

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA  
MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD OCTOBER 12, 2004

The Honorable Board of Supervisors of Lake County, California, met in regular session this 12<sup>th</sup> day of October, 2004, there being present Supervisors Ed Robey, Jeff Smith, Gary Lewis, Anthony Farrington and Rob Brown, County Administrative Officer Kelly Cox, County Counsel Cameron Reeves and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:03 a.m. by Chair Brown, following a moment of silence, County Administrative Officer Kelly Cox 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-8, with the exception of Consent Item C-8, which will be taken up immediately following the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors Meetings held on September 21 and 28, 2004.

Appointed Mary Paarsch to the First 5 Lake County Commission for a two year term expiring October 12, 2004.

Adopted Resolution No. 2004-179, approving Agreement No. 04-0629 with the State of California, Department of Food and Agriculture for compliance with the Pierce's Disease Contract Program and authorizing execution thereof.

**Continued from September 28, 2004** - (a) Approved Agreement between the County of Lake and Oak Park Development, for subdivision improvements under the provisions of Section 17-14.(b) of the Lake County Code, and authorized the Chair to sign; and (b) Adopted Resolution No. 2004-178, approving Final Subdivision Map for Oak Park Estates Subdivision.

(a) Awarded Bid No. 05-06, to Outdoor Creations, Inc., for twenty-four (24) precast concrete picnic tables, twelve (12) benches and one sign with base, in the amount of \$21,373.66, and authorized the Chair to sign Notice of Award; and (b) Approved Agreement between the County of Lake and Outdoor Creations, Inc., for twenty-four (24) precast concrete picnic tables, twelve (12) benches and one sign with base, and authorized the Chair to sign.

(a) Approved Medi-Cal Certificate of Compliance with the California Department of Veterans Affairs (CDVA), for Medi-Cal Cost Avoidance Program, Fiscal Year 2004/2005, and authorized the Chair to sign; and (b) Approved Subvention Certificate of Compliance with the California Department of Veterans Affairs (CDVA), Fiscal Year 2004/2005, and authorized the Chair to sign.

Sitting as the Board of Directors of Lake County Flood Control and Water Conservation District, approved Agreement between the Lake County Flood Control and Water Conservation District and West Lake Resources Conservation District, for implementation of Proposition 13 Grant for inventory, eradication and effectiveness monitoring of invasive species, and authorized the Chair to sign.

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

**CONSENT ITEM C-8 - CONSIDERATION OF APPROVAL OF GRANT DEED AND DIRECT CLERK TO CERTIFY FOR RECORDATION (APN 008-052-16 - JACK V. SPRINGER - TRUSTEE and ELIZABETH PFISTER SPRINGER - TRUSTEE); and APPROVE RIGHT-OF-WAY AGREEMENT BETWEEN LAKE COUNTY SANITATION DISTRICT AND JACK V. SPRINGER - TRUSTEE and ELIZABETH PFISTER SPRINGER - TRUSTEE** - A Memorandum dated October 8, 2004, from Assistant Clerk of the Board, was received, requesting that this item be pulled from the Consent Agenda. Today's agenda stated that the agreement is between the Lake County Sanitation District and it should have read the Kelseyville County Waterworks District #3.

On motion of Director Lewis and by vote of the Board (5 ayes), approved Grant Deed and directed Clerk to certify for recordation (APN 008-052-16 - Jack V. Springer - trustee and Elizabeth Pfister Springer - trustee); and approved Right-of-Way Agreement between Kelseyville County Waterworks District #3 and Jack V. Springer - Trustee and Elizabeth Pfister Springer - Trustee, and authorized the Chair to sign.

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

2. **ITEM A-4 - Carried Over From September 21, 2004 - 9:06 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 11813 MARCY CIRCLE, LOWER LAKE, CA (APN 122-081-12-00 - JAMES ERAL AND MARY ERAL)** - The Clerk swore in Interim Code Enforcement Manager Hank Boullierce, Code Enforcement Officer Kimberlee Heckard, Mr. James Eral and Mrs. Mary Eral.

Ms. Heckard gave a brief overview of the violations on the property which included unpermitted open and outdoor storage, including but not limited to trash, junk, pallets, debris, other miscellaneous items, a substandard mobile home and public nuisance vehicles.

Mr. Boullierce gave a power-point presentation showing the condition of the property.

Mr. and Mrs. Eral each presented testimony.

On motion of Supervisor Robey and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance located at 11812 Marcy Circle, Lower Lake, 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.

3. **ITEM A-5 - 9:30 A.M. - PRESENTATION OF REPORT FROM THE LAKE COUNTY MENTAL HEALTH ADVISORY BOARD** - Ms. Kathleen Abbadessa, Mr. Ilene Dumont and Ms. Melissa Bentley were present.

Ms. Abbadessa gave an overview of current and future activities that will provide better mental health services the citizens of Lake County.

There was no action taken on this item.

4. **ITEM A-9 - PROPOSED ORDINANCE AMENDING CHAPTER 4 OF THE LAKE COUNTY CODE PERTAINING TO THE CARE OF FERAL CATS** - Animal Care and Control Director Denise Johnson was present.

On motion of Supervisor 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 Supervisor Robey and by vote of the Board (5 ayes), advanced the ordinance two weeks to October 26, 2004.



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5. **ITEM A-10 - PROPOSED ORDINANCE ESTABLISHING FEES FOR DOG AND CAT LICENSING, REDEMPTIONS AND OTHER SERVICES PROVIDED BY LAKE COUNTY ANIMAL CARE AND CONTROL** - Animal Care and Control Director Denise Johnson was present.  
  
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).  
  
On motion of Supervisor Lewis and by vote of the Board (5 ayes), advanced the ordinance two weeks to October 26, 2004.  
  
After a short recess, the Board reconvened at 10:04 a.m.
6. **ITEM A-6 - Continued From September 28, 2004 - 10:00 A.M. - PUBLIC HEARING - APPEAL (AB 04-07) OF "THE LAKE COUNTY FARM BUREAU" OF THE PLANNING COMMISSION'S APPROVAL OF USE PERMIT (UP 04-19) TO ALLOW A RETAIL FUELING FACILITY, TRUCK STOP, MINI-MART, CARWASH AND DRIVE-THROUGH RESTAURANT; PROJECT IS LOCATED AT 755 AND 775 WEST STATE HIGHWAY 20, UPPER LAKE - APN'S 003-034-49 & 50 - Community Development Director Mary Jane Fagalde and Senior Planner Penelope Shibley were present.**  
  
Ms. Fagalde stated that the property owner and surrounding property owners have met twice and have made progress regarding the buffer for agricultural spraying. However, the issue has not been completely resolved and may require further discussion.  
  
Chair Brown continued the public hearing and the following persons spoke: Mr. Mohammed Hussain, Mr. David Weiss, Mr. Chuck March, Mr. Lyndon Ernst and Mr. Paul Borghesani.  
  
The public hearing was continued to October 26, 2004, at 9:30 a.m.
7. **ITEM A-7 - 11:00 A.M. - CONSIDERATION OF REQUEST FOR DIRECTION REGARDING ACQUISITION OF REAL PROPERTY LOCATED AT 6698 KEELING AVENUE, NICE, CA, TO BE USED IN THE DEVELOPMENT OF A TOWN SQUARE AT HINMAN PARK** - Deputy Redevelopment Director Andy Peterson was present and gave a brief overview of the acquisition of the property.  
  
On motion of Director Lewis and by vote of the Board (4 ayes, Director Brown NO), approved the initiation of the process to acquire the property located at 6698 Keeling Avenue, Nice, California, (APN 032-1115-16), to be used in the development of a town square at Hinman Park.  
  
The Board of Directors of the Lake County Redevelopment Agency adjourned and convened as the Board of Supervisors.
8. **ITEM A-12 - RECOMMENDATION FOR AWARD OF BID NO. 05-09, FOR CONSTRUCTION AND REPLACEMENT OF WOLF CREEK BRIDGE, LOCATED IN COUNTY SERVICE AREA #2 - SPRING VALLEY** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the Notice of Award to Skip Gibbs Company in the amount of \$152,500, approved Agreement between the County of Lake and Skip Gibbs Company for the construction and replacement of Wolf Creek Bridge, located in County Service Area #2, Spring Valley, and authorized the Chair to sign both documents.  
  
The Board of Supervisors adjourned and convened as the Board of Directors of Lake County Flood Control and Water Conservation District.
11. **ITEM A-11 - DISCUSSION/CONSIDERATION OF AGREEMENT BETWEEN THE LAKE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AND THE DEPARTMENT OF THE ARMY FOR THE DESIGN OF THE MIDDLE CREEK FLOOD DAMAGE REDUCTION AND ECOSYSTEM RESTORATION PROJECT** - Assistant Public Works Director Bob Lossius was present and gave a brief overview of the agreement.  
  
On motion of Director Lewis and by vote of the Board (4 ayes, Director Brown NO), approved the Agreement between the Lake County Flood Control and Water Conservation District and the Department of the Army, for the design of the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project, and authorized the Vice-Chair to sign.  
  
The Board of Directors of Lake County Flood Control and Water Conservation District adjourned and reconvened as the Board of Supervisors.
12. **ITEM A-13 - Advanced From October 5, 2004 - AN ORDINANCE AMENDING CHAPTER TWO OF THE LAKE COUNTY CODE MODIFYING THE OFFICE HOURS OF THE COMMUNITY DEVELOPMENT DEPARTMENT -(SECOND READING)** - Supervisor Smith offered Ordinance No. 2702, and it was passed by a roll-call vote (5 ayes).

There being no further business, the Board adjourned at 12:10 p.m.

  
Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board



By:   
Georgine Hunt  
Assistant Clerk of the Board