

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JULY 20, 2004

The Honorable Board of Supervisors of Lake County, California, met in regular session this 20th day of July, 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 9:00 a.m. by Chair Brown, following a moment of silence, Ms. Pam Holly led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-4.

Appointed Janine Smith to the Maternal Child Adolescent Health Advisory Board, for a term expiring January 1, 2005.

Adopted Resolution No. 2004-118, approving Final Subdivision Map for Dohnary Ridge Estates Subdivision.

Approved Contract between the County of Lake and Saro Fleishman, as Coordinator of the Families for Literacy Program, and authorized the Chair to sign.

Adopted Resolution No. 2004-119, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated April 26, 2004 (construction of drainage and site improvement at Triangle Park, Nice).

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

EXTRA #1 - PROPOSED RESOLUTION AMENDING RESOLUTION NO. 2004-87 TO CORRECT ERRONEOUS SALARY LEVEL FOR NEW CLASSIFICATION - On motion of Supervisor Lewis and by vote of the Board (5 ayes), 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:

This error was brought to the attention of Chief Deputy Administrative Officer Matt Perry on Monday 19, 2004, after the posting of today's agenda. In order for the Auditor's Office to process the correct paycheck to the affected employee this error needs to be corrected today.

Chief Administrative Officer Matt Perry was present.

Supervisor Lewis offered Resolution No. 2004-113, and it was passed by a roll-call vote (5 ayes).

3. **ITEM A-14 - PROPOSED FINDINGS OF FACT AND DECISION IN THE APPEAL OF RICHARD KUEHN (AB 04-03 AND AA 03-06)** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Findings of Fact in the Matter of the Appeal of Richard Kuehn, and authorized the Chair to sign.

On motion of Supervisor Robey and by vote of the Board (5 ayes), denied the appeal of Richard Kuehn.

4. **CITIZENS' INPUT** - Mr. Phil Murphy spoke on the amendments that were made to the Lake County Vehicle Policy by the Board of Supervisors on July 6, 2004, and stated that a price cap for the purchase of vehicles should also have been included in the policy.

Mr. Robert Jordan spoke on issues regarding Buckingham Park Water, which included the consumption of water, the production of water, water storage and system upgrades.

5. **ITEM A-4 - 9:06 A.M. - PUBLIC HEARING - PROTEST HEARINGS FOR: (a) ANNUAL WATER STANDBY CHARGES AND DELINQUENT WATER FEES IN COUNTY SERVICE AREA NOS. 2, 6, 7, 13, 16, 18, 20, 21 AND 22; (b) DELINQUENT WATER FEES IN KELSEYVILLE COUNTY WATERWORKS DISTRICT #3; (c) CONFIRMING COLLECTION OF ANNUAL LIGHTING FEES IN COUNTY SERVICE AREA NO. 1 - CLEAR LAKE KEYS LIGHTING; AND (d) DELINQUENT SEWER FEES IN LAKE COUNTY SANITATION DISTRICT** - Special Districts Administrator Mark Dellinger and Accountant Darla Smith were present.

The Board of Supervisors adjourned and convened as the Board of Directors of Kelseyville County Waterworks District #3.

Chair Brown opened the public hearing on delinquent water fees in Kelseyville County Waterworks District #3. No one was present wishing to speak and the public hearing was closed.

Director Lewis offered Resolution No. 2004-114 (Resolution confirming collection of delinquent charges for services rendered in Kelseyville County Waterworks District #3), and it was passed by a roll-call vote (5 ayes).

The Board of Directors of Kelseyville County Waterworks District #3 adjourned and convened as the Board of Directors of Lake County Sanitation District.

Chair Brown opened the public hearing confirming collection of delinquent sewer fees in Lake County Sanitation District. No one was present wishing to speak and the public hearing was closed.

Director Smith offered Resolution No. 2004-115 (Resolution confirming collection of delinquent sewer fees in Lake County Sanitation District), and it was passed by a roll-call vote (5 ayes).

The Board of Directors of Lake County Sanitation District adjourned and reconvened as the Board of Supervisors.

Chair Brown opened the public hearing on confirming collection of annual lighting fees in County Service Area No. 1. No one was present wishing to speak and the public hearing was closed.

Supervisor Smith offered Resolution No. 2004-116 (Resolution confirming collection of annual lighting fees in County Service Area No. 1 - Clear Lake Keys Lighting), and it was passed by a roll-call vote (5 ayes).

Chair Brown opened the public hearing on collection of annual water standby charges and delinquent water fees in County Service Areas Nos. 2, 6, 7, 13, 18, 20, 21, and 22, no one was present wishing to speak and the public hearing was closed.

Supervisor Smith offered Resolution No. 2004-117 (Resolution confirming collection of annual water standby charges and delinquent water fees in County Service Areas Nos. 2, 6, 7, 13, 16, 18, 20, 21, and 22), and it was passed by a roll-call vote (5 ayes).

6. **ITEM A-5 - 9:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 5323 AND 5320 JAMIE LANE, KELSEYVILLE, CA (APN'S 088-031-03 and 088-031-04 - RAYMOND COUCH):**
HEARING FOR NUISANCE ABATEMENT FOR PROPERTY LOCATED AT 5323 JAMIE LANE, KELSEYVILLE - (APN 088-031-003) - The Clerk swore in Community Development Director Mary Jane Fagalde, Code Compliance Manager Ann Fogelstrom, property owner Raymond Couch, Milos Leubner and Al Del Bosque.
Ms. Fogelstrom gave an overview of the violations on the property located at 5323 Jamie Lane, Kelseyville. These violations included open and outdoor storage of junk, debris, furniture, scrap wood, appliances, scrap metal, public nuisance vehicles, violation of the terms and conditions of an existing building permit, occupancy of a structure that constitutes a hazard to the occupants and grading without a permit.
Ms. Fagalde gave a power-point presentation showing the past and present conditions of the property, which have remained unchanged.
Mr. Couch, Mr. Leubner and Mr. Del Bosque, each presented testimony.
On motion of Supervisor Lewis and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance located at 5323 Jamie Lane, Kelseyville, within thirty (30) days and authorized staff to abate the nuisance; if it is not voluntarily abated, all costs associated with this case will become a charge against the property, and authorized the Chair to sign the Order to Abate.
HEARING FOR NUISANCE ABATEMENT FOR PROPERTY LOCATED AT 5320 JAMIE LANE, KELSEYVILLE - (APN 088-031-04) - The Clerk swore in Community Development Director Mary Jane Fagalde, Code Compliance Manager Ann Fogelstrom, property owner Raymond Couch, Milos Leubner and Al Del Bosque.
Ms. Fogelstrom gave an overview of the violations on the property located at 5320 Jamie Lane, Kelseyville. These violations included open and outdoor storage of junk, debris, furniture, scrap wood, appliances, scrap metal, public nuisance vehicles, building without permits, occupancy of a structure that constitutes a hazard to the occupants and grading without a permit.
Ms. Fagalde gave a power-point presentation showing the past and present conditions of the property, which have remained unchanged.
Mr. Couch, Mr. Leubner and Mr. Del Bosque, each presented testimony.
On motion of Supervisor Lewis and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance located at 5320 Jamie Lane, Kelseyville, within thirty (30) days and authorized staff to abate the nuisance; if it is not voluntarily abated, all costs associated with this case will become a charge against the property, and authorized the Chair to sign the Order to Abate.
The Board of Supervisors adjourned and reconvened as the Board of Directors of Lake County Sanitation District.
7. **ITEM A-15 - PROPOSED FINDINGS OF FACT AND DECISION ON THE OBJECTIONS OF STRONG HOLD MASONRY TO HARBORTH EXCAVATING'S REQUEST TO APPROVE SUBSTITUTION OF SUBCONTRACTOR (SOUTHEAST GEYSERS PIPELINE UPGRADE PROJECT - CONTRACT NO. 04-02)** - On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the written Findings and Decision in this matter and authorized the Chair to sign.
On motion Robey and by vote of the Board (5 ayes), overruled the objections of Strong Hold Masonry and approved the request of Harborth Excavating for substitution of a subcontractor.
The Board of Directors of Lake County Sanitation District adjourned and reconvened as the Board of Supervisors.
8. **ITEM A-13 - Continued From July 6, 2004 - CONSIDERATION OF REQUEST TO APPROVE UPDATED FACILITY USE POLICY FOR LAKE COUNTY MUSEUMS** - Public Services Director Kim Clymire and Public Services Analyst Jacqueline Armstrong were present.
Chair Brown asked if anyone present wished to speak on this item and Ms. Voris Brumfield spoke. No one else was present wishing to speak and the public portion of this item was closed.
On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the updated Facility Use Policy for Lake County Museums.
9. **ITEM A-6 - 10:00 A.M. - HEARING - APPEAL OF ADMINISTRATIVE PENALTIES ISSUED BY THE ANIMAL CONTROL DEPARTMENT (SASHA BERNIER)** - A Memorandum from Animal Control Director Denise Johnson, dated July 20, 2004, requesting that this item be pulled from today's agenda, due to the lack of evidence on this case.
10. **ITEM A-7 - 10:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 3560 BELL HILL ROAD, KELSEYVILLE, CA (APN 008-064-63-00 - RALPH AND LUCILLE DELANEY)** - The Clerk swore in Community Development Director Mary Jane Fagalde, Code Compliance Manager Ann Fogelstrom and property owner Ralph Delaney.
Ms. Fogelstrom gave an overview of the violations on the property. These violations included open and outdoor storage of junk, debris, furniture, scrap wood, appliances, scrap metal, public nuisance vehicles and violation of the terms and conditions of the existing building permit.
Ms. Fagalde gave a power-point presentation showing the past and present conditions of the property, which have remained unchanged.
Mr. Delaney presented testimony.
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, all costs associated with this case will become a charge against the property, and authorized the Chair to sign the Order to Abate.
11. **ITEM A-16 - CLOSED SESSION - 1. Public Employee Performance Evaluation, Title: County Librarian; and sitting as the Board of Directors of the Lake County IHSS Public Authority; 2. Conference with Labor Negotiator, Agency Negotiator: Fran Buchanan - IEDA, Employee Organization: United Domestic Workers of America (U.D.W.A.) - Supervisor Brown announced that the Board will now go into Closed Session for the reasons stated on the agenda.**

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JULY 20, 2004

The Board of Supervisors reconvened into Regular Session with no action taken.

12. **ITEM A-8 - 11:00 A.M. - PRESENTATION BY MR. JOHN STODDARD REGARDING DAMAGE TO PROPERTIES LOCATED ON IROQUOIS TRAIL RESULTING FROM A MISPLACED CULVERT THAT WAS LOCATED ON THE CORNER OF KONOCTI BAY ROAD, AND CONDITIONS THAT ARE BEING REQUIRED RESULTING FROM THIS EROSION BY ENVIRONMENTAL HEALTH IN ORDER TO CONSTRUCT A SEPTIC SYSTEM LOCATED AT 4917 IROQUOIS TRAIL, KELSEYVILLE** - Chair Brown stated that Environmental Health Director Ray Ruminksi could not be present during this presentation, and asked that this item be carried over to a later date.

13. **ITEM A-9 - 11:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 7663 SOUTH STATE HIGHWAY 29, KELSEYVILLE, CA (APN 009-022-84-00 - NATHAN SWIFT AND FLORA HUTCHISON)** - The Clerk swore in Community Development Director Mary Jane Fagalde, Code Compliance Manager Ann Fogelstrom and property owners Florida Hutchison and Nathan Swift.

Ms. Fogelstrom gave an overview of the violations on the property. These violations included open and outdoor storage of junk, debris, furniture, scrap wood, appliances, scrap metal, public nuisance vehicles and auto parts.

Ms. Fagalde gave a power-point presentation showing the past and present conditions of the property, which have remained unchanged.

Mr. Swift and Ms. Hutchison each presented testimony.

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, all costs associated with this case will become a charge against the property, and authorized the Chair to sign the Order to Abate.

14. **ITEM A-10 - 11:30 A.M. - CONSIDERATION OF REQUEST FOR LETTERS OF SUPPORT TO CONGRESSMAN THOMPSON, SENATOR BARBARA BOXER AND SENATOR JAMES M. INHOFE, FOR THE TRANSFER OF TRUST STATUS ON LANDS OF ROBINSON RANCHERIA TO PARCELS ADJACENT TO CLEAR LAKE AND REINSERTION OF THE ORIGINAL LEGISLATIVE LANGUAGE IN THE WATER RESOURCES DEVELOPMENT ACT BILL FOR MIDDLE CREEK FLOOD DAMAGE REDUCTION AND ECOSYSTEM RESTORATION PROJECT** - Assistant Public Works Director Bob Lossius was present.

The following representatives from Robinson Rancheria Casino and Bingo were present: General Manager Scott Sirois, Chair Clair Wilson, Chair of Robinson Rancheria Casino and Bingo, General Counsel Shandra Harry.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown NO), approved letters of support to Congressman Thompson, Senator Barbara Boxer and Senator James M. Inhoffe, for the transfer of trust status on lands of Robinson Rancheria to parcels adjacent to Clear Lake and reinsertion of the original legislative language in the Water Resources Development Act Bill for Middle Creek Flood Damage Reduction and Ecosystem Restoration Project, and authorized the Chair to sign.

The Board of Supervisors adjourned for lunch at 12:01 p.m. and reconvened at 1:33 p.m.

15. **ITEM A-11 - 1:30 P.M. - DISCUSSION REGARDING CONCERNS WITH OVERCHARGES BY SPECIAL DISTRICTS FOR SEWER SERVICES PROVIDED TO THE GINGERBREAD COTTAGES AND THE FEATHERBED RAILROAD** - Special District Administrator Mark Dellinger was present.

Mr. Travis Lipscomb and Buddy Lipscomb, owners of the Gingerbread Cottages, and Len Bassignani owner of the Featherbed Railroad were also present.

Following testimony presented by Special Districts Administrator Mark Dellinger, Mr. Travis Lipscomb, Mr. Buddy Lipscomb and Mr. Len Bassignani, it was agreed upon by all parties to meet with staff to try and resolve this issue.

There being no further business, the Board adjourned at 2:28 p.m.


Chair - Lake County Board of Supervisors



KELLY F. COX
Clerk of the Board

By: 
Georgine Hunt
Assistant Clerk of the Board

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Chief of the Police
Central Club



Dear Sir, I am writing to you regarding the matter of the...

The first part of the report concerns the activities of the...

It is noted that the activities of the group have been...

The second part of the report concerns the activities of the...

It is noted that the activities of the group have been...

The third part of the report concerns the activities of the...

It is noted that the activities of the group have been...

The fourth part of the report concerns the activities of the...

It is noted that the activities of the group have been...

The fifth part of the report concerns the activities of the...

It is noted that the activities of the group have been...

The sixth part of the report concerns the activities of the...

It is noted that the activities of the group have been...

The seventh part of the report concerns the activities of the...

The eighth part of the report concerns the activities of the...

Very truly yours,
[Signature]

Chief of the Police
Central Club