

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA
MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD NOVEMBER 2, 2004

The Honorable Board of Supervisors of Lake County, California, met in regular session this 2nd day of November, 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, Supervisor Farrington 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-7.

Appointed Joy Swartz to the Lake County Child Care Planning and Development Council.

Approved Amendment No. 18 to the Animal Control Agreement, between the County of Lake and the City of Lakeport, for animal control services, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Public Resource Management Group (PRM), to provide professional consulting services (for State mandate cost claiming), and authorized the Chair to sign.

Approved permit to conduct aeronautical activities at Lampson Airport (Jack Olof), and authorized the Chair to sign.

Sitting as the Board of Directors of Kelseyville County Waterworks District #3, approved Easement Deed and directed Clerk to certify for recordation (APN 008-026-10 - Danny W. Critser); and approved Right-of-Way Agreement between the Kelseyville County Waterworks District #3 and Danny W. Critser, for the Kelseyville/Finley Water Project, and authorized the Chair to sign.

Approved Easement Deed and directed Clerk to certify for recordation (APN 008-026-18 - Richard E. Thorn and Kelly L. Thorn and Lange Brothers Construction); and approved Right-of-Way Agreement between the Kelseyville County Waterworks District #3 and Richard E. Thorn and Kelly L. Thorn and Lange Brothers Construction, for the Kelseyville/Finley Water Project, and authorized the Chair to sign.

Sitting as the Board of Directors of Lake County Sanitation District, approved Mainline Extension Contract between the Lake County Sanitation District and Donald Wade, to extend a sewer mainline to serve Assessor's Parcel No.'s 042-188-14 and 042-188-15, and authorized the Chair to sign.

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

2. **ITEM A-11 - AN ORDINANCE AMENDING ORDINANCE NO. 2291 ESTABLISHING WATER CONSERVATION STANDARDS FOR ALL BUILDINGS SERVED BY THE LAKE COUNTY SANITATION DISTRICT** - Director Smith offered Ordinance No. 2705, and it was passed by a roll-call vote (4 ayes, Director Brown NO).

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

3. **ITEM A-4 - 9:06 A.M. - PUBLIC HEARING- PROPOSED FORMATION OF UNDERGROUND UTILITY DISTRICT, MAIN STREET, UPPER LAKE AREA** - Public Works Director Gerry Shaul was present.

Chair Brown opened the public hearing and Ms. Charleen Larson spoke. No one else was present wishing to speak and the public hearing was closed.

Supervisor Lewis offered Resolution No. 2004-184, and it was passed by a roll-call vote (5 ayes).

4. **ITEM A-5 - Continued From October 5, 2004 - 9:15 A.M. - DISCUSSION/CONSIDERATION OF PROPOSED CONTRACT BETWEEN THE COUNTY OF LAKE AND BUSINESS OUTREACH AND RESPONSE TEAM (BORT), FOR BUSINESS ATTRACTION ACTIVITIES** - Executive Director of Business Outreach and Response Team Chuck Doty was present and gave a brief overview of what activities have been performed throughout the year for recruiting new businesses and job development, how BORT has been assisting existing businesses in Lake County and what has been done to increase the County's employment base.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the Contract between the County of Lake and Business Outreach and Response Team (BORT), for business attraction activities, and authorized the Chair to sign.

After a short recess, the Board reconvened at 10:13 a.m.

5. **ITEM A-6 - 9:45 A.M. - DISCUSSION/CONSIDERATION OF LETTER TO THE STATE PARKS REGARDING THE COUNTY'S LEGAL AUTHORITY TO GRANT PERMISSION FOR DEVELOPMENT OF ACCESS AND UTILITIES ACROSS A PUBLIC ROADWAY AND UTILITY EASEMENT ON PROPERTY ADJACENT TO ANDERSON MARSH STATE HISTORIC PARK** - Property owner Mr. Rick Coel was present and gave a brief over of the situation with the regarding the easement on the property.

On motion of Supervisor Robey and by vote of the Board (5 ayes), directed County Counsel to prepare a letter to the California Department of Parks and Recreation requesting that the State reexamine it's position and recognize the Coel's property rights in the public easement in question and that they be allowed to utilize it for the purposes for which the Lake County Board of Supervisors accepted the easement, on behalf of the public, in 1979, and authorized the Chair to sign.

6. **ITEM A-7 - 10:00 A.M. - CONSIDERATION OF REQUEST FROM THE LAKE COUNTY LAND TRUST FOR A WAIVER OF PERMIT FEES FOR THE INSTALLATION OF A SEPTIC TANK, LEACH LINES AND A DRIVEWAY ENCROACHMENT** - Mr. John Graham, representing the Lake County Land Trust was present.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the request from the Lake County Land Trust for a waiver of permit fees for the installation of a septic tank, leach lines and a driveway encroachment.

7. **ITEM A-8 - 10:15 A.M. - DISCUSSION/CONSIDERATION OF RECOMMENDATIONS FOR THE ALLOCATION OF MONEY RECEIVED PURSUANT TO TITLE III OF H.R. 2389 FOR THE FOLLOWING: (a) FIRE PREVENTION AND HOMEOWNER EDUCATION EFFORTS BY LAKE COUNTRY FIRE SAFE COUNCIL; (b) FIRE PREVENTION AND HOMEOWNER EDUCATION EFFORTS BY SOUTH LAKE FIRE SAFE COUNCIL; (c) COUNTY-WIDE FIRE PREVENTION AND RESPONSE PLAN; and (d) RESERVE FOR FUTURE PROJECTS** - Chief Deputy Administrative Officer Matt Perry was present.

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Chair Brown asked if anyone present wished to speak on this item and the following persons spoke: Mr. Ray Mostin and Mr. David Henderson. No one else was present wishing to speak and the public portion of this item was closed.

This item will be brought back to the Board at a later date.

8. **ITEM A-9 - 10:30 A.M. - CONSIDERATION OF CITIZEN COMPLAINT REGARDING COUNTY'S PERMITTING PROCESS AND THE PROTECTION OF SACRED INDIAN GROUNDS AND ARCHEOLOGICAL SITES** - Community Development Director Mary Jane Fagalde and Senior Planner Penelope Shibley were present.

Mr. Jim Brown gave an overview of his concerns regarding the County's permitting process and the protection of sacred indian grounds and archeological sites.

Chair Brown asked if anyone was present wishing to speak on this item and Ms. Ursula Brown spoke. 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.

9. **ITEM A-12 - CONSIDERATION OF AWARD OF BID NO. 05-14, IN THE AMOUNT OF \$111,449, TO CHERNOH EXCAVATING, FOR NUISANCE ABATEMENT PROJECT LOCATED AT 8649 AND 9000 ADOBE CREEK ROAD, KELSEYVILLE, CA (APN'S 007-034-060 AND 007-036-010-00) AND PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND CHERNOH EXCAVATING, FOR NUISANCE ABATEMENT PROJECT** - Community Development Director Mary Jane Fagalde was present.

On motion of Supervisor Robey and by vote of the Board (4 ayes, Supervisor Brown NO), awarded of Bid No. 05-14, in the amount of \$111,449, to Chernoh Excavating, for nuisance abatement project located at 8649 and 9000 Adobe Creek Road, Kelseyville, CA (APN's 007-034-060 and 007-036-010-00), and approved Agreement between the County of Lake and Chernoh Excavating, for the nuisance abatement project, and authorized the Chair to sign both documents.

The Board of Supervisors adjourned for lunch at 11:59 a.m. and reconvened at 1:31 p.m.

The Board of Supervisors adjourned and convened as the Board of Directors of the Lake County IHSS Public Authority.

10. **ITEM A-13 - CLOSED SESSION -1. Conference with Labor Negotiator, (a) Agency Negotiator: IDEA - F. Buchanan and (b) Employee Organization: United Domestic Workers of America** - Chair Brown announced that the Board will now go into Closed Session for the reasons stated on the agenda.

The Board of Directors of Lake County IHSS Public Authority reconvened into Regular Session with no action taken.

The Board of Directors of Lake County IHSS Public Authority adjourned and reconvened as the Board of Supervisors.

There being no further business, the Board adjourned at 3:03 p.m.


Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board



By: 
Georgine Hunt
Assistant Clerk of the Board