

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**

**MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MARCH 9, 2004**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 9<sup>th</sup> day of March, 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, Ms. Dolores Folks 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-5, with the exception of Consent item C-5, which will be taken up immediately following the approval of the Consent Agenda
  - Approved Minutes of the Board of Supervisors Meeting held on February 24, 2004.
  - Approved out-of-state travel for Office Automation Support Specialist Tasha Broverman, to Dearborn, Michigan, from April 27-30, 2004, to attend the 22<sup>nd</sup> Annual National CMHC/MIS User Group Conference.
  - Approved Expenditure Plan for the "Temporary Assistance for Needy Families" (TANF) Program.
  - Approved out-of-state travel for Water Resources Program Manager Pam Francis, to Bellevue, Washington, from March 11-12, 2004, to attend the Western Aquatic Plant Management Society Annual Conference.
2. **CONSENT AGENDA ITEM C-5 - PROPOSED RESOLUTION CALLING FOR A SPECIAL ELECTION IN COUNTY SERVICE AREA NO. 2 - SPRING VALLEY LAKES, FOR THE PURPOSE OF IMPOSING A SPECIAL TAX FOR ROAD IMPROVEMENTS** - A memorandum dated March 3, 2004, from Special Districts Administrative Manager Suzanne Schneider, was received and requested that this item be pulled from today's agenda and placed on the April 6, 2004, agenda.
2. **ITEM A-11 - Advanced From February 24, 2004 - AN ORDINANCE PRESCRIBING THE SERVICE FEE SCHEDULE FOR THE MENTAL HEALTH DIVISION, DEPARTMENT OF HEALTH SERVICES - (SECOND READING)** - Supervisor Smith offered Ordinance No. 2681, and it was passed by a roll-call vote (5 ayes).
  - The Board of Supervisors adjourned and convened as the Board of Directors of In-Home Supportive Services Public Authority and the gavel was passed to Lake County In-Home Supportive Services Public Authority Chair Robey.
3. **ITEM A-4 - 9:06 A.M. - (a) ELECTION OF CHAIR AND VICE-CHAIR OF THE LAKE COUNTY IN-HOME SUPPORTIVE SERVICES (IHSS) PUBLIC AUTHORITY FOR 2004** - On motion of Director Lewis and by vote of the Board (5 ayes), appointed Director Robey as Chair of the Lake County In-Home Supportive Services Public Authority.
  - On motion of Director Brown and by vote of the Board (5 ayes), appointed Director Smith as Vice-Chair of the Lake County In-Home Supportive Services Public Authority.
4. **(c) UNITED DOMESTIC WORKERS OF AMERICA'S REQUEST TO PRESENT ITS ANALYSIS OF COST OF IHSS WAGE INCREASES** - United Domestic Workers of America North Regional Director Molly Hillis requested that this item be pulled from today's agenda because the County and United Domestic Workers of America are currently in negotiations with the County regarding wages and believed this may create a conflict of interest.
  - (b) DISCUSSION OF NET COST OF HOMECARE: FUNDING IHSS WAGE INCREASES IN LAKE COUNTY (ANALYSIS PREPARED BY SMALL HILL PARTNERS)** - Social Services Director Carol Huchingson, Public Authority Coordinator Michele Dibble and Staff Service Analyst Mary Davidson were present.
  - Ms. Dibble gave a brief overview of the analysis document that was prepared by Small Hill Partners.
  - Mr. Cox discussed concerns about inaccuracies in some of the information in the report, particularly related to County finances and County budget figures. No one from Small-Hill had contacted the County Administrative Office to obtain assistance in interpreting information in the final budget book and as a result the authors of the report have a misunderstanding about discretionary vs. non-discretionary funding and the difference between unsecured and uncommitted funds. Mr. Cox strongly disagreed with comments in the report which imply that the County has substantial unsecured and uncommitted funding available for allocation to the IHSS Program. The State budget crises will make it necessary to impose significant reductions in County spending in Fiscal Year 2004/2005, which may require employee layoffs, reductions in employee compensation, work furloughs or a combination thereof.
  - Chair Robey asked if anyone present wished to speak on this item and the following persons spoke: Mr. John Roddy, Ms. Molly Ellis, Mr. Andy Rossoff, Ms. Dolores Folks, Ms. Jane O'Gallagher and Mr. Jim Coomes. No one else was present wishing to speak and the public portion of this item was closed.
  - There was no action taken on this item.
  - The Board of Directors of In-Home Supportive Services Public Authority adjourned and reconvened as the Board of Supervisors and the gavel was passed back to Chair Brown.
  - After a short recess, the Board reconvened at 10:30 a.m.
4. **ITEM A-5 - 10:00 A.M. - PRESENTATION BY PROJECT MANAGER RICK SUGAREK REGARDING SULFUR BANK MERCURY MINE SUPERFUND SITE DRAFT FEASIBILITY STUDY** - Mr. Rick Sugarek, Rick Project Manager with the USEPA's Site Cleanup Branch, gave an update on the proposals that are being made to clean up the site and also did a power point presentation.
  - Air Pollution Control Director Bob Reynolds and Special Districts Administrator Mark Dellinger were also present.
  - Chair Brown asked if anyone present wished to speak on this item and the following persons spoke: Mr. Russ Anderson, Ms. Joan Moss, Mr. William Nelson, Mr. John Roddy and Ms. Cheryl Steele. No one else was present wishing to speak and the public portion of this item was closed.

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There was no action taken on this item.

5. **ITEM A-8 - 11:20 A.M. - CONSIDERATION OF PROPOSED CONTRACT BETWEEN THE COUNTY OF LAKE AND THE LAKE COUNTY PEAR ASSOCIATION, FOR IMPLEMENTATION OF ECONOMIC DEVELOPMENT PROJECT TO ASSIST THE LOCAL PEAR INDUSTRY** - Administrative Officer Kelly Cox gave a brief overview of the proposal. During final budget hearings the Board approved an appropriation of \$150,000 in the Economic Development budget for a special two-year project to assist the local pear industry. This appropriation is financed by one-time general fund discretionary revenues. The local agricultural industry, and in particular the local pear industry, is in need of support and assistance from the County Economic Development Program. Without a strong agricultural industry Lake County would not be the quality place it is for residents and visitors alike.

Chair Brown asked if anyone present wished to speak on this item and the following persons spoke: Mr. Phil Murphy, Mr. Phil Scully and Mr. Brock Zoller. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Contract between the County of Lake and the Lake County Pear Association, for implementation of Economic Development Project to assist the local pear industry, and authorized the Chair to sign.

The Board adjourned for lunch at 12:16 p.m. and reconvened at 1:30 p.m.

6. **ITEM A-6 - 10:45 A.M. - DISCUSSION/CONSIDERATION OF RECOMMENDATIONS AND PROPOSED ORDINANCE REGARDING THE HOURS OF OPERATION AT THE LAKEPORT SOLID WASTE TRANSFER STATION (RECOMMENDATION TO CLOSE ON SUNDAYS AND MONDAYS)** - Public Services Director Kim Clymire and Deputy Public Services Director Caroline Chavez were present.

Ms. Chavez gave a brief overview of the proposal. On November 11, 2003, and February 12, 2004, the Solid Waste Task Force met and discussed a staff proposal to reduce the Transfer Station's number of operating days in response to decreased traffic, tonnage, and revenue. Staff's recommendation is to close Sundays and Mondays because those are the two consecutive days of the week that would have the least impact on private and commercial haulers and on revenue. The Task Force reviewed a report compiled by staff that shows the fourth quarter of 2003 compared to the same quarter in 2002. That quarter showed dramatic decreases: a 31% drop in customers, a 24% drop in revenues, and a 40% drop in the tons at the Transfer Station. A large portion of the tonnage and revenue decreases are attributed to Timberline redirecting over 60% (234) of their trucks directly to the landfill where they benefit from the lower tonnage fee. The drop in self-haul customers is attributed to the attractiveness of curbside single-stream recycling which gained 1,500 more customers for Timberline Disposal and 300 new customers for Southlake Refuse after they implemented automated curbside service with single-stream recycling. An analysis of the impact of Lakeport Disposal's new mandatory service in January caused a 48% drop in Lakeport customers as compared to the previous January, but customers from the unincorporated area also dropped 40% from the previous January. Even with Lakeport Disposal's 1,200 or more new customers as a result of universal collection, their refuse disposed for January of 200 tons remained the same as the previous year. This means their single-stream recycling program offset roughly the same amount as the new customers produced, a very significant and impressive result. The number of customers in the past at the Transfer Station averaged as high as 50 an hour. Today the reduced number of customers on occasion is less than 8 customers per hour. Despite this drop in customers, a minimum of three employees is required to staff the transfer station, including two heavy equipment operators and a gate attendant. Salary costs alone for these three staff averages \$400/day. When employee benefits and operational costs for utilities, fuel, and maintenance are added in, it becomes evident in staff's opinion, that a reduction in the days we are open would be more efficient and reduce costs. Further, the shift of additional transfer station staff to the landfill would provide better workload coverage where all the refuse is disposed.

Chair Brown asked if anyone present wished to speak on this item and Mr. Bruce McCracken spoke. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Farrington NO), 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 (3 ayes, Supervisors Farrington and Brown NO), advanced the ordinance two weeks to March 23, 2004.

7. **ITEM A-9 - 11:30 A.M. - STATUS REPORT FROM CODE ENFORCEMENT** - Code Compliance Manager Anne Fogelstrom and Code Compliance Officer Henry Boullierce were present.

Ms. Fogelstrom presented the status report. There are 702 active cases open at this time and 127 nuisance abatement cases pending. There are currently 199 abandoned vehicle abatement cases, there have been 37 vehicles tagged, 25 vehicles towed and 50 vehicles gone on arrival.

There was no action taken on this item.

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

8. **ITEM A-7 - 11:15 A.M. - PROPOSED ORDINANCE AMENDING SECTIONS 706A AND 706B OF THE SEWER USE ORDINANCE INCREASING SEWER CAPACITY EXPANSION FEES FOR CONNECTIONS TO THE NORTHWEST AND SOUTHEAST REGIONAL WASTEWATER FACILITIES** - Special Districts Administrator Mark Dellinger was present.

On motion of Director Robey and by vote of the Board (5 ayes), waived the reading of the ordinance and had it read in title only (Clerk so did).

On motion of Director Robey and by vote of the Board (5 ayes), advanced the ordinance two weeks to March 23, 2004.

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

9. **ITEM A-12 - CLOSED SESSION - 1. Employee Disciplinary Appeal; and 2. Conference with Legal Counsel - Anticipated Litigation (a) Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9; (1) One Potential Case** - 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 the following action taken: On motion of Supervisor Lewis and by vote of the Board (3 ayes, Supervisor Farrington NO, Supervisor Robey ABSTAIN), approved the decision in the Disciplinary Appeal of Teri Dahl, and authorized the Chair to sign.

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There being no further business, the Board adjourned at 3:20 p.m.

  
Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By:   
Georgine Hunt  
Assistant Clerk of the Board



