

BUTTE COUNTY BOARD OF SUPERVISORS

MINUTES

April 26, 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 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.

1109-001 CORRECTIONS AND/OR CHANGES TO THE AGENDA.

3.23 - Look Ahead Veterinary Hospital - amendment to the agreement with Look Ahead Veterinary Hospital for medical services and boarding animals impounded by the Animal Control Division. The amendment extends the term of the agreement through June 30, 2012 and increases the maximum amount payable by \$20,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Health)

THIS ITEM (3.23) WAS REMOVED FROM THE AGENDA. NO ACTION WAS TAKEN.

1109-002 REGULAR AGENDA

1. United States Department of Agriculture – Wildlife Services Program - agreement with United States Department of Agriculture for wildlife damage management on properties within Butte County. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$56,646 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Agriculture)
2. Megabyte Systems, Inc. – agreement and addenda with Megabyte Systems, Inc. for the software package for the tax cycle departments. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$198,298.36. The costs for this software will be shared by the offices of the Assessor, the Auditor-Controller, and the Treasurer-Tax Collector (department budgets) – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Assessor)
3. Rush Personnel Services, Inc. - amendment to the agreement with Rush Personnel Services, Inc. for payroll services for Butte County Behavioral Health (BCDBH) consumers who are receiving training and work experience through the BCDBH offices. The amendment increases the maximum amount payable by \$151,926 (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)

4. George Richard Heitzman, M.D. - amendment to the agreement with George Richard Heitzman, M.D. for psychiatric services for adult clients at the Oroville Outpatient Clinic. The amendment increases the maximum amount payable by \$35,500 (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)
5. Esplanade Enterprises, Inc. dba Merit Medi-Trans, Inc. - amendment to the agreement with Merit Medi-Trans, Inc. for non-emergency client transportation services for BCDBH clients. The amendment increases the maximum amount payable by \$137,283.70 (department budget utilizing grant funds and realignment funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
6. Resolution Recognizing May 2011 as Mental Health Awareness Month – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
7. Crestwood Behavioral Health, Inc. – amendment to the agreement with Crestwood Behavioral Health, Inc. for behavioral intervention and psychosocial rehabilitation for consumers in secure residential settings. The amendment increases the maximum amount payable by \$146,156.79 (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. (Behavioral Health)
8. Northern Valley Catholic Social Services - amendment to the agreement with Northern Valley Catholic Social Services which provides low cost or free mental health, housing, vocational and support services to individuals and families through various programs. The amendment increases the maximum amount payable by \$46,081.70 (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)
9. Resolution Terminating Local Emergency – Butte County’s Chief Administrative Officer declared a local emergency on April 1, 2011 as a result of high winds, torrential rains and heavy snow. The declaration was ratified by the Board of Supervisors on April 7, 2011. The situation resulting from said conditions of extreme peril is now deemed to be within the control of the normal protective services, personnel, equipment and facilities within the County of Butte - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office)
10. Approval of Minutes – submitted are the minutes for March 29, 2011 and April 7, 2011 – action requested – APPROVE MINUTES. (Chief Administrative Office)

11. Resolution Approving Applications for Funds Under the Help America Vote Act (HAVA) of 2002 – request for approval of applications for funds available through HAVA. These funds are used to ensure voting access for individuals with disabilities - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE COUNTY CLERK-RECORDER OR HER DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO HAVA FUNDING. (Clerk-Recorder/Registrar of Voters)
12. Redistricting Process – On March 14, 2011, the Board of Supervisors appointed the Clerk-Recorder/Registrar of Voters, GIS, and County Counsel as technical support for the redistricting process. As directed by the Board, maps of current supervisorial districts with requested details have been provided to each Board member and are available on the County’s website for public review. The department requests approval of a timeline for the redistricting process - action requested – ADOPT TIMELINE FOR THE REDISTRICTING PROCESS AS DETAILED IN THE AGENDA REPORT; AND SCHEDULE PUBLIC HEARINGS TO BE HELD ON MAY 10, 2011 AND MAY 24, 2011 AT 1:00 P.M. (Clerk-Recorder/Registrar of Voters)
13. Fixed Asset Purchase and Budget Adjustments – request for approval for the fixed asset purchase of additional data storage space for the existing case tracking operating system used by the department. The total cost of the purchase is \$13,237.50 (department budget) – action requested – APPROVE FIXED ASSET PURCHASE; AND APPROVE RELATED BUDGET ADJUSTMENTS (4/5 vote required) AS DETAILED IN THE AGENDA REPORT. (District Attorney)
14. Fixed Asset Purchase and Budget Adjustment – request for approval for the fixed asset purchase of workstations for an amount not to exceed \$16,412 (department budget). The workstations will be used for the Help Desk staff to comply with security requirements associated with the possession of IRS documents. There will be no impact to general purpose revenues for this purchase – action requested – APPROVE FIXED ASSET PURCHASE; AND APPROVE RELATED BUDGET ADJUSTMENT. (Employment and Social Services)
15. Northern California Youth and Family Programs - agreement with Northern California Youth and Family Programs for the Emancipating Youth Stipend program. These funds are available through an allocation from the State of California which allows for retroactive claims beginning July 1, 2010. The term of the agreement is July 1, 2010 through June 30, 2011 with a maximum amount payable of \$11,372 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; ACCEPT UNANTICIPATED REVENUE AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required). (Employment and Social Services)
16. Addus Healthcare, Inc. - amendment to the agreement with Addus Healthcare, Inc. for In-Home Supportive Services (IHSS) to Butte County clients. The amendment extends the term of the agreement through June 30, 2012 and increases the maximum amount payable to \$536,760 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)

17. Budget Adjustment – request for approval of a budget adjustment in the amount of \$24,300 that would allow General Services to oversee and manage the remodel project at the Chico Community Employment Center (CEC). This space will be occupied by the Veterans Service Office and the department’s information systems staff. The department has available funds in its current year budget. There is no impact to general purpose revenues for the purchase – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Employment and Social Services)
18. Budget Adjustment for County Service Area 34 – Gridley Swimming Pool – Butte County has partnered with the Butte County Fair Board for many years to provide the community of Gridley with a public swimming pool. The Fair Board provides operation, maintenance and repair of the pool and the County provides reimbursement to the Fair Board for this work. The Fair Board has reported that repairs are needed for the pool. Butte County Purchasing assisted in the solicitation and preparation of a contract for the repair at a cost of \$75,400 (CSA 34) – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (General Services)
19. Resolution to Amend the Salary Ordinance – The resolution will amend the salary ordinance as follows:

BEHAVIORAL HEALTH – deletes one vacant position of Staff Nurse, Senior/Staff Nurse/Staff Nurse Associate and adds one position of Psychiatric Technician, Senior/Psychiatric Technician. This change will allow the department greater flexibility when hiring. The department estimates this change will provide cost savings of approximately \$2,386 if the position is filled for the remainder of fiscal year 2010/2011. This position is fully funded with Mental Health Services Act (MHSA) funds. There is no financial impact to the County’s General Fund. This change leaves the total position allocations within the department unchanged at 291.5 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
20. Fiscal Year 2007 Public Safety Interoperable Communications (PSIC) Grant Agreement Amendment - approval is requested to accept and appropriate \$66,198 in PSIC funds from the California Emergency Management Agency (Cal EMA). These funds are used for interoperable communications systems planning activities for the eighteen counties that comprise the Northern Planning Area. The funds will also be used to extend the agreement with North Highland Company to continue interoperable planning for the region – action requested - APPROVE BUDGET ADJUSTMENT (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS; AND APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Information Systems)
21. Library Donations – The Library has received the following donations for books: \$100 from Paradise Women of the Moose, Chapter 1628; \$100 from Madeleine Adams; \$200 from Maudie A. Penney; \$240 from Ladies of the Club; \$1,200 from Oroville Friends of the Library; and \$3,270 from Chico Friends of the Library - action requested – ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION. (Library)

- 22. Budget Adjustment – request for approval of a budget adjustment for the purchase of new furniture, equipment, staff training and development for the Paradise branch of the Library. The total increase in appropriations requested is \$40,000, which is offset by \$22,000 from the North Valley Community Foundation and \$18,000 in donations currently held in restricted cash. There is no impact to the General Fund – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Library)

- 23. Resolution Authorizing Tehama County to Submit a Regional Grant Application on Behalf of Butte County - consideration of a resolution authorizing Tehama County to submit the application for household hazardous waste grant funds available through the California Department of Resources Recycling and Recovery. Tehama County would act as the lead agency for the purpose of administering and implementing the grant - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

- 24. Resolution Authorizing and Approving Tax and Revenue Anticipation Notes (TRAN) for Fiscal Year 2011/2012 - resolution that authorizes the Auditor and Treasurer to begin procedures to participate in the California Communities Cash Flow Financing Program for the 2011/2012 issuance of TRANs. The issuance will be for a maximum feasible amount to be determined by the Treasurer and Auditor, not to exceed \$40,000,000 - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Treasurer-Tax Collector)

- 25. Resolution Recognizing May 2011 as Water and Watershed Awareness Month - action required - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Water and Resource Conservation)

- 26. Northern Sacramento Valley Integrated Regional Water Management (IRWM) Technical Advisory Committee (TAC) - On September 14, 2010, the Board of Supervisors approved recommendations from the Water Commission regarding the governance structure which will guide the IRWM planning process for this regional effort. At their March 7, 2011 meeting, the IRWM Board established criteria for the appointment of a TAC to assist with the development of the IRWM plan - action requested – APPOINT VICKIE NEWLIN AS THE BUTTE COUNTY STAFF MEMBER OF THE NORTHERN SACRAMENTO VALLEY INTEGRATED REGIONAL WATER MANAGEMENT TAC; AND DIRECT STAFF TO SOLICIT LETTERS OF INTEREST FOR ONE LANDOWNER REPRESENTATIVE TO SERVE ON THE NORTHERN SACRAMENTO VALLEY INTEGRATED REGIONAL WATER MANAGEMENT TAC. (Water and Resource Conservation)

MOTION: I MOVE TO ADOPT THE CONSENT AGENDA WITH THE EXCEPTION OF ITEM 3.23 WHICH WAS REMOVED FROM THE AGENDA.

M 2

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

REGULAR AGENDA

Boards, Commissions and Committees

1109-003 1. Appointments to Listed Vacancies

MOTION: I MOVE TO APPOINT JIM LEDGER AS REGULAR MEMBER TO ALUC AND VANCE PARKER AS ALTERNATE MEMBER OF THE ALUC.

2 M

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

2. Butte Local Agency Formation Commission (LAFCO) – action requested – 1) APPOINT ONE BOARD OF SUPERVISORS MEMBER TO A FOUR-YEAR TERM TO END MAY 31, 2015; 2) APPOINT ONE BOARD OF SUPERVISORS MEMBER TO A TWO-YEAR TERM TO END MAY 31, 2013; AND APPOINT ONE BOARD OF SUPERVISOR MEMBER AS ALTERNATE (TERM TO END MAY 31, 2015).

MOTION: I MOVE TO APPOINT SUPERVISOR CONNELLY TO A FOUR-YEAR TERM TO END MAY 31, 2015; APPOINT SUPERVISOR LAMBERT TO A TWO-YEAR TERM TO END MAY 31, 2013; AND APPOINT SUPERVISOR YAMAGUCHI AS ALTERNATE (TERM TO END MAY 31, 2015).

2 M

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

3. Board Member or Committee Reports

SUPERVISOR CONNELLY REPORTED ON AN INDIAN GAMING COMMITTEE MEETING.

SUPERVISOR KIRK REPORTED ON THE PASSAGES ADVISORY COMMITTEE AND THE FIRST 5 CHILDREN AND FAMILIES COMMISSION.

1109-004 Update of Current Budget and Legislative Issues by the Chief Administrative Officer.

PAUL HAHN, CHIEF ADMINISTRATIVE OFFICER PROVIDED A REPORT.

1109-005 Cash Advance for Butte County Department of Behavioral Health (BCDBH) - Due to slow reimbursement of state funds, the department will have an estimated cash deficit of \$6 million by June 30, 2011. Approval is requested for a cash advance of up to \$10 million from the Public Health restricted cash realignment accounts into the Behavioral Health Fund. BCDBH will repay the requested cash advance by April 2012 with all available funds received from Medi-Cal claiming and Realignment revenues – action requested – AUTHORIZE CASH ADVANCE OF UP TO \$10 MILLION FROM THE PUBLIC HEALTH REALIGNMENT RESTRICTED CASH ACCOUNTS INTO THE BEHAVIORAL HEALTH FUND. (Department of Behavioral Health/Administration)

ANNE ROBIN, DIRECTOR OF BEHAVIORAL HEALTH, PROVIDED A REPORT.

MOTION: I MOVE TO AUTHORIZE CASH ADVANCE OF UP TO \$10 MILLION FROM THE PUBLIC HEALTH REALIGNMENT RESTRICTED CASH ACCOUNTS INTO THE BEHAVIORAL HEALTH FUND.

M 2

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

1109-006 Mental Health Services Act (MHSA) Housing Project – Valley View Apartments – Butte County Department of Behavioral Health (BCDBH) has been granted MHSA funding to develop permanent supportive housing for individuals with mental illness who are homeless or at risk of homelessness. BCDBH is in partnership with Northern Valley Catholic Social Services and Youth for Change to develop Valley View Apartments which will provide affordable housing to low income transition youth ages 18-24 and emancipated youth ages 16 and 17. The department requests approval of a resolution which details the following actions -

1. RECOMMENDATION OF THE PROJECT;
2. AUTHORIZE BCDBH TO SUBMIT A HOUSING PROGRAM APPLICATION TO THE DEPARTMENT OF MENTAL HEALTH (DMH) AND THE CALIFORNIA HOUSING AND FINANCE AGENCY (CALHFA) TO DRAW DOWN MHSA HOUSING FUNDS PREVIOUSLY ALLOCATED TO BCDBH FOR HOUSING PROJECTS;
3. AUTHORIZE BCDBH DIRECTOR OR DESIGNEE TO SIGN THE HOUSING PROGRAM APPLICATION AND RELATED MEMORANDUM OF UNDERSTANDING (MOU) PREPARED AS PART OF THE HOUSING PROGRAM APPLICATION;
4. AUTHORIZE THE BCDBH DIRECTOR TO SUBMIT A LETTER TO CALHFA REQUESTING A WAIVER TO INCREASE THE USE OF MHSA HOUSING PROGRAM FUNDS FROM 33% TO 52% PER UNIT; AND
5. AUTHORIZE CALHFA TO ALLOCATE INTEREST EARNED IN BUTTE COUNTY’S ACCOUNT, UNTIL CALHFA LOAN CLOSING, TO THE VALLEY VIEW APARTMENTS PROJECT. (Department of Behavioral Health)

ANNE ROBIN, DIRECTOR OF BEHAVIORAL HEALTH PROVIDED A REPORT. (23:00)

MOTION: I MOVE TO APPROVE THE ACTIONS REQUESTED (AS SHOWN ON THE AGENDA).

M 2

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

Recessed as the Butte County Board of Supervisors and convened as the Thompson Flat Cemetery District Board of Trustees

THOMPSON FLAT CEMETERY DISTRICT
BOARD OF DIRECTORS
MINUTES
APRIL 26, 2011

1102-001 **CALL TO ORDER** - Butte County Board of Supervisors Room, 25 County Center Drive, Oroville.

The Board of Directors is required to convene at least once a quarter pursuant to Health and Safety Code 9029.

Board members present: Connelly, Wahl, Kirk, Yamaguchi and Chair Lambert. Also present – Kathleen Moghannam, Deputy Clerk.

CONSENT AGENDA (None)

REGULAR AGENDA (None)

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 as the Thompson Flat Cemetery District Board of Directors and reconvened as the Butte County Board of Supervisors.

PUBLIC HEARINGS AND TIMED ITEMS

1109-007 Public Hearing – Revised Butte County Mining Ordinance, Butte County Code (BCC) Chapter 13, Article II, Surface Mining and Reclamation – The department requests the adoption of a revised Surface Mining and Reclamation Ordinance. The proposed ordinance improves Butte County’s ability to review applications for, and monitor the conduct of, surface mining and reclamation within the County. This ordinance includes a modification to Butte County Code Section 24-45.25 which provides the correct reference to the state government code for notice of a public hearing. Staff also requests approval of a related resolution adopting the negative declaration under the California Environmental Quality Act (CEQA) for the revisions to BCC Chapters 13 and 24 – action requested – ~~ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN;~~ WAIVE THE FIRST READING OF THE ORDINANCE; AND ADOPT RELATED RESOLUTION WITH FINDINGS AND AUTHORIZE THE CHAIR TO SIGN. (Department of Development Services)

PETE CALARCO, ASSISTANT DIRECTOR OF DEVELOPMENT SERVICES PROVIDED REPORTS.

THE FOLLOWING MEMBERS OF THE PUBLIC ADDRESSED THE BOARD: YASHA SABER, WALLY RONEY, AND ROBIN HUFFMAN.

THE BOARD DIRECTED STAFF TO CHECK WITH THE DEPARTMENT OF CONSERVATION TO REQUEST AGRICULTURAL LAND BE INCLUDED IN AN EXEMPTION (13-104(3)(c)).

THERE WAS NO ACTION TAKEN ON THIS ITEM OTHER THAN DIRECTION PROVIDED TO STAFF. THIS ITEM WILL BE INCLUDED ON A FUTURE AGENDA.

1109-008 Public Hearing – Community Development Block Grant (CDBG) Program Income Reuse Plan Amendment – The Reuse Plan incorporates the guidelines for the County’s CDBG Housing Rehabilitation Loan Program and CDBG Business Loan Program. These guidelines have been revised to comply with CDBG regulations – action requested – APPROVE THE AMENDED REUSE PLAN; AND ADOPT RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Administration)

JENNIFER MACARTHY, ECONOMIC AND COMMUNITY DEVELOPMENT MANAGER PROVIDED A REPORT. (1:20:19)

MOTION: I MOVE TO APPROVE THE AMENDED REUSE PLAN; AND ADOPT RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

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

1109-009 Public Hearing - Grant Application to the 2008 Disaster Recovery Initiative (DRI) Allocation of the State CDBG Program – request for approval of an application to the Department of Housing and Community Development for an additional \$3,093,980 in DRI grant funds for eligible programs which include housing rehabilitation, public facilities, public improvements, and hazard mitigation planning. These funds are available to jurisdictions directly impacted by, and included in, one of the two federally declared major disasters issued in 2008. In 2010, Butte County applied for and received \$4,300,000 in DRI funds - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Administration) (1:37:47)

JENNIFER MACARTHY, ECONOMIC AND COMMUNITY DEVELOPMENT MANAGER PROVIDED A REPORT.

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)

1109-010 PUBLIC COMMENT

LOREN GILL ADDRESSED THE BOARD REGARDING THE HART MILL PROPERTY.

1109-011 Timed Item - Public Workshop for Draft Zoning Ordinance - The Butte County Zoning Ordinance is being updated in conjunction with the recently approved Butte County General Plan (“Butte County General Plan 2030”). A draft of the updated Zoning Ordinance and Zoning Map was published on July 2, 2010. The Planning Commission performed a comprehensive review of the Draft Zoning Ordinance during eight all-day public workshops. The purpose of this workshop is to receive further direction from the Board of Supervisors on several outstanding policy items. The department requests discussion and direction on the following four items:

1. The process of updated schedule for reviewing the Draft Zoning Ordinance leading to adoption;
2. The concept of utilizing a Zoning Administrator function in the Draft Zoning Ordinance as the review authority for minor use permits, minor variances, interpretations of the Zoning Ordinance, and other minor permit process;
3. The concept and strategy of permitting accessory uses within the Draft Zoning Ordinance; and
4. The Policy Question of how to permit solar energy land uses in Agricultural zones within the Draft Zoning Ordinance - action requested - PROVIDE DIRECTION TO STAFF AND INSTRUCT INCORPORATION OF CHANGES INTO THE SECOND DRAFT ZONING ORDINANCE; AND PROCEED WITH DRAFT ZONING ORDINANCE UPDATE PROCESS. (Department of Development Services)

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICE AND DAN BREEDON, PRINCIPAL PLANNER PROVIDED REPORTS.

1109-012 THE PROCESS OF UPDATED SCHEDULE FOR REVIEWING THE DRAFT ZONING ORDINANCE LEADING TO ADOPTION;

PUBLIC COMMENT: MIKE ASHLOCK; DANIEL ANDROS; WOPAY TWOFEATHERS (???); BOB KROMER;

MOTION: I MOVE TO ACCEPT THE SCHEDULE AS PRESENTED WITH THE CAVEAT THAT THE SCHEDULE MAY CHANGE. (23:00)

M 2

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

1109-013 THE CONCEPT OF UTILIZING A ZONING ADMINISTRATOR FUNCTION IN THE DRAFT ZONING ORDINANCE AS THE REVIEW AUTHORITY FOR MINOR USE PERMITS, MINOR VARIANCES, INTERPRETATIONS OF THE ZONING ORDINANCE, AND OTHER MINOR PERMIT PROCESS;

PUBLIC COMMENT: BOB KROMER AND ROBIN HUFFMAN;

MOTION: I MOVE TO ACCEPT THE CONCEPT OF UTILIZING A ZONING ADMINISTRATOR FUNCTION IN THE DRAFT ZONING ORDINANCE AS THE REVIEW AUTHORITY FOR MINOR USE PERMITS, MINOR VARIANCES, INTERPRETATIONS OF THE ZONING ORDINANCE, AND OTHER MINOR PERMIT PROCESS.

2 M

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

1109-014 THE CONCEPT AND STRATEGY OF PERMITTING ACCESSORY USES WITHIN THE DRAFT ZONING ORDINANCE;

PUBLIC COMMENT: SARAH SALSURY; AMANDA PYLE (58:16); JACKIE CHASE; DAVID HILST; DOUG TEETER; (1:08:18); FRANK FUNASS; MIKE ASHLOCK; HUBERT TOWNSEND; DAN _____; _____ SALMON (1:17:00); ROBIN HUFFMAN; LARRY YOUNG; _____ MATTHEWS, CATHERINE FARRIS; AND PAUL MATTHEWS.

MOTION: I MOVE TO ACCEPT THE CONCEPT AND STRATEGY OF PERMITTING ACCESSORY USES WITHIN THE DRAFT ZONING ORDINANCE – (PAGE 17 OF STAFF PP).

M 2

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

1109-015 THE POLICY QUESTION OF HOW TO PERMIT SOLAR ENERGY LAND USES IN AGRICULTURAL ZONES WITHIN THE DRAFT ZONING ORDINANCE

PUBLIC COMMENT – JASON BOUGEE (SP??); TERRY FAULKNER; BOB KROMER (2:03:04); ROBIN HUFFMAN; LUCY COOKE; DOUG TEETER; COLLEEN CECIL (2:16:06);

2:18:35 – BOARD DISCUSSION

BILL – TALK TO CATTLEMAN’S ASSOCIATION AND THE FARM BUREAU.

MOTION: I MOVE TO

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

1109-016 CLOSED SESSION

THE BOARD RECESSED 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

CONFERENCES WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

PROPERTY: APN 071-450-001

AGENCY NEGOTIATOR: GRANT HUNSICKER

NEGOTIATING PARTY: STATE OF CALIFORNIA

NEGOTIATIONS: TERMS CONVEYANCE

PROPERTY: APN 068-150-006

AGENCY NEGOTIATOR: GRANT HUNSICKER

NEGOTIATING PARTY: STATE OF CALIFORNIA

NEGOTIATIONS: TERMS OF CONVEYANCE

ACTUAL LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(A) – THREE CASES

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. BEC V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 152362.
3. CALIFORNIA SPORTFISHING PROTECTION ALLIANCE V. COUNTY OF BUTTE; USDC-EASTERN DISTRICT CASE NO 10-03203

SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(b)(1) – 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 AND WILL RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, MAY 10, 2011 AT 9:00 A.M.