

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA
MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MAY 18, 2004

The Honorable Board of Supervisors of Lake County, California, met in regular session this 18th day of May, 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, Social Services Director Carol Huchingson 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-21.
 - Approved Minutes of the Board of Supervisors Meeting held on April 20 and April 27, 2004.
 - Adopted proclamation designating the week of May 16-22, 2004, as National Public Works Services Week in Lake County.
 - Adopted proclamation designating the week of May 16-23, 2004, as National Emergency Medical Services Week in Lake County.
 - Adopted proclamation designating the month of May, 2004, as Older Californians Month in Lake County.
 - Adopted proclamation designating the week of May 22-28, 2004, as North American Safe Boating Week in Lake County.
 - (a) Adopted Resolution No. 2004-74, establishing 2004/2005 appropriations limit for the County of Lake; and (b) adopted Resolution No. 2004-75, establishing 2004/2005 appropriations limit for special districts governed by the Board of Supervisors.
 - Approved Amendment Number 1 to the 2002/2003 Agreement between the County of Lake and Canyon Manor, an Institute for Mental Health Disease (IMD) for Fiscal Year 2003/2004, and authorize the Chair to sign.
 - Approved Second Amendment to the Agreement between the County of Lake and Women's Recovery Services, for provision of residential treatment for Lake County residents experiencing alcohol or drug related problems, Fiscal Year 2003/2004, and authorized the Chair to sign.
 - Waived the 900 hour limit for extra-help Library Assistant Dennis Johnson, Library Assistant Barbara Green and Library Page Maribel Lopez.
 - Approved letter to the Bertha Russ Lyfel Foundation endorsing fiscal support for funding of North Coast EMS Medical Director position, and authorized the Chair to sign.
 - Approved Budget Transfer B-345 in the amount of \$9,500, for replacement of shower drainpipes, from Budget Unit No. 2302 - Probation to Budget Unit No. 2303 - Juvenile Home, and authorized the Chair to sign.
 - Adopted Resolution No. 2004-76, approving Application for Used Oil Recycling Block Grant 10th Cycle Fiscal Year 2004/2005.
 - Approved Agreement between the County of Lake and the Lakeport Main Street Association, for Downtown Decorative Street Lighting Project, and authorized the Chair to sign.
 - (a) Awarded Bid No. 04-30, to Acma Computers, for purchase of twelve (12) computers; (b) authorized the Information Technology Director to evaluate equipment requests and purchase justifiable upgrades and systems budgeted until September 30, 2004; and (c) approve bidder's offer to extend bid prices to County of Lake employees.
 - Adopted Resolution No. 2004-77, ordering the summary vacation of a portion of roadway in the County, an unnamed road off of Rice Street, Upper Lake (Streets and Highways Code No. 8330).
 - Adopted Resolution No. 2004-78, authoring the Sheriff/Coroner to sign a Notice of Completion for work performed under agreement dated November 25, 2003 (Re-roof Project at Lake County Jail/Hill Road Facility).
 - Approved Contract between the County of Lake and California Department of Boating and Waterways, declaring the County's intent to participate in the Boating Safety and Enforcement Financial Aid Program, and authorized the Chair to sign.
 - Approved appointment of Social Services Director Carol Huchingson to the Workforce Investment Board (WIB) for Colusa, Glenn, Lake, Sutter and Yuba Counties.
 - Approves Section 8 Program Manager and Section 8 Eligibility Worker classifications (job descriptions) needed to staff the Section 8 Housing Program as of July 1, 2004, at which time the County will resume in-house operation of the Section 8 Program.
 - Adopted Resolution No. 2004-79, approving the application for funding for the main street walkway, landscaping and lighting improvements in Kelseyville under the Federal Transportation Enhancement Activities Program.
 - Sitting as the Board of Directors of Lake County Sanitation District, approved Easement Deed and directed Clerk to certify for recordation (APN 29-281-39 - Jody L. Brewer); and approved Right-of-Way Agreement between Lake County Sanitation District and Jody L. Brewer, for the Lafferty Road improvements, and authorized the Chair to sign.
2. **ITEM A-2 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**
 - EXTRA #1 - APPROVE OUT-OF-STATE TRAVEL FOR SPECIAL DISTRICT ADMINISTRATOR TO WASHINGTON, D.C., FROM JUNE 20-24, 2004, TO ATTEND THE CALIFORNIA ASSOCIATION OF SANITATION AGENCIES FEDERAL LEGISLATIVE SEMINAR AND MEETINGS RELATED TO THE FULL CIRCLE PROJECT** - On motion of Director 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.
 - The Board of Supervisors adjourned and convened as the Board of Directors of Lake County Sanitation District.

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

There is a need to hear this prior to the next available agenda due to the long lead time required to set meetings with key federal agency staff in Washington, D.C. Furthermore, if approved, making travel arrangements as soon as possible will help reduce airfare costs.

This item was continued later today for further discussion.

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

3. **ITEM A-15 - CONSIDERATION OF RECOMMENDATIONS FOR APPOINTMENTS TO FILL THREE VACANCIES ON THE GEOTHERMAL ADVISORY COMMITTEE** - Community Development Director Mary Jane Fagalde requested that this item be pulled from today's agenda, to allow more time to solicit interested candidates to fill the three vacancies on the Geothermal Advisory Committee.

This item was continued to a later date.

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

4. **ITEM A-16 - Advanced From May 4, 2004 - AN ORDINANCE INCREASING SEWER FEES AND CHARGES FOR SOUTHEAST REGIONAL WASTEWATER SYSTEM IMPROVEMENT DISTRICT NO. 1) - (SECOND READING)** - Director Smith offered Ordinance No. 2686, and it was passed by a roll-call vote (5 ayes).

5. **CITIZEN'S INPUT** - Mr. John Roddy asked if the County had placed the street signs on Morine Ranch Road.

Supervisor Lewis stated that the County did not place the street signs on Morine Ranch Road, but an individual can purchase street signs that resembles the County's street signs and he informed Mr. Roddy that he does not know who placed the signs there.

Mr. James Henderson expressed his displeasure regarding the services he received from the Community Development Department.

Mr. Richard Derum stated that the "for sale" sign Supervisor Brown has placed on his property on Bottle Rock Road, is too large and is in violation of County Codes and asked the remaining Board members to initiate action against Supervisor Brown for removal of the sign.

Chair Brown stated that the sign is in compliance with County Codes.

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

BACK TO #2 - ITEM A-2 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:

EXTRA#1 - APPROVE OUT-OF-STATE TRAVEL FOR SPECIAL DISTRICTS ADMINISTRATOR TO WASHINGTON, D.C., FROM JUNE 20-24, 2004, TO ATTEND THE CALIFORNIA ASSOCIATION OF SANITATION AGENCIES FEDERAL LEGISLATIVE SEMINAR AND MEETINGS RELATED TO THE FULL CIRCLE PROJECT - Special Districts Administrator Mark Dellinger was present.

Chair Brown asked if anyone present wished to speak on this item and the following persons spoke: Mr. John Roddy and Mr. Wayne Chatoff. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Director Robey and by vote of the Board (4 ayes, Director Brown NO), approved out-of-state travel for Special Districts Administrator Mark Dellinger, to Washington, D.C., from June 20-24, 2004, to attend the California Association of Sanitation Agencies Federal Legislative Seminar and meeting related to the Full Circle Project.

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

6. **ITEM A-4 - 9:06 A.M. - CONSIDERATION OF FINDINGS IN RECENT STATE MANAGEMENT REVIEW OF LOCAL FOOD STAMP PROGRAM AND RECOGNITION OF DEPARTMENT STAFF FOR THEIR OUTSTANDING WORK EFFORT** - Social Services Director Carol Huchingson was present and introduced the following staff for their outstanding work effort: Eligibility Supervisor Jim Richardson, Self Sufficiency Supervisor Jean Bowers, Self Sufficiency Supervisor Fay Pinck, Eligibility Worker Barbara Dwyer, Self Sufficiency Specialist Marten Keven, Eligibility Worker Jerry Peterson, Program Manager Esterlina Gould, Program Manager Kathy Harrison, Deputy Social Services Director Pat Shuman, Eligibility Worker Tami Tucker and Self Sufficiency Specialist Yolanda Sanchez.

7. **ITEM A-5 - 9:30 A.M. - REPORT BY SHARON GERICKE AND ALLAN BUCKMANN REGARDING THE GREBE POPULATION ON CLEAR LAKE AND THE PROPOSED WESTERN/CLARK'S GREBE CONSERVATION PLAN FOR CLEAR LAKE** - Assistant Public Works Director Bob Lossius was present.

Mr. Allan Buckmann, California Department of Fish and Game Biologist and Ms. Sharon Gericke, representative of the University of California's Department of Wildlife, Fish and Conservation Biology were also present.

Mr. Buckmann gave brief overview of the declining Grebe population on Clear Lake and how an effective management and monitoring program is needed to protect the breeding populations of Grebes.

Ms. Gericke gave a brief overview of Western/Clark's Grebe Conservation Plan for Clear Lake which included management, designing/distributing informational brochures, posting interpretive signs, installing floating no-access buoys, posting no-access signs on land initiating agency coordination activities, and conducting an effectiveness monitoring program.

There was no action taken on this item.

8. **ITEM A-6 - 10:00 A.M. - PUBLIC HEARING - APPEAL (AA 04-02) OF BARRY SMITH, REPRESENTATIVE FOR THE CASSIL FAMILY, JENSEN FAMILY, SMITH FAMILY, VAN HORN FAMILY, DECKER FAMILY, CARRICK FAMILY, MILLER FAMILY AND HELENIUS FAMILY OF PLANNING COMMISSION'S DENIAL OF AN ADMINISTRATIVE APPEAL OF THE DECISION TO ISSUE A LAKEBED ENCROACHMENT PERMIT TO JANE KUNDE FOR A ROOF OVER AN EXISTING ELECTRIC BOATLIFT.; PROJECT LOCATED AT 3306 SOUTHLAKE DRIVE, KELSEYVILLE, CA - APN 044-273-14** - Community Development Director Mary Jane Fagalde, Assistant Resource Planner Melissa Banks, Assistant Public Works Director Bob Lossius and Clear Lake Lands Coordinator Skip Sinkins were present.

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Ms. Fagalde stated that a request has been received by the Community Development Department, from Appellant Berry Smith, requesting that this item be continued to a later date.

This item was continued to June 1, 2004, at 10:00 a.m.

9. **ITEM A-14 - REQUEST FOR BOARD DIRECTION AS TO WHETHER OR NOT TO PURSUE A BALLOT MEASURE TO INCREASE THE TOT BY 1% ON THE NOVEMBER 2004 BALLOT, TO PROVIDE AN ONGOING SOURCE OF LONG TERM FUNDING FOR THE CLEAR LAKE AQUATIC WEED ERADICATION PROGRAM** - Administrative Officer Kelly Cox stated on February 17, 2004, the Board indicated a desire to pursue a ballot measure to increase the Transient Occupancy Tax by 1% in order to provide a stable ongoing source of long term funding for the Clear Lake Aquatic Weed Program. Since that time, some of the resort owners have expressed opposition to an increase and others have expressed support of an increase. Informal comments made by individual Board members have also indicated that some may be having second thoughts about whether or not to pursue increasing the TOT. It has been suggested that instead of increasing the TOT, that one-half of the amount normally allocated to Pathways projects be reallocated to the Aquatic Weed Program. The Resort and Restaurant Association has voted in support of this suggestion.

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

This item was continued to June 1, 2004, at 1:30 p.m.

After a short recess, the Board reconvened at 10:55 a.m.

10. **ITEM A-9 - 10:50 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF MAY 16-22, 2004, AS NATIONAL PUBLIC WORKS SERVICES WEEK IN LAKE COUNTY** - Supervisor Farrington read the proclamation into the record. The proclamation was presented to Public Works Director Gerry Shaul.

11. **ITEM A-10 - 11:00 A.M. - (a) PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF MAY 16-23, 2004, AS EMERGENCY MEDICAL SERVICES WEEK IN LAKE COUNTY; (b) PRESENTATION OF KRIS KELLY MEMORIAL STAR OF LIFE AWARD BY NORTH COAST EMERGENCY MEDICAL SERVICES STAFF** - Supervisor Robey read the proclamation into the record. The proclamation was presented to Fire Chief Jim Robbins.

Mr. Robbins announced that Mr. Jim Burton has been awarded the Kris Kelly Memorial Star of Life Award.

12. **ITEM A-7 - 10:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 5440 OXFORD DRIVE, LAKEPORT, CA (APN 029-382-01 - LAKESIDE HEIGHTS HOMEOWNERS ASSOCIATION)** - Community Development Director Mary Jane Fagalde and Code Enforcement Manager Ann Fogelstrom were present and sworn in by the Clerk.

Neither the property owner nor a representative was present.

Ms. Fagalde presented an overview regarding the condition of the property, which included a unfinished swimming pool and a dilapidated security fence around the pool.

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

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

13. **ITEM A-8 - 10:45 A.M. - HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$6,337.28, LOCATED AT 11238 AIRSTRIP ROAD, LOCH LOMOND, CA (APN 115-010-05-00 - CHRISTIAN VAN REETH)** - Community Development Director Mary Jane Fagalde and Code Enforcement Manager Ann Fogelstrom were present.

Ms. Fagalde stated that the abatement was completed on April 13, 2004, which included completion of demolition of a shed, travel trailers, a motor home and the removal of all open and outdoor storage and related debris and garbage.

Ms. Fogelstrom gave a power-point presentation showing past and present conditions of the property.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the assessment of \$6,337.28 for nuisance abatement at the Christian Van Reeth property, located at 11238 Airstrip Road, Loch Lomond, California, being APN 115-010-15-00, be confirmed, and directed the Enforcement Official to prepare and have recorded in the Office of the Lake County Recorder, a Notice of Lien in the amount of \$6,337.28, pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

14. **ITEM A-11 - 11:20 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF MAY, 2004, AS OLDER CALIFORNIANS MONTH IN LAKE COUNTY** - Supervisor Lewis read the proclamation into the record. The proclamation was presented to Ms. Marilyn Johnson.

15. **ITEM A-12 - 11:30 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF MAY 22-28, 2004, AS NORTH AMERICAN SAFE BOATING WEEK IN LAKE COUNTY** - Supervisor Smith read the proclamation into the record. The proclamation was presented to Mr. D. A. Butts, Mr. Bob White, Ms. Juanita Collins, Ms. Betty Strach, Mr. Harry DeLope and Ms. Dorothy DeLope.

16. **ITEM A-17 - PROPOSED FINDINGS OF FACT IN THE APPEAL OF ANGELO LAMONICA (AB 04-04)** - On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown NO), approved the Findings of Fact in the Appeal of Angelo Lamonica, and authorized the Chair to sign.


On motion Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown NO), denied the Appeal of Angelo Lamonica.

17. **ITEM A-18 - CLOSED SESSION - 1. Conference with Labor Negotiator, (a) County Negotiators: A. Grant and J. Hammond, (b) Employee organizations: LCEA, LGSBA, LCCOA and DDA; and 2. Public Employee Performance Evaluation, Title: Social Services Director** - 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.

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There being no further business, the Board adjourned at 12:16 p.m.


Chair - Lake County Board of Supervisors



KELLY F. COX
Clerk of the Board

By: 
Georgine Hunt
Assistant Clerk of the Board