

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA
MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MAY 4, 2004

The Honorable Board of Supervisors of Lake County, California, met in regular session this 4th 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 9:02 a.m. by Chair Brown, following a moment of silence, Ms. Elizabeth Larson 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.

Approved County of Lake Health Insurance Portability and Accountability Act (HIPAA) Policies and Procedures.

Approved request from Sutter Lakeside Community Services for waiver of event application fees (Community Development Department fees), for the "California Wine Country Carriage Classic" to be held on July 9 through 11, 2004, at 4965 Steelhead Lane, Kelseyville (Van Eck property).

Adopted proclamation designating May 7, 2004, as National Child Care Provider Appreciation Day in Lake County.

Adopted proclamation designating the month of May 2004, as Motorcycle Awareness Month in Lake County.

Adopted proclamation designating the week of May 3-7, 2004, as Peace Officers' Memorial Week in Lake County.

Awarded Bid No. 04-31, to Epidendlo Construction, for the construction of sidewalk on Country Club Drive, Lucerne, in the amount of \$84,396, and authorized the Chair to sign Notice of Award.

Approved Contract between the County of Lake and Sutter Lakeside Community Services, for public health nursing services, and authorized the Chair to sign.

Adopted Resolution No. 2004-68, to appropriate over realized and unanticipated revenue (received from the State of California Department of Alcohol Drug Programs General Fund Drug Medi-Cal, in the amount of \$227,792), for treatment services provided to the drug Medi-Cal eligible client population, Budget Unit No. 4015 - Alcohol and Other Drug Services.

Adopted Resolution No. 2004-69, approving application for Lake County Alcohol and Other Drug Services Intermittent Licensing for W. C. Carle High School for submission to State Department of Alcohol and Drug Programs and authorizing the Director of Health Services to sign.

Waived the 900 hour limit for extra-help Juvenile Correctional Officer Amy Stephenson.

Approved Easement Deed and directed Clerk to certify for recordation (APN 28-041-16 - Barry D. Parkinson and Jan M. Parkinson), and approved Right-of-Way Agreement between County of Lake and Barry D. Parkinson and Jan M. Parkinson, for the drainage improvement for Lakeshore Boulevard, North Lakeport area, and authorized the Chair to sign.

Sitting as the Board of Directors of Lake County Sanitation District, accepted dedication and conveyance of mainline sewer extension, for public utility purposes, Mustang Ranch Estate, Middletown, and directed Clerk to certify for recordation.
2. **CITIZEN'S INPUT** - Mr. John Roddy stated that funding has been allocated from Konocti Vista Casino for the re-paving of the remaining unrepaired portion of Mission Rancheria Road. Mr. Roddy also commended Public Works Supervisor Lyle Swartz and the Area 5 Road Crew for their assistance in the repair project.

Also, the Board received a letter from Big Valley Rancheria, thanking Public Works Supervisor Lyle Swartz and the Area 5 Road Crew for repairing a failing section of Mission Rancheria Road.

On motion of Supervisor Farrington and by vote (5 ayes), approved a Certificate of Appreciation to Public Works Supervisor Lyle Swartz and the Area 5 Road Crew, for their assistance in the road repair project on Mission Rancheria Road and for their consideration of the needs of the Big Valley Rancheria, and authorized the Chair to sign.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved letter of appreciation to Big Valley Rancheria for their financial contribution to repair a portion of Mission Rancheria Road, and authorized the Chair to sign.

The Board of Supervisors adjourned and convened as the Board of Directors of Lake County Sanitation District.
3. **ITEM A-4 - 9:06 A.M. - PUBLIC HEARING - PROTEST HEARING FOR PROPOSED ORDINANCE INCREASING SEWER FEES AND CHARGES FOR SOUTHEAST REGIONAL WASTEWATER SYSTEM (IMPROVEMENT DISTRICT NO. 1)** - Special Districts Administrator Mark Dellinger and Special Districts Administrative Manager Suzanne Schneider were present.

Chair Brown opened the public hearing and Mr. John Roddy spoke. No one else was present wishing to speak and the public hearing was closed.

Ms. Schneider stated that eight (8) protest votes have been received.

On motion of Director Lewis 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 Lewis and by vote of the Board (5 ayes), advanced the ordinance two weeks to May 18, 2004.

The Board of Directors of Lake County Sanitation District adjourned and reconvened as the Board of Supervisors.
4. **ITEM A-12 - (a) CONSIDERATION OF PROPOSED LETTER TO BIG VALLEY RANCHERIA INVITING THEM TO PARTICIPATE IN THE LAKE COUNTY RESORT AND REVITALIZATION PROGRAM; and (b) CONSIDERATION OF EXPENDITURE OF FUNDING FROM THE RESORT AND REVITALIZATION PROGRAM BUDGET FOR REMOVAL AND DISPOSAL OF DILAPIDATED TRAILERS FROM BIG VALLEY RANCHERIA** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved letter to Big Valley Rancheria inviting them to participate in the Lake County Resort and Revitalization, and authorized the Chair to sign.
5. **ITEM A-14 - Continued From April 20, 2004 - PROPOSED RESOLUTION 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 25, 2004, AT 9:06 A.M. - Supervisor Robey requested that this item be continued again to a later date.**

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This item was continued to a later date.

6. **ITEM A-11 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - A letter from Ms. Betty Votaw was received and stated that she wanted to commend Resource Manager Peggy King, Utility Area Superintendent Robert Saderlund and Special Districts crew, for their prompt assistance and cleanup work provided to her.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved a Certificate of Appreciation to Resource Manager Peggy King, Utility Area Superintendent Robert Saderlund and Special Districts Crew, for their prompt assistance and cleanup work provided to Ms. Betty Votaw of Lower Lake, and authorized the Chair to sign.

7. **ITEM A-13 - PROPOSED RESOLUTION ESTABLISHING AN AIRPORT LAND USE COMMISSION IN THE COUNTY OF LAKE** - Principal Planner Rick Coel and Senior Planner Penelope Shibley were present.

The following amendments were made to the resolution:

Page 1 - Line 21 - Changed airport to airport(s)
Page 1 - Line 21 - Changed that airport to those airport(s)

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

Supervisor Farrington offered Resolution No. 2004-67, and it was passed by a roll-call vote (5 ayes).

On motion of Supervisor Farrington and by vote of the Board (5 ayes), directed the Department of Public Works to begin soliciting candidates to serve on the Airport Land Use Commission and bring back at a later date, a potential list of candidates to be considered for appointment to the Airport Land Use Commission.

8. **ITEM A-15 - CLOSED SESSION - 1. Conference with Labor Negotiator, (a) County Negotiators : A. Grant and J. Hammond and (b) Employee organization: LCEA, LCSDA, LCCOA and DDA - Chair Brown announced that the Board will now go into Closed Session for the reason stated on the agenda.**

The Board reconvened into Regular Session with no action taken.

9. **ITEM A-5-10:15 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING MAY 7, 2004, AS NATIONAL CHILD CARE PROVIDER APPRECIATION DAY IN LAKE COUNTY** - Supervisor Farrington read the proclamation into the record. The proclamation was presented to Ms. Louise Garrison and Ms. Susan Perry.

10. **ITEM A-6 - 10:20 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF MAY 2004, AS MOTORCYCLE AWARENESS MONTH IN LAKE COUNTY** - Supervisor Robey read the proclamation into the record. The proclamation was presented to Ms. Melissa Fulton.

11. **ITEM A-7 - 10:30 A.M. - PROPOSED DONATION OF PROPERTY FROM BECKSTOFFER VINEYARDS FOR DEVELOPMENT OF AGRICULTURAL EQUIPMENT MUSEUM IN CONJUNCTION WITH THE LAKE COUNTY HISTORICAL SOCIETY** - Public Services Director Kim Cymire was present.

Administrative Officer Kelly Cox gave an overview of this proposal.

Chair Brown asked if anyone present wished to speak on this item and the following persons spoke: Mr. Eric Seely and Mr. Randy Ridgel. 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 donation in concept and authorized staff to proceed with initiating the process of establishing the new lot of record and any other steps that are needed to acquire the property.

On motion of Robey and by vote of the Board (5 ayes), approved of letter of appreciation to Mr. Andy Beckstoffer, for his generous offer to donate 5 acres of land and the former Ely Stage Stop house, to the County of Lake for development of an agricultural museum, and authorized the Chair to sign.

After a short recess, the Board reconvened at 11:00 a.m.

12. **ITEM A-8 - 11:00 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 3082 SCOTTS VALLEY ROAD, LAKEPORT, CA (APN 005-016-01-00 - PHYLLIS POPE)** - Code Compliance Manager Ann Fogelstrom and Code Enforcement Officer Anthony Howard were present and sworn in by the Clerk.

Neither the property owner nor a representative was present.

Mr. Howard gave a brief overview regarding the condition of the property.

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 shall become a charge against the property.

After a short recess, the Board reconvened at 11:30 a.m.

13. **ITEM A-9 - 11:30 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF MAY 3-7, 2004, AS PEACE OFFICERS' MEMORIAL WEEK IN LAKE COUNTY** - Supervisor Lewis read the proclamation into the record. The proclamation was present Sheriff Rodney Mitchell, Deputy Sheriff Kip Ringen and Chief Deputy District Attorney Jon Hopkins.

Deputy Sheriff Ringen read the names of the California Peace Officers that have been killed in the line of duty during the past year.

The Board adjourned for lunch at 11:40 a.m. and reconvened at 1:30 p.m.

14. **ITEM A-10 - 1:30 P.M. - PUBLIC HEARING - PROPOSED URGENCY ORDINANCE ADOPTING EMERGENCY WATER CONSERVATION RESTRICTIONS FOR COUNTY SERVICE AREA NO. 16, PARADISE VALLEY** - Special Districts Administrator Mark Dellinger was present.

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Chair Brown opened the public hearing and the following persons spoke: Mr. Richard Kuehn, Mr. Andy Peterson, Mr, Mario Alioto, Mr. Paul Swanson, Mr. David Hansen and Ms. Dawn Fowdar. No one else was present wishing to speak and the public hearing was closed.

This item was continued after a short recess.

After a short recess, the Board reconvened at 3:20 p.m. with Supervisor Farrington absent.

BACK TO #14 - ITEM A-10 - 1:30 P.M. - PUBLIC HEARING - PROPOSED URGENCY ORDINANCE ADOPTING EMERGENCY WATER CONSERVATION RESTRICTIONS FOR COUNTY SERVICE AREA NO. 16, PARADISE VALLEY - Special Districts
Administrator Mark Dellinger was present.


Supervisor Farrington was present at 3:20 p.m.

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

Supervisor Lewis offered Ordinance No. 2685, and it was passed by a roll-call vote (4 ayes, Supervisor Robey NO).

On motion of Supervisor Lewis and by vote of the Board (5 ayes), directed staff to attempt within fifteen (15) days, to secure a special temporary permit for Well No. 2, located at Paradise Cove.

There being no further business, the Board adjourned at 3:24 p.m.


Chair - Lake County Board of Supervisors



KELLY F. COX
Clerk of the Board

By: 
Georgine Hunt
Assistant Clerk of the Board

