ADJUSTMENT.

M            2

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

- 2. Resolution to Amend the Salary Ordinance – The resolution will amend the salary ordinance as follows:

PUBLIC HEALTH – requests to delete one vacant position of Program Manager-Environmental Health and add one position of Manager, Program Development. This change will more closely reflect the needs and duties required within the Environmental Health Division in the department. There is adequate savings in the department’s budget to cover the additional salary and benefit costs of approximately \$8,916 per year associated with this change. This position is funded by Environmental Health fees and Public Health Realignment and will have no cost to the County’s General Fund.

In addition, the department requests to delete one vacant position of Administrative Assistant and add one position of Administrative Analyst, Senior/Administrative Analyst/Administrative Analyst, Associate. Due to restructuring and shifting of duties within the department, the position will more closely reflect the needs of the department. The increased annual cost for this change is \$17,037, which is covered by the department’s annual Emergency Preparedness and Response/Bioterrorism funding.

The department is also requesting to extend the sunset date for 5 Butte County Children and Families Commission positions, which are funded by the County’s First 5 funding through to June 30, 2012. The 5 positions are: 1 position of Butte County Children and Families Commission-Director; 3 positions Administrative Analyst, Senior/Administrative Analyst/Administrative Analyst, Associate; and 1 position of Administrative Assistant, Senior/Administrative Assistant. These changes will leave the total allocations in the department unchanged.

All of the changes above will leave the total County allocations unchanged and have no financial impact on the County’s General Fund – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

PHYLLIS MURDOCK ANSWERED QUESTIONS FROM SUPERVISOR YAMAGUCHI.



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

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

- 3. Relief of Accountability – approval is requested for relief of accountability in the amount of \$7,841 for a lost magnetic GPS. An investigation was performed by the District Attorney’s Office as required – action requested – RELIEVE ACCOUNTABILITY FOR FIXED ASSET NUMBER 27381 AND DIRECT THIS ITEM BE REMOVED FROM THE FIXED ASSET LEDGER. (Sheriff-Coroner)(21:15)

SHERIFF SMITH ANSWERED QUESTIONS FROM THE BOARD.

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

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

**REGULAR AGENDA**

**1108-004** Boards, Commissions and Committees

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

SUPERVISOR KIRK REPORTED ON THE TREASURY OVERSIGHT COMMITTEE.

SUPERVISOR CONNELLY REPORTED THAT THE CITY OF OROVILLE APPROVED FUNDS FOR A SIDEWALK IN FRONT OF OROVILLE VETERAN’S MEMORIAL BULIDING AND PARK.

**1108-005** Update of Current Budget and Legislative Issues by the Chief Administrative Officer.

PAUL HAHN, CHIEF ADMINISTRATIVE OFFICER PROVIDED A REPORT.

**1108-006** Update Regarding Upcoming Butte County Code Amendments by Director of Development Services.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED A REPORT. (34:22)

**1108-007** Department of Homeland Security Grant/Assistance to Firefighters Grant – approval is requested to accept and appropriate \$841,340 in grant funds from the Department of Homeland Security for hand held radios, pagers and self contained breathing apparatus. Twenty-five pagers will go to the El Medio Fire District to improve communication during emergency incident. The grant requires a 20% local match, which is \$168,268. Of the County’s match, \$55,530 is recommended to be funded from the Community Cost Share Program and \$112,738 is requested from existing appropriations – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT. (Fire)(39:00)

FIRE CHIEF, GEORGE MORRIS PROVIDED A REPORT.

MOTION: I MOVE TO APPROVE THE BUDGET ADJUSTMENT ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT.

M 2

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

**1108-008** Secure Rural Schools and Community Self Determination Act of 2000 (HR 1424) – Fiscal Year 2010/2011 Project Authorization – The Fire Safe Council requests approval of recommended projects to be funded by HR 1424. Approval is also requested for an agreement with Butte County Fire Safe Council for the implementation of projects under HR 1424. The term of the agreement is April 12, 2011 through September 30, ~~2012~~ with a maximum amount payable of \$150,293.11 - action requested – 1) APPROVE HR 1424 PROJECTS AS RECOMMENED BY THE BUTTE COUNTY FIRE SAFE COUNCIL; 2) APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND 3) APPROVE RELATED BUDGET ADJUSTMENTS (4/5 vote required). (Fire)

DARREL WILSON FROM THE FIRE SAFE COUNCIL PROVIDED A REPORT TO THE BOARD. (45:40)

MOTION: I MOVE TO: 1) APPROVE HR 1424 PROJECTS AS RECOMMENED BY THE BUTTE COUNTY FIRE SAFE COUNCIL; 2) APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND 3) APPROVE RELATED BUDGET ADJUSTMENTS.

2 M

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

**Public Hearings and Timed Items**

**1108-009** Review of Draft Revision to the Wind Turbine Ordinance – The Wind Turbine ordinance, adopted December 14, 2010, establishes procedures and standards applicable to the development of wind turbines in order to promote clean sources of energy which are compatible with land uses in the vicinity. The ordinance was brought forward in response to AB 45 which would have imposed state rules on wind turbines and the permit process if Butte County had not adopted a local ordinance. The Board of Supervisors directed the Department of Development Services to return within 120 days for review of and amendments to the adopted ordinance - action requested – DIRECT STAFF TO RETURN TO THE PLANNING COMMISSION TO REVIEW THE PROPOSED CHANGES AND RETURN TO THE BOARD WITH A REVISED WIND TURBINE ORDINANCE READY FOR BOARD ADOPTION AS SOON AS POSSIBLE. (Department of Development Services)

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED A REPORT. (1:07:00)

THE FOLLOWING INDIVIDUALS ADDRESSED THE BOARD: JOHN SCOTT (1:16:41) AND DOUG TEETER (1:21:44).

THE BOARD PROVIDED DIRECTION TO STAFF. (1:24:56) THERE WAS NO FORMAL ACTION TAKEN ON THIS ITEM.

**Regular Agenda**

**1108-010** Request for Direction Regarding Residential Sprinklers Requirement in Mobile/Manufactured Homes – Beginning in 2008, Butte County Fire Department began enforcing the fire flow requirements of the 2007 California Fire Code in all residential occupancies, including mobile/manufactured homes and allowed residential sprinklers as mitigation to insufficient fire flow. In December 2010, the Department of Housing and Community Development (HCD) issued a letter expressly exempting mobile and manufactured homes from the 2007 California Fire Code fire flow requirement to install residential sprinklers. These regulations can only be imposed to mobile/manufactured homes by local ordinance - action requested – PROVIDE DIRECTION TO STAFF. (Fire)

BUTTE COUNTY FIRE CHIEF, GEORGE MORRIS PROVIDED A REPORT. (1:35:10)

MOTION: I MOVE TO THAT IN THE COUNTY OF BUTTE NOT REQUIRE SPRINKLER SYSTEMS IN MOBILE OR MANUFACTURED HOMES.

M 2

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

**PUBLIC COMMENT** (each speaker limited to five minutes) (NONE)

**1108-010    CLOSED SESSION**

**THE BOARD RECESSED AT APPROXIMATELY 10:50 A.M. TO CLOSED SESSION REGARDING:**

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

LABOR NEGOTIATORS: JACK HUGHES & BRIAN RING

EMPLOYEE

ORGANIZATIONS:        BCEA, SSW, BCMEA, PPOA, PEA,  
                                 DSA - MANAGEMENT/SUPERVISORY UNIT,  
                                 DSA- GENERAL UNIT,  
                                 BCCOA - SUPERVISORY UNIT,  
                                 BCCOA - GENERAL UNIT  
                                 BCCOA - GENERAL UNIT  
                                 NON-REPRESENTED EMPLOYEES

ACTUAL LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(A) – ONE CASE:

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100)

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 12:03 P.M. FROM CLOSED SESSION REGARDING:**

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

LABOR NEGOTIATORS: JACK HUGHES & BRIAN RING

EMPLOYEE

ORGANIZATIONS:        BCEA, SSW, BCMEA, PPOA, PEA,  
                                 DSA - MANAGEMENT/SUPERVISORY UNIT,  
                                 DSA- GENERAL UNIT,  
                                 BCCOA - SUPERVISORY UNIT,  
                                 BCCOA - GENERAL UNIT  
                                 BCCOA - GENERAL UNIT  
                                 NON-REPRESENTED EMPLOYEES

ACTUAL LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(A) – ONE CASE:

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100)

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 12:03 P.M. AND WILL RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, APRIL 26, 2011 AT 9:00 A.M.

\_\_\_\_\_  
STEVE LAMBERT, CHAIR  
BUTTE COUNTY BOARD OF SUPERVISORS

ATTEST:  
Paul Hahn, Chief Administrative Officer  
and Clerk of the Board

\_\_\_\_\_