

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**  
**MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD APRIL 20, 2004**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 20<sup>th</sup> day of April, 2004, there being present Supervisors Ed Robey, Jeff Smith, Gary Lewis, Anthony Farrington and Rob Brown, Administrative Officer Kelly Cox, County Counsel Cameron Reeves and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:01 a.m. by Chair Brown, following a moment of silence, Mr. Paul Redding led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Robey and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-12, with the exception of Consent Items C-4 and C-6, which will be taken up immediately following the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors Meeting held on April 6, 2004.

Adopted proclamation designating the week of April 18<sup>th</sup> through 24<sup>th</sup>, 2004, as National Victims' Rights Week in Lake County.

Adopted proclamation designating the week of April 18<sup>th</sup> through April 24<sup>th</sup>, 2004, as National Volunteer Recognition Week in Lake County.

Adopted Resolution No. 2004-58, supporting CSAC alternative budget proposal for Fiscal Year 2004-2005.

Adopted Resolution No. 2004-59, in support of the Comprehensive Multiagency Juvenile Justice Plan modification and application to be submitted to the California Board of Corrections.

Adopted Resolution No. 2004-60, amending Board of Supervisor's Resolution No. 2002-136, establishing an Underground Utility District, Island Drive, Clearlake Oaks area, County of Lake.

Approved Engineering and Inspection Agreement between County of Lake and Tim Niles, for review of plans and specifications for a Tentative Parcel Map, located at 300 Park Way, Lakeport, CA, and authorized the Chair to sign.

Approved participation by Marine Patrol Division in the Bombardier Corporation's Personal Watercraft Program for the summer of 2004.

Approved County Service Area #6, Finley Water Improvement Project Form for Applicant Certification for Federal Collection Policies for Consumer Debt, and authorized the Chair to sign.

Sitting as the Board of Directors of Kelseyville County Waterworks District No. 3, approved Kelseyville County Waterworks District No. 3 Water Improvement Project Form for Applicant Certification for Federal Collection Policies for Consumer Debt, and authorize the Chair to sign.

**CONSENT ITEM C-4 - PROPOSED APPOINTMENT OF JUDY CLEVELAND TO THE INDIAN GAMING LOCAL BENEFIT COMMITTEE (BIG VALLEY RANCHERIA TRIBAL REPRESENTATIVE)** - Supervisor Lewis requested that this item be pulled from the Consent Agenda for further discussion. Supervisor Lewis stated that he has received a request from Robinson Rancheria to appoint Ms. Clair Wilson to the Indian Gaming Local Benefit Committee.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), appointed Judy Cleveland as the Big Valley Rancheria tribal representative and Clair Wilson as the Robinson Rancheria tribal representative, to the Indian Gaming Local Benefit Committee.

**CONSENT ITEM C-6 - PROPOSED RESOLUTION NO DECLARING INTENT TO SELL SURPLUS REAL PROPERTY OWNED BY THE COUNTY, LOCATED AT 21236 WASHINGTON STREET, MIDDLETOWN, CA, APN 24-395-02, (MINIMUM BID PRICE OF \$70,000), AND SET PUBLIC HEARING FOR MAY 18, 2004, AT 9:15 A.M.** - Deputy Administrative Officer Jeff Rein requested that this item be pulled from today's agenda and carried over to May 4, 2004.

2. **CITIZEN'S INPUT** - Mr. John Roddy requested that the Board direct the Public Works Department, Road Division, to repair Mission Rancheria Road. Also, Mr. Roddy was upset that Citizen's Input last week was not televised.

3. **ITEM A-12 - DISCUSSION/CONSIDERATION OF THE FOLLOWING: (a) COUNTY OF LAKE'S PARTICIPATION IN THE REGIONAL COUNCIL OF RURAL COUNTIES/RURAL ALLIANCE, INC. (RCRC/RIA) SCHOLARSHIP PROGRAM FOR 2004; (b) LETTER TO RCRC/RIA STATING THE COUNTY'S INTENTION TO PARTICIPATE IN THE SCHOLARSHIP PROGRAM; and (c) APPOINT TWO BOARD MEMBERS TO SERVE ON THE SCHOLARSHIP SELECTION COMMITTEE** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the County of Lake's participation in the Regional Council of Rural Counties/Rural Alliance, Inc. (RCRC/RIA), Scholarship Program for 2004, and approved letter to RCRC/RIA stating the County's intention to participate in the Scholarship Program, and authorized the Chair to sign.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), appointed Supervisors Smith and Lewis to serve on the Scholarship Selection Committee.

4. **ITEM A-5 - 9:15 A.M. - HEARING - APPEAL OF ADMINISTRATIVE PENALTIES ISSUED BY THE COMMUNITY DEVELOPMENT DEPARTMENT, CODE ENFORCEMENT DIVISION (TIMOTHY MULDER, TIFFANY MULDER AND THEODORE MULDER) - (APPELLANT'S ATTORNEY HAS REQUESTED THAT THIS ITEM BE CONTINUED TO MAY 11, 2004, AT 9:06 A.M.)** - Code Compliance Manager Anne Fogelstrom and Code Compliance Officer Hank Boullierce, Ms. Gabriel Andrade, Mr. Frank Johnson and Mr. Dan Hanel were present and sworn in by the Clerk.

Mr. Boullierce gave an overview of the violations on the property.

Ms. Fogelstrom gave a power-point presentation showing the violations on the property.

Chair Brown stated that the Board will grant the continuance of this item, however, there are members of the audience who will not be able to attend the hearing on May 11, 2004, and the Board will take testimony from them.

(It was noted that the attorney has agreed to have the Clerk provide him with an audio tape of the testimony presented at today's hearing).

This item was continued to May 11, 2004, at 9:06 a.m.

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5. **ITEM A-6 - 9:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 522 FIRST STREET, UPPER LAKE, CA (APN 027-198-06-00-00 - GERTRUDE LUGGER C/O STEVEN LUGGER AND TRUDY COLEMAN) - Code Compliance Manager Anne Fogelstrom and Code Enforcement Officer Anthony Howard were sworn in by the Clerk.**

Neither the property owner nor a representative were present.

Mr. Howard gave a background report. This investigation has been on going since it was originally opened November 12, 2003. The property is covered with an excessive amount of open and outdoor storage of junk, trash, garbage, appliances, tires, vehicle parts, plastic, scrap wood, scrap metal, debris and other unsanitary/miscellaneous items causing imminent hazard to the occupants and a public nuisance. The dwelling unit and accessory structures appeared to be so old, dilapidated and has become so out of repair as to be dangerous, unsafe, unsanitary and may be unsafe for human occupancy.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, and all cost associated with this case shall become a charge against the property.

6. **ITEM A-13 - DISCUSSION/CONSIDERATION OF RECOMMENDATION TO ENTER INTO A 12-MONTH AGREEMENT WITH U.S. CELLULAR FOR THE PROVISION OF CELLULAR PHONE SERVICES TO COUNTY DEPARTMENTS -** Administrative Analyst Jennifer Hammond was present and gave a brief overview of the recommendation. The information that staff has received showed that U.S. Cellular provided the lowest cost with comparable benefits and accessories to the other providers. On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the recommendation to enter into a 12-month agreement with U.S. Cellular for the provision of cellular phone services to County departments, and directed staff to prepare an agreement and bring back to the Board at a later date for further consideration.

7. **ITEM A-7 - 9:45 A.M. - HEARING - APPEAL OF ADMINISTRATIVE PENALTIES ISSUED BY THE ANIMAL CARE AND CONTROL DEPARTMENT (WILLIAM MIRANDA) -**A Memorandum dated April 19, 2004, from Animal Control Director Denise Johnson, was received by the Board, requesting that this item be removed from today's agenda. Mr. Miranda has relocated himself and the dogs to Texas.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), granted the appeal essentially moot since the dogs have been relocated to Texas.

8. **ITEM A-14 - CLOSED SESSION - 1. Public Employee Performance Evaluation, Title: Public Works Director; and 2. Conference with Labor Negotiator (a) County Negotiators : A. Grant and J. Hammond, (b) Employee Organization: LCEA, LCSDA, LCCOA and DDA -** Chair Brown announced that the Board will now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with no action taken. The Board will go back into Closed Session later today.

9. **ITEM A-8 - 10:15 A.M. - PRESENTATION OF LAKE COUNTY MENTAL HEALTH ADVISORY BOARD'S SEMI-ANNUAL REPORT -** Kathleen Abbadesse, Chair of the Lake County Mental Health Board, gave an overview of the activities and duties of the Mental Health Advisory Board. These included the following: (1) oversee and monitor the local mental health system, (2) advocate for persons with serious mental illness, and (3) provide advise to the governing body (Board of Supervisors) and the Mental Health Director. A survey has been created and sent to the professional community (law enforcement, Probation, educators and fire departments), for their input regarding interaction with the Mental Health Department. The goals by the Board for next year are as follows: (1) increase the diversity of the Mental Health Advisory Board membership, (2) follow-up on the survey results by identifying areas of concern, submitting formal recommendations to the division and subsequent follow-up, (3) target another entity for the next survey, (4) increase public input at the board's monthly meetings, (5) receive a report from the new director of adult services, (6) breakdown the identified barriers between school educators and the Department of Mental Health by making recommendations to facilitate the delivery of services to children in our communities, and (7) follow-up on the recommendations for crisis team training in the area of tinge.

There was no action taken on this item.

10. **ITEM A-9 - 10:30 A.M. - DISCUSSION/CONSIDERATION TO INITIATE THE PROCESS OF REQUESTING STATE LEGISLATION TO ALLOW THE TAXATION OF MEDICAL MARIJUANA -** Chair Brown requested that this item be pulled from today's agenda and carried over to a later date.

11. **ITEM A-4 - 9:06 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF APRIL 18<sup>TH</sup> THROUGH APRIL 24<sup>TH</sup>, 2004, AS NATIONAL VICTIMS' RIGHTS WEEK IN LAKE COUNTY -** Supervisor Farrington read the proclamation into the record. The proclamation was presented to Victim Witness Administrator Mike Blakey and Victim Advocate Suzanne Crouch.

Mr. Blakey commended Highway Patrol Officer Larry Deppe and Deputy Sheriff Kiuya Brown for their outstanding professionalism as the first responders to crime victims.

12. **ITEM A-11 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS -** Chair Brown read a letter from Linda Puetolas and residents, commending Lyle Swartz for his prompt assistance and superior road repair work provided to the residents of Golf Road, Cobb Mountain.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved a Certificate of Appreciation to Public Works Supervisor Lyle Swartz, for his prompt assistance and superior road repair work that was provided to the residents of Golf Road, Cobb Mountain, and authorized the Chair to sign.

13. **ITEM A-10 - 11:00 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF APRIL 18<sup>TH</sup> THROUGH APRIL 24<sup>TH</sup>, 2004, AS NATIONAL VOLUNTEER RECOGNITION WEEK IN LAKE COUNTY -** Supervisor Robey read the proclamation into the record. The proclamation was presented to Personnel Technician Raylene Johns.

Ms. Jones stated that she will be holding a drawing for all the volunteers that are in the audience. The prizes that are to be given away include a baseball cap, a coffee mug, two tee-shirts and two wine glasses. Each of these prizes carried the Lake County logo on them. The following volunteers were chosen: Mr. Craig Demming, Ms. Chrissy Belle, Ms Margaret Anton, Mr. Jared Hendricks, Ms. Elisa Carson and Ms. Marilyn Crayton.

Public Works Director Gerry Shaul and Public Works Office Supervisor Lori Price were present.

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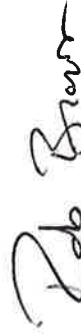
Ms. Price gave a power-point presentation on the Adopt-A-Road Program, and the commended the followings volunteers who participate in the program: Ms. Carol Batts, Mr. Eric Seely representing Beckstoffer Red Hills Vineyards, Mr. Bill Barrows, Ms. Connie Miller, Mr. Lenard Landwehr, Ms. Loraine Landwehr, Mr. Johnny Carney, Ms. Marjorie Pierce, Ms. Bessie Udell, Ms. Thelma Dangel, Ms. Louise Olney, Ms. Karen Sullivan (and family), Mr. Steven Wakefield, Mr. Lloyd Gillespie, Ms. Marylou Gillespie, Mr. Kurt Larreco and Ms. Pam Frances.

Also the following organizations were commended: Beckstoffer Red Hills Vineyard, Monte, Lewis and Lazy L Ranch, P. G. Pool Ratz, Lakeport Kiwanis, Equestrian Women of the Toll Road and the County of Lake Auditors Office. The Equestrian Women of the Toll Road were chosen as Volunteers of the Year.

**BACK TO #8 - ITEM A-14 - CLOSED SESSION - 1. Public Employee Performance Evaluation, Title: Public Works Director; and 2. Conference with Labor Negotiator (a) County Negotiators : A. Grant and J. Hammond, (b) Employee Organization: LCEA, LCSDA, LCCOA and DDA - Chair Brown announced that the Board will now go back into Closed Session for the reasons stated on the agenda.**

The Board reconvened into Regular Session with no action taken.

There being no further action, the Board adjourned at 12:29 p.m.



Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board



By:   
Georgine Hunt  
Assistant Clerk of the Board

