



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD FEBRUARY 15, 2005

The Honorable Board of Supervisors of Lake County, California, met in regular session this 15th day of February, 2005, there being present Supervisors Jeff Smith, Gary Lewis, Anthony Farrington and Ed Robey, Administrative Officer Kelly Cox, County Counsel Cameron Reeves and Assistant Clerk of the Board Georgine Hunt. Supervisor Brown was absent all day.

The meeting was called to order at 9:04 a.m. by Chair Robey, following a moment of silence, Supervisor Lewis 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 (4 ayes, Supervisor Brown ABSENT), approved Consent Agenda Items C-1 through C-8, with the exception of Consent Item C-6, which will be taken up immediately following the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors Meeting held on January 25, 2005.

Appointed Mary Mcninch, to the Area I Developmental Disabilities Board, for a term expiring on January 1, 2008.

Approved Budget Transfer B-80, in the amount of \$25,050 (Prop 40 Grant Funds), for the purchase of picnic tables and benches for park improvements at Saderlund Park, Kelseyville Community Park and Lakeside County Parks, Budget Unit No. 7011 - Parks, and authorized the Chair to sign.

Approved Fiscal Year 2005/2006 Budget Manual, Budget Forms and Budget Procedures Calendar.

Adopted revised policy regarding response to official citizen complaints, and the standardized complaint form.

Adopted Resolution No. 2005-29, amending Resolution No. 2004-155, establishing salaries and fringe benefits for Management Employees for Fiscal Year 2004-2005 (clarifying vacation accrual after 20 years of service).

Waived the formal bidding process for purchase of vehicles, and made a determination that competitive bidding would produce no economic benefit to the County, for the purchase of the following: (a) 4-door Utility Jeep Liberty (for the Assessors Office), authorized the Public Works Director/Assistant Purchasing Agent to issue a Purchase Order for procurement through the Statewide Bid Contract not to Exceed \$16,598; and (b) mini pick-up, Ford Ranger (for the Agricultural Department), authorized the Public Works Director/Assistant Purchasing Agent to issue a Purchase Order to Northlake Ford not to exceed \$14,425, as recommended in the Memorandum dated February 2, 2005, from Public Works Director Gerry Shaul.

CONSENT ITEM C-6 - RESOLUTION DECLARING COUNTY PROPERTY SURPLUS TO THE NEEDS OF THE COUNTY AND AUTHORIZING PURCHASING AGENT TO SELL SAID PROPERTY (1968 CATERPILLAR GRADER) - Deputy Administrative Officer Jeff Rein was present and requested that the value of the Caterpillar Grader be increased from \$5,000 to \$7,000.

Supervisor Lewis offered Resolution No. 2005-28, as amended, and it was passed by a roll-call vote (4 ayes, Supervisor Brown ABSENT).

2. **ITEM A-2 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

EXTRA #1 - CONSIDERATION OF PROPOSED RESOLUTION AUTHORIZING APPLICATION BY THE LAKE COUNTY PROBATION DEPARTMENT AND THE CLEARLAKE POLICE DEPARTMENT, IN PARTNERSHIP WITH KONOCTI UNIFIED SCHOOL DISTRICT FOR SCHOOL COMMUNITY POLICING PARTNERSHIP GRANT - On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved taking up this item due to the fact that the need arose after the posting of today's agenda.

This item was taken up as an extra for the following reasons:

Probation did not receive enough contribution from other agencies within the County to meet salaries and benefits for the two officers that would be hired until February 11, 2005. The grant is due to be submitted on March 1, 2005. Although the 25% match, which will be cash and in-kind, is easily obtainable, it is necessary to solicit support from other entities because the grant award of \$100,000 per year would not cover the salary and benefits for the two officers.

Chief Probation Officer Steve Buchholz was present.

Supervisor Smith offered Resolution No. 2005-25, and it was passed by a roll-call vote (4 ayes, Supervisor Brown ABSENT).

3. **CITIZEN'S INPUT** - Mr. Lawrence Robey stated that there is a need for the County to place a stop sign at the intersection of Foothill Drive and Country Club Drive in Lucerne. Mr. Robey also stated that he has contacted the Public Works Department numerous times about having a stop sign at that intersection, but to date, nothing has happened, and asked the Board to direct the Public Works Department to proceed with the placement of a stop sign at this intersection.

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

4. **ITEM A-4 - 9:06 A.M. - PUBLIC HEARING - PROPOSED DISSOLUTION OF FLOOD CONTROL ZONE 6 (MIRABEL ESTATES, MIDDLETOWN)** - Assistant Director of Public Works Bob Lossius was present.

Chair Robey opened the public hearing. No one was present wishing to speak and the public hearing was closed.

Director Lewis offered Resolution No. 2005-26, and it was passed by a roll-call vote (4 ayes, Director Brown ABSENT).

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

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD FEBRUARY 15, 2005

5. **ITEM A-5 - 9:15 A.M. - PUBLIC BID OPENING - LEASE OF COUNTY PROPERTY (SMALL SPACE ON THE ROOF OF THE COURTHOUSE AND A SMALL SPACE ON THE GROUND ADJACENT TO THE COURTHOUSE) FOR INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT** - Public Services Director Kim Clymire was present.

Chair Robey stated that there has been one bid received from Edge Wireless in the amount of \$12,000 per year.

A proposed Agreement between the County of Lake and Edge Wireless for lease of County property, will be placed on the February 22, 2005, agenda, for further consideration.

6. **ITEM A-14 - REQUEST TO AMEND USE PERMIT CONDITIONS TO CONFORM TO BOARD DECISION (EXHIBIT "A") OF THE FINDINGS OF FACT IN THE APPEAL OF THE LAKE COUNTY FARM BUREAU (AB 04-07) OF HUSSAIN 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. Shibley gave a brief overview of the four amended Use Permit conditions that were inadvertently omitted from "Exhibit A" of the Findings of Fact. Items A7 and A8 are included requiring that the applicant provide an area for a visitor kiosk and sign an indemnification agreement with the County. Item C4 includes a requirement that a certified arborist evaluate the health of the first and second row of trees. Item C5 was included to require that if dispersion of "restricted agricultural chemicals" occurs that the permit holder restricts public access to the site and close operation of the business during spray event. The word "restricted" is also included in condition C5.

Mr. Chuck March and Mr. Barry Parkinson spoke.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved "Exhibit A", as amended.

7. **ITEM A-6 - 9:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12630 SULPHUR BANK MINE ROAD, CLEARLAKE OAKS, CA (APN 010-029-30-00 - MYRA ERICKSON)** - The Clerk swore in Code Compliance Manager Hank Bouillercce, Code Compliance Officer Kimberlee Heckard, Ms. Myra Erickson and Ms. Brenda Pier.

Ms. Heckard gave a brief overview of the violations on the property, which included open and outdoor storage of household garbage, junk, scrap wood, appliances, household furniture and fixtures, car parts, debris, containers full of hazardous materials and other miscellaneous items including one or more unregistered inoperable public nuisance vehicle(s). Also, there is a substandard dwelling that poses a threat to the public health, safety and welfare.

Mr. Bouillercce gave a power-point presentation showing the conditions of the property.

Ms. Erickson stated that Ms. Pier is in the process of purchasing the property.

Ms. Pier stated that it is her intent to clean-up the property after the purchase is completed, and requested the Board to extend the time to complete the abatement from 30 days to 45 days.

On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Brown ABSENT), adopted the order, as amend (extended the abatement completion from 30 days to 45 days), to complete the abatement of the nuisance within forty-five (45) days and authorized staff to abate the nuisance if it is not voluntarily abate, and all costs associated with this case shall become a charge against the property.

8. **ITEM A-7 - 9:45 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12946 5TH STREET, CLEARLAKE OAKS, CA (APN 035-382-21 - OWEN A. LAMPMAN)** - The Clerk swore in Code Compliance Manager Hank Bouillercce and Code Compliance Officer Anthony Howard.

Neither the property owner nor a representative were present.

Mr. Howard gave a brief overview of the violations on the property, which included open and outdoor storage consisting of, but not limited to junk, trash, debris, scrap metal, scrap wood and building materials.

Mr. Bouillercce gave a power-point presentation showing the conditions of the property.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), adopted the order to complete the abatement of the nuisance within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, and all costs associated with this case shall become a charge against the property.

9. **ITEM A-8 - 10:00 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12916 5TH STREET, CLEARLAKE OAKS, CA (APN 035-382-30 - OWEN A. LAMPMAN AND ROSE MARIE LAMPMAN, TRUSTEES OF THE LAMPMAN FAMILY TRUST)** - The Clerk swore in Code Compliance Manager Hank Bouillercce and Code Compliance Officer Anthony Howard.

Neither the property owner nor a representative were present.

Mr. Howard gave a brief overview of the violations on the property, which included open and outdoor storage consisting of, but not limited to junk, trash, debris, scrap metal, scrap wood and a public nuisance vehicle.

Mr. Bouillercce gave a power-point presentation showing the conditions of the property.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), adopted the order to complete the abatement of the nuisance within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, and all costs associated with this case shall become a charge against the property.

After a short recess, the Board reconvened at 10:17 a.m.

10. **ITEM A-9 - 10:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12956 5TH STREET, CLEARLAKE OAKS, CA (APN 035-382-22 - OWEN A. LAMPMAN)** - The Clerk swore in Code Compliance Manager Hank Bouillercce and Code Compliance Officer Anthony Howard.

Neither the property owner nor a representative were present.

Mr. Howard gave a brief overview of the violations on the property, which included open and outdoor storage consisting of, but not limited to junk, trash, debris, scrap metal, scrap wood, building materials, metal containers, boats and trailers.

Mr. Bouillercce gave a power-point presentation showing the conditions of the property.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD FEBRUARY 15, 2005

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), adopted the order to complete the abatement of the nuisance within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, and all costs associated with this case shall become a charge against the property.

11. **ITEM A-13 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - Supervisor Lewis stated that the Public Works Department received a phone call from Mr. Skip Wilson regarding drainage issues at his home on Lakeview Drive. Later that same day, Mr. Wilson called the Public Works Department back thanking Road Superintendent James Wright and Public Works Supervisor Lyle Swartz for being professional and courteous in solving his problem.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved Certificates of Commendation to Road Superintendent James Wright and Public Works Supervisor Lyle Swartz for their professional and courteous manner in dealing with the drainage issues on Lakeview Drive, and authorized the Chair to sign.

12. **ITEM A-15 - DISCUSSION AND APPROVAL OF COUNTY'S FEDERAL FUNDING REQUESTS FOR FEDERAL FISCAL YEAR 2006** - After a brief discussion of Federal funding priorities, it was determined that before a decision could be made, that it would be appropriate to have Supervisor Brown present for the discussion.

This item was continued to February 22, 2005, for further consideration.

13. **ITEM A-10 - 10:30 A.M. - PUBLIC HEARING - CONSIDERATION OF REQUEST TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR A GRANT OF UP TO \$1,500,000 UNDER THE GENERAL AND NATIVE AMERICAN ALLOCATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM** - Deputy Redevelopment Director Andy Peterson was present and gave a brief overview of what the funding would be used for. This request would continue the owner occupied rehabilitation program to include where possible replacement of dilapidated mobile homes with new pre-manufactured homes on foundations. Also, the funds would be used to develop the Clearlake Oaks Plaza. This project consists of the reconstruction of roadway and construction of curbs, gutters and sidewalks, landscaping and installation of a gazebo type structure at one end of the Plaza.

Chair Robey opened the public hearing and the following persons spoke: Ms. Margaret Medeiros, Mr. Chuck Lamb, Ms. Caroline Cardinelli, Ms. Sabine Hue De Laroque and Mr. Roger Hue De Laroque. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), directed staff to submit the grant application to the California Department of Housing and Community Development for a grant of up to \$1,500,000 under the General and Native American Allocation of the Community Development Block Grant Program.

14. **ITEM A-12 - Continued From February 1, 2005 - 11:00 A.M. - UPDATE REPORT ON FUTURE MANAGEMENT OF THE LAKE COUNTY WORKFORCE INVESTMENT ACT PROGRAM (ONE STOP SHOP), AND CONSIDERATION OF OPTIONS** - Superintendent of Schools Bill Cornelison, Assistant Superintendent of Schools David Geck and Lake County Career Center Program Director George McQueen.

Ms. Laurie Brown, representing NCCC Business Services and Lake County Career Center Administrative Assistant Gail Cox were also present.

Dr. Cornelison stated that the Lake County Office of Education has been very successful in the operation of the job-training program under the Workforce Investment Act Program for Lake County, and would like to continue with the operation of this program as part of their vocational training and adult education programs.

Dr. McQueen gave a brief overview of the services that are provided by the One Stop Shop, which include confidential consultations, needs assessment services, job descriptions and policy handbooks, employee recruitment and pre-screening services, employee and supervisor training, business seminars and workshops, interview and meeting facilities, business plans and loans, marketing assistance, on-th-job training programs and subsidized employment, business-to-business referrals.

There was no action taken on this item.

The Board adjourned for lunch at 12:30 p.m. and reconvened at 1:40 p.m.

14. **ITEM A-11 - Continued From January 11, 2005 - 10:45 A.M. - PUBLIC HEARING - CONSIDERATION OF RESOLUTION APPROVING RESOLUTIONS AND CAPITAL FIRE FACILITY AND EQUIPMENT PLANS SUBMITTED BY LAKE COUNTY FIRE AGENCIES AND UPDATING THE LAKE COUNTY CAPITAL FIRE FACILITY AND EQUIPMENT PLAN** - Administrative Analyst Jennifer Hammond was present.

Chair Robey opened the public hearing. No one was present wishing to speak and the public hearing was closed.

Supervisor Lewis offered Resolution No. 2005-27, and it was passed by a roll-call vote (4 ayes, Supervisor Brown ABSENT).

15. **ITEM A-16 - CONSIDERATION OF PROPOSED RESOLUTION ELECTING TO CONTINUE THE FIVE-YEAR PERIOD FOR TAX-DEFAULTED NONRESIDENTIAL COMMERCIAL PROPERTY** - Treasurer-Tax Collector Kay Lytton was present.

After a brief discussion by the Board, it was determined that more information was required, including the cost to create a three and five year tax-defaulted time period.

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

16. **ITEM A-17 - CLOSED SESSION - 1. Public Employee Performance Evaluation, Title: Agricultural Commissioner** - Chair Robey 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.

There being no further business, the Board adjourned at 2:25 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board