



**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF SUTTER, STATE OF CALIFORNIA
SESSION OF JUNE 10, 2008**

The Board of Supervisors of the County of Sutter, State of California, met on the above date in Closed Session at 6:15 p.m.; in Study Session at 6:30 p.m.; and in Regular Session at 7:00 p.m. in the Board of Supervisors Chambers located in the Hall of Records Building at 466 Second Street, Yuba City, California.

MEMBERS PRESENT: Supervisors Larry Montna, Stan Cleveland, Larry Munger, Jim Whiteaker, and Dan Silva

MEMBERS ABSENT: None

STAFF PRESENT: Larry Combs, County Administrative Officer; Ronald S. Erickson, County Counsel; and Lisa Bush, Deputy Clerk of the Board

SPECIAL MEETING/CLOSED SESSION

Chairman Montna called the Closed Session to order noting that the purpose of the meeting was:

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL (Gov. Code § 54957 (b)(1))
Consideration and possible action on arbitrator's decision regarding discipline and/or dismissal of a County employee.

The Board adjourned into Closed Session pursuant to § 54957.1(b) of the Brown Act to deliberate the County's appeal of an advisory arbitration decision of a personnel disciplinary matter involving a Personnel Assistant. After deliberating, the Board unanimously affirmed the Department Head's decision to impose disciplinary termination and rejected the advisory arbitrator's recommendation to impose an alternate penalty.

There were no comments from the public.

SPECIAL MEETING/STUDY SESSION

Chairman Montna called the Study Session to order noting the purpose of the meeting was:

The Ferguson Group – Update and discussion on federal legislation and priorities

Roger Gwinn and Bob Schmidt, representatives from The Ferguson Group, LLC, addressed the Board and audience. Mr. Gwinn gave a brief overview of a recent trip taken by Board members and staff to Washington, D.C. and explained how critically important that trip was.

Mr. Schmidt referenced a packet of information they provided the Board members this evening. Included in the packet is information regarding 1) status report of Fiscal Year 2009 appropriations process, 2) a table of information regarding Sutter County/City of Yuba City Fiscal Year 2009 Federal Agenda, 3) the Sutter County Feasibility Study, FY 2009 Energy and Water Development Appropriations Bill, 4) Take Back Sutter County Methamphetamine Awareness Campaign, and 5) Sutter County Youth Employment Pilot Program. Mr. Schmidt discussed the upcoming Presidential Election and how that might affect the appropriations process.

Mr. Gwinn stated that the Feasibility Study is a high priority project for the Corp of Engineers.

Discussion ensued regarding the importance of the Take Back Sutter County Methamphetamine Awareness Campaign.

The Board thanked Mr. Gwinn and Mr. Schmidt for their update and all they are doing for Sutter County and the City of Yuba City.

There was no action required of the Board.

REGULAR SESSION

Chairman Montna called the meeting to order and asked the Clerk to call the roll of the Board, noting that all were present. He then asked Stephanie J. Larsen, Assistant County Administrator, to lead the Board and the audience in the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

On motion of Supervisor Whiteaker, seconded by Supervisor Silva and unanimously carried, the Board approved the minutes of the June 3, 2008 Study Session and Regular Session as presented.

CONSENT CALENDAR

Supervisor Whiteaker requested that Item 13 be removed for discussion.

On motion of Supervisor Whiteaker, seconded by Supervisor Silva and unanimously carried, the Board approved the Consent Calendar, with Item 13 removed for discussion, as follows:

Agricultural Commissioner

- 2) **Authorization for the Agricultural Commissioner to endorse the Annual Work Plan and Annual Financial Plan; and approval of the FY 2008-09 agreement (A08-071) for Wildlife Services.**

- 3) **Approval of the County Petroleum Products Compliance and Weighmaster Enforcement Program Agreement No. 08-0056 (A08-072) and the CCC-307 Certification with the California Department of Food & Agriculture.**
- 4) **Approval of a Memorandum of Understanding (A08-073) with the California Structural Pest Control Board.**

County Administrative Office

- 5) **Approval of a budget amendment for the grant of Calpine Funds to the Sutter-Butte Flood Control Agency as follows: 1) approved the recommended budget transfer to the Calpine Levee and Flood Control Special Revenue Fund #0136 and directed the Auditor-Controller to increase Cancellation of Prior Year Reserves by \$1,300,000 (0136-00-49998) and increase Contribution to Other Agencies by \$1,300,000 (0136-00-53200); 2) directed the Auditor-Controller to fund the loan in the amount of \$1,600,000 out of Designations for Capital Reserves, which requires a 4/5 vote; and 3) directed the Auditor-Controller to disperse the funds immediately to the Sutter-Butte Flood Control Agency.**
- 6) **Authorization for the Board to adopt a position of support for SB 1407, which authorizes the State to issue \$5.0 billion in courthouse construction bonds.**

Human Services – Health Division

- 7) **Approval of a budget amendment for the BioTerrorism and Pandemic Influenza Grants. (FT 200863)**

Human Services – Mental Health Division

- 8) **Approval of a Memorandum of Understanding (A08-074) between the Sutter-Yuba Mental Health Services, the Sutter County Superintendent of Schools Office, and the Yuba County Office of Education for FY 2008-09.**
- 9) **Approval of Employment Agreement (A08-075): Clinical Director-Psychiatric Health Facility with Douglas R. Crisp, M.D. to provide psychiatric services to clients of Sutter-Yuba Mental Health Services.**

Human Services – Welfare & Social Services Division

- 10) **Approval of Amendment 01 to the Memorandum of Understanding (A08-076) with the California Statewide Automated Welfare System IV (C-IV).**

Library

- 11) **Approval to submit a FY 2008-09 Continuation Grant application to the California State Library for the Early Learning with Families & Your Library Program.**

Probation

- 12) **Approval of the FY 2008-09 Juvenile Probation & Camp Funding Agreement (A08-077) and authorization for the Chief Probation Officer to sign said agreement and related documents.**

Public Works

- 13) **REMOVED FOR DISCUSSION: Approval of an allocation change from one flexibly staffed Associate Civil Engineer position to an Engineer-Architect position.**

Item 13 – Staff Allocation Change for Public Works

Supervisor Whiteaker asked why staff is requesting this change.

Doug Gault, Director of Public Works, explained that this position will be responsible for a majority of the vertical construction/building projects within Public Works. By expanding the recruitment using an Engineer-Architect job specification, staff is hopeful they can reach more available and qualified applicants.

On motion of Supervisor Silva, seconded by Supervisor Munger and unanimously carried, the Board approved an allocation change from one flexibly staffed Associate Civil Engineer position to an Engineer-Architect position.

PUBLIC HEARINGS

Resolution to Charge a Fee for Inmate-Initiated Medical Visits

This having been heretofore fixed as the date, time, and place to hold a public hearing to consider adoption of a resolution to A) authorize the Sheriff to charge a fee for each inmate-initiated medical visit of an inmate confined in the County jail; and B) require that all monies received pursuant to this resolution be transferred to the County General Fund; Certificate of Publication being on file in the office of the Clerk of the Board, the matter was called to be heard.

J. Paul Parker, Sheriff-Coroner, reviewed the staff report and explained that under the Penal Code, the Sheriff is authorized to charge a fee in the amount of three dollars for each inmate-initiated medical visit of an inmate confined in a county jail. However, the inmate shall not be denied medical care because of a lack of funds in his or her personal account. Staff is hopeful that this will reduce the number of unnecessary sick calls, which ultimately impact the workload of medical and correctional staff.

Supervisor Cleveland voiced concern that this change could potentially make the County more liable should an error occur.

Sheriff Parker explained that the inmate will automatically receive the medical care requested and then after treatment, staff will determine if the new fee will be applicable.

Supervisor Cleveland stated that Sheriff Parker has eliminated his concern regarding possible liability.

Chairman Montna opened and closed the public hearing with no testimony heard.

RESOLUTION NO. 08-042, A RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING THE SHERIFF TO CHARGE A FEE FOR EACH MEDICAL VISIT INITIATED BY AN INMATE OF THE COUNTY JAIL IN ACCORDANCE WITH PENAL CODE § 4011.2, was adopted on motion of Supervisor Munger, seconded by Supervisor Cleveland and unanimously carried as appears of record in the office of the Clerk of the Board in Resolution Book 55 at Page 130 to which record is hereby made for further particulars and by such reference incorporated herein and made a part hereof.

Bi-County Ambulance Service Request

This having been heretofore fixed as the date, time, and place to hold a public hearing to consider the request of Bi-County Ambulance Service, Inc. to increase the rates it charges to Sutter County residents; Certificate of Publication being on file in the office of the Clerk of the Board, the matter was called to be heard.

Amerjit Bhattal, Assistant Director of Human Services – Health, stated this item went before the Health & Welfare Committee last week and staff has determined that additional research is needed. Therefore, staff requests that this public hearing be delayed until a future date, as yet undetermined.

It was the consensus of the Board to continue the hearing until further notice; no action was taken.

APPEARANCE ITEMS

Risk Manager Position

Patricia Leland, Personnel Analyst, reviewed the staff report and explained that after an extensive recruitment for the position of Risk Manager, an extremely well qualified candidate has been selected. The candidate has accepted the position, contingent upon being hired at Step 5 of salary range MGT46, as the candidate is currently above that salary level. The Board must authorize the filling of this position at any step of the salary range higher than Step 1.

Supervisor Cleveland asked Ms. Leland to expand on the candidate's qualifications.

Ms. Leland gave an overview of the candidate's qualifications, which includes 25 years of experience.

Supervisor Whiteaker voiced concern with hiring anyone at Step 5. He asked that the Board look closely at these types of requests and said that the longevity of a person should be of concern when starting at the highest step.

Supervisor Cleveland voiced similar concerns and said he would prefer to hire someone at Step 2 or 3.

Supervisor Munger said he will support this item, as someone so highly qualified will probably save the County more money than they are being paid.

Larry Combs, County Administrative Officer, reiterated the candidate's superior experience and said he said he recommends approval.

Chairman Montna concurred with Supervisor Munger.

On motion of Supervisor Silva, seconded by Supervisor Munger and unanimously carried, the Board authorized hiring a candidate for the Risk Manager position at salary Step 5 of salary range MGT46.

New Animal Control Facility

Larry Bagley, Director of Community Services, introduced Steve Santa Croce, Senior Civil Engineer with Sutter County Public Works. Mr. Bagley reviewed the staff report and gave an overview of the existing building, stating that it is undersized for both staff and animals. He explained the many reasons why a new facility is needed. He explained that in 2007, Citygate Associates conducted a Management Review of Sutter County Animal Control. The design of the proposed facility will be based on the recommendations made in the report. Staff would like to proceed with hiring a design consultant to design this facility.

Supervisor Whiteaker asked what amount the City of Yuba City and City of Live Oak pays for animal control. Mr. Bagley stated they pay approximately two-thirds of the cost.

Steve Santa Croce gave a presentation regarding a potential site for the new facility. He explained the County currently controls the property located across from the Airport, and it is much closer to City sewer. This property could easily handle a new facility, sized at 10,000 square feet, and still have plenty of room for future growth. He stated this agenda item is to request proposals for architectural/engineering design services. Staff will bring the project to the Board numerous times throughout the process for consideration of items such as award of design consultant contract, completion of design concept, invitation bids for construction, and award of construction contract.

Discussion ensued with regard to new facilities in other counties and cities.

Stephanie Ruscigno, 1660 Sharon Drive, Yuba City, thanked the Animal Control staff for all that they do and voiced support of the new facility.

On motion of Supervisor Whiteaker, seconded by Supervisor Cleveland and unanimously carried, the Board authorized the Director of Public Works to request proposals for architectural/engineering design for a new Animal Control Facility.

Proposed Budget for Fiscal Year 2008-09

Larry Combs, County Administrative Officer, stated this is the annual presentation of the next fiscal year's proposed budget.

Stephanie Larsen, Assistant County Administrator, reviewed the staff report and gave a presentation of the Proposed Budget for Fiscal Year 2008-09. She explained that this year's "top stories" are the housing market meltdown and the State's \$17.2 billion dollar deficit. Ms. Larsen showed graphs of the Sutter County home sales and foreclosures; and discretionary revenue growth: State vs. all counties. She explained that the total proposed expenditures for the County are \$226.7 million, an increase of 3% over last fiscal year. This

amount includes General Fund expenditures of \$74.7 million, a 1.4% increase over last fiscal year. Ms. Larsen displayed several charts showing where property tax dollars go, operating revenues by sources, and expenditures by category. She stated that the County really only has 5% in discretionary funds in which to budget. She discussed some of the financial difficulties of other counties. With regard to Sutter County's proposed budget, Ms. Larsen noted there is no deficit, no use of reserves to balance the budget, there are neither lay-offs nor a hiring freeze, and no General Fund programs are being reduced. In closing, Ms. Larsen stated that Sutter County is in good financial shape.

Supervisor Silva thanked Ms. Larsen for a good presentation.

Supervisor Whiteaker stated the County is in great financial shape, even though the State is a "bad business partner."

Supervisor Cleveland stated that the Board needs to continue to be prudent and show restraint when it comes to spending.

Patricia Miller, 1699 Sharon Drive, Yuba City, voiced concerns with previously stated road deficits.

Roberta Fletcher, 2003 Butte Avenue, Yuba City, asked about the General Fund Programs.

Larry Combs stated some of the General Fund Programs include: Library, Sheriff, Assessor, Auditor-Controller, Tax Collector, CAO's office, County Counsel, and part of Public Works.

Mr. Combs explained the recommendations are outlined in the staff report. He noted with regard to the direction that the Proposed Budget be made available to the public, it is available at the County website; and the Clerk has brought copies of the Proposed Budget for anyone who would like one this evening.

On motion of Supervisor Whiteaker, seconded by Supervisor Silva and unanimously carried, the Board approved recommendations 1 through 9 as outlined in the staff report which include approval the Sutter County Proposed Budget for Fiscal Year 2008-09, and setting a public hearing for June 24, 2008, at 9:00 a.m. at the Veterans' Memorial Building in Yuba City.

CORRESPONDENCE

Miscellaneous correspondence was noted and filed.

PUBLIC COMMENT

Teresa Anderozzi, 1566 Upland Drive, Yuba City, asked for and received approval from the Chairman to provide the Clerk with copies of an upcoming forum regarding proposed State budget cuts that will dramatically affect the home care workers and their clients.

There were no further comments from those in the audience.

OTHER BUSINESS – BOARD OF SUPERVISORS

Supervisor Munger stated that the Clean-Up Day in Sutter was held last Saturday and was a tremendous success. He thanked Jackie Sillman and YSDI, Sutter Water District, the Sheriff's Department, and the Sutter Lion's Club for a tremendous job. Supervisor Munger also wished good luck to the Yuba-Sutter Flood, a local baseball team, heading to Omaha, Nebraska for a tournament.

On motion of Supervisor Cleveland, seconded by Supervisor Munger and unanimously carried, the Board adjourned in memory of Dawn Moser and directed a letter of condolence be sent to her family.

On motion of Supervisor Munger, seconded by Supervisor Whiteaker and unanimously carried, the Board adjourned in memory of Edward Baker and directed a letter of condolence be sent to his family.

On motion of Chairman Montna and Supervisor Munger, seconded by Supervisor Whiteaker and unanimously carried, the Board adjourned in memory of Glenn Koball and directed a letter of condolence be sent to his family.

On motion of Chairman Montna, seconded by Supervisor Munger and unanimously carried, the Board adjourned in memory of Kalwant Bains and directed a letter of condolence be sent to his family.

On motion of Chairman Montna, seconded by Supervisor Munger and unanimously carried, the Board adjourned in memory of Thelma Schmidl and directed a letter of condolence be sent to her family.

On motion of Chairman Montna, seconded by Supervisor Munger and unanimously carried, the Board adjourned in memory of Roy Hilbert and directed a letter of condolence be sent to his family.

With no further business coming before the Board, the meeting was adjourned at 8:18 p.m.

ATTEST:

**DONNA M. JOHNSTON,
CLERK OF THE BOARD**

LARRY MONTNA, CHAIRMAN

**By:
Lisa Bush, Deputy**