

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**  
**MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD AUGUST 24, 2004**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 24<sup>th</sup> day of August, 2004, there being present Supervisors Jeff Smith, Gary Lewis, Anthony Farrington and Ed Robey, Chief Deputy Administrative Officer Matt Perry, County Counsel Cameron Reeves and Assistant Clerk of the Board Georgine Hunt. Supervisor Brown, and Administrative Officer Kelly Cox were absent all day.

The meeting was called to order at 9:02 a.m. by Chair Robey, following a moment of silence, Community Development Director Mary Jane Fagalde was present.

1. **ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved Consent Agenda Items C-1 through C-7.

Approved Minutes of the Board of Supervisors Meetings held on July 20 and July 27, 2004.

Adopted proclamation designating the month of September as Workforce Development Month in Lake County.

Appointed David Fesmire, to Emergency Medical Care Committee, for a term expiring January 1, 2005.

Approved Contract between the County of Lake and Mendocino County, to provide laboratory services, and authorized the Chair to sign.

(a) Adopted Resolution No. 2004-139, adopting the Fiscal Year 2004/2005 Final Budget for the County of Lake and special districts governed by the Board of Supervisors; (b) Adopted Resolution No. 2004-140, establishing position allocations for Fiscal Year 2004/2005, to conform to the Final Budget; and (c) Adopted Resolution No. 2004-141, fixing tax rates for local agencies, general obligation bonds and other voter approved indebtedness for Fiscal Year 2004/2005.

Adopted proclamation designating the month of September as National Alcohol and Drug Addiction Recovery Month in Lake County.

Sitting as the Board of Directors of Lake County Sanitation District, adopted Resolution No. 2004-142, authorizing the Special Districts Administrator to sign a Notice of Completion for work performed under agreement dated August 19, 2003 (Southeast Geysers Effluent Pipeline Upgrade Project-B Street Pump Station).

2. **ITEM A-2 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

**EXTRA #1 - CONSIDERATION OF REQUEST FOR WAIVER OF THE NORMAL BIDDING PROCESS FOR PURCHASE OF A PRE-OWNED ENCLOSED UTILITY TRAILER (2003 SILVERLITE) AND MAKE A DETERMINATION THAT COMPETITIVE BIDDING WOULD PRODUCE NO ECONOMIC BENEFIT TO THE COUNTY, AND AUTHORIZE THE SHERIFF'S DEPARTMENT TO ISSUE A PURCHASE ORDER TO MARK THEVENOT NOT TO EXCEED \$11,700** - Sheriff Rodney Mitchell was present.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved taking up this item due to the fact that the need arose after the posting of today's agenda.

This item was considered as an extra for the following reasons:

In the 2004 Homeland Security Grant Application, the Sheriff's Department requested \$13,000 to purchase an enclosed utility trailer in which to transport and store the considerable supplies and equipment being provided to the County of Lake in order to prepare for a homeland security incident. On August 18, 2004, staff became aware of a pre-owned utility trailer in excellent condition. Staff researched the trailer through the original manufacturer and learned that its original retail proceed exceeded \$20,000. The owner and staff have reached an agreed sale price of \$11,700 plus sales tax. The agreed price is locked in, however, the owner continues to advertise the trailer pending on the approval of the purchase by the Board.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved the request for waiver of the normal bidding process for the purchase of a pre-owned enclosed utility trailer (2003 Silverlite), and made a determination that competitive bidding would produce no economic benefit to the County, and authorized the Sheriff's Department to issue a Purchase Order to Mark Thevenot not to exceed \$11,700.

3. **CITIZEN'S INPUT** - Executive Director of the Lakeport Chamber of Commerce Melissa Fulton announced that Lake County's State Fair Exhibit won the Bronze Ribbon Award and thanked everyone who had volunteered to work at the County's Booth during the State Fair.

Public Services Director Kim Clymire thanked Ms. Fulton for all of her dedicated hard work to make the exhibit successful.

Mr. Ray Oliva expressed his concerns with the deterioration and neglect of County roads located in Riviera West.

Ms. Joyce Overton, Mr. John Roddy and Mr. Davis Smith each asked the Board to consider an increase in wages for IHSS workers.

4. **ITEM A-4 - 9:06 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12405 BIG CANYON ROAD, MIDDLETOWN, CA (APN 012-006-45-00 - ESTATE OF LOUISE P. BOUSCAL)** - The Clerk swore in Code Enforcement Manager Hank Bouillierce, Code Enforcement Officer Kimberlee Heckard, Mr. Louise Bouscal, Ms. Cheryl Benfield, Ms. Susan Hewitt and Ms. Kelly Bouscal.

Ms. Heckard gave a brief overview describing the condition of the property, which included a substandard dwelling and accessory structures, occupancy of travel trailer(s) and/or recreational vehicle(s), open and outdoor storage of junk, trash, household garbage, appliances, debris, public nuisance vehicles, tires, furniture and other miscellaneous items, a well and sewage disposal system which do not meet the rules and regulations of the Lake County Code.

Mr. Bouillierce gave a power-point presentation showing the condition of the property.

Mr. Bouscal, Ms. Bouscal, Ms. Benefield and Ms. Hewitt each presented testimony.

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Brown ABSENT), 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 costs associated with this case shall become a charge against the property.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD AUGUST 24, 2004

5. **ITEM A-5 - 9:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12565 EAST HIGHWAY 20, CLEARLAKE OAKS, CA (APN 035-240-03-00 - CARLTON CLARK and MARY CLARK)** - The Clerk swore in Community Development Director Mary Jane Fagalde, Code Enforcement Manager Hank Boullierce, Mr. Carlton Clark, Mr. John Clark and Ms. Artist Johnson.

Mr. Boullierce gave an brief overview describing the condition of the property, which included a structure that is so old, dilapidated, or has become so out of repair that it is dangerous, unsafe, unsanitary or otherwise unfit for human habitation.

Ms. Fagalde gave a power-point presentation showing the condition of the property.

Mr. Carlton Clark, Mr. John Clark and Ms. Artist John each presented testimony.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), 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 costs associated with this case shall become a charge against the property.

After a short recess, the Board reconvened at 10:25 a.m.
6. **ITEM A-6 - 9:45 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 7450, 7460, and 7470 HAYES STREET, NICE, CA (APN'S 030-193-16-03, 030-193-15 and 030-193-14 - PATRICIA PHILLIPS)** - The Clerk swore in Code Enforcement Manager Hank Boullierce and Code Enforcement Officer Ron Yoder.

Neither the property owner nor a representative were present.

Mr. Yoder gave a brief overview describing the condition of the property, which included open and outdoor storage, trash, junk, nuisance vehicles, nuisance trailers, scrap wood, scrap metal, white metal, tires, garbage and vehicle parts.

Mr. Boullierce gave a power-point presentation showing the condition of the property.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), 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 costs associated with this case shall become a charge against the property.
7. **ITEM A-7 - 10:00 A.M. - (a) MONTHLY UPDATE BY DR. GEORGE MCQUEEN, DIRECTOR OF THE LAKE COUNTY OFFICE OF EDUCATION WORKFORCE DEVELOPMENT DEPARTMENT, AND BELINDA NASH, EMPLOYMENT DEVELOPMENT DIRECTOR, REGARDING JOB PLACEMENT STATISTICS, COMMITTEE ACTIVITIES, UNEMPLOYMENT UPDATES, EMPLOYER/EMPLOYEE TRAININGS, AND GRANT APPLICATION INFORMATION; and (b) PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF SEPTEMBER AS WORKFORCE DEVELOPMENT MONTH IN LAKE COUNTY** - Director of the Lake County Office of Education Workforce Development Department Dr. George McQueen and Business Services Coordinator for the Lake County Career Center Sandra Young were present.

Ms. Young gave an overview of the Workforce Development Taskforce. The challenge or workforce development is to ensure that the needs of both the employers and workers are met. Workers are divided into three basic groups: Emerging workers, existing workforce and transitional workforce. These groups are to serve and supply the workforce needs of Lake County's businesses and industry and to attract new industry to the area. Also, the taskforce is providing workshops for job seekers and businesses, and numerous public outreach programs are being offered.

There was no action taken on this item.
8. **ITEM A-8 - 10:15 A.M. - PUBLIC HEARING - PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF A REZONE (RZ 04-04), REZONING LANDS TO REMOVE THE "W" (WETLAND COMBINING DISTRICT) FROM A PORTION OF A "A-FF-W" (AGRICULTURE-FLOODWAY FRINGE-WETLAND) ZONED PROPERTY; AND THE ADOPTION OF A NEGATIVE DECLARATION FOR RZ 04-04, BASED ON THE INITIAL STUDY 04-15; LOCATED AT 2590 CLIPPER LANE, LAKEPORT, CA (APN'S 008-005-05)** - Principal Planner Rick Coel and Associate Planner Emily Minton were present.

Ms. Minton gave a brief background report. The Community Development Department is proposing to rezone a portion of approximately 30-acre parcel to remove the "W" (Wetland Combining District) from a portion of a "A-FF-W" (Agriculture-Floodway Fringe-Wetland) zoned property based on a wetland delineation.

Chair Robey opened the public hearing. No one was present wishing to speak and the public hearing was closed.

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Brown ABSENT), found on the basis of Initial Study No. 04-15 that the rezoning applied for by the County of Lake, and as modified, will not have a significant effect on the environment and therefore adopted a negative declaration for the proposed rezoning with the findings listed in the Board Memorandum dated July 21, 2004.

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Brown ABSENT), waived the reading of the ordinance and had it read in title only (Clerk so did).

Supervisor Farrington offered Ordinance No. 2697, and it was passed by a roll-call vote (4 ayes, Supervisor Brown ABSENT).
9. **ITEM A-9 - 10:45 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF SEPTEMBER AS NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH IN LAKE COUNTY** - Supervisor Farrington read the proclamation into the record. The proclamation was presented to Drug and Alcohol Services Coordinator Mark Messerer.
10. **ITEM A-14 - PROPOSED ORDINANCE AMENDING CHAPTER 15 OF THE LAKE COUNTY CODE ESTABLISHING A CURFEW FOR FOUNTAIN PARK LOCATED IN CLEARLAKE OAKS** - Public Services Director Kim Clymire was present.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), waived the reading of the ordinance and had it read in title only (Clerk so did).

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), advanced the ordinance two weeks to September 7, 2004.
11. **ITEM A-10 - 11:00 A.M. - PUBLIC HEARING - INTENTION BY THE COUNTY OF LAKE TO ACQUIRE (PURCHASE) REAL PROPERTY, CONSISTING OF LAND LOCATED AT 2490 LAKESHORE BOULEVARD., NICE, CA (DOMINIC AFFINITO - FORMERLY APN 031-061-50 AND NOW KNOWN AS APN 031-061-58), TO BE USED AS A COUNTY PARK - (TO BE CONTINUED TO SEPTEMBER 7, 2004)** - Public Services Director Kim Clymire was present.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD AUGUST 24, 2004

Chair Robey opened the public hearing and it was continued to September 7, 2004, at 10:50 a.m.

After a short recess, the Board reconvened at 11:15 a.m.

12. **ITEM A-11 - 11:15 A.M. - PUBLIC HEARING - CONSIDERATION OF PROPOSED RESOLUTION APPROVING AMENDMENT OF LAKE COUNTY'S NON-DISPOSAL FACILITY ELEMENT TO ADD SOUTH LAKE REFUSE'S PROPOSED COMPOST AND CONSTRUCTION AND DEMOLITION FACILITY AND INCLUDE, AS POTENTIAL PERMIT APPLICANTS, TIMBERLINE DISPOSAL'S RECYCLING YARD EXPANSION AND THE WORM FARM - Public Services Director Kim Clymire and Public Services Deputy Director Caroline Chavez were present.**

Chair Robey opened the public hearing. No one was present wishing to speak and the public hearing was closed.

Supervisor Smith offered Resolution No. 2004-143, and it was passed by a roll-call vote (4 ayes, Supervisor Brown ABSENT).

13. **ITEM A-12 - 11:20 A.M. - CONSIDERATION OF REQUEST FROM ROGER VOORHEES, FOR THE COUNTY TO PAY THE LESTER GRIGSBY POST 764 POSSESSORY INTEREST TAX ON THE LUCERNE CLUBHOUSE - Public Services Director Kim Clymire was present.**

Mr. Roger Voorhees, representative of the Lucerne Clubhouse was also present.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), authorized the Public Services Department to pay the Possessory Interest Tax in the amount of \$297,04, based on the Board's findings that there is a special need in the community for this clubhouse to remain operable and that it is in the public's interest for the County to pay the Possessory Interest Tax.

14. **ITEM A-15 - CLOSED SESSION - 1. Conference with Labor Negotiator. (a) County Negotiators : A. Grant and J. Hammond and (b) Employee organizations: LCEA, LCSDA, LCCOA and DDA; and 2. Conference with Legal Counsel - Anticipated Litigation - (a) Intention of Litigation pursuant to Subsection (c) of Section 54956.9: One Potential Case -**  
Chair Robey announced that the Board will now go into Closed Session for the reason stated on the agenda.

The Board reconvened into Regular Session with not action taken.

There being no further business, the Board adjourned at 12:10 p.m.

  
Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By:   
Georgine Hunt  
Assistant Clerk of the Board



