



# Minutes

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JANUARY 18, 2005

The Honorable Board of Supervisors of Lake County, California, met in regular session this 18<sup>th</sup> day of January, 2005, there being present Supervisors Jeff Smith, Gary Lewis, Anthony Farrington, Rob Brown, Ed Robey, Administrative Officer Kelly Cox, County Counsel Cameron Reeves and Assistant Clerk of the Board Georgine Hunt and Board Secretary Donna De Maria.

The meeting was called to order at 9:02 a.m. by Chair Robey, following a moment of silence in honor of Sergeant Howard Stevenson, Supervisor Smith 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, with the exception of Consent Item C-1, which will be taken up immediately following the approval of the Consent Agenda.

Appointed Shirley Dodson - Disabled Consumer Category, Marilyn Johnson IHSS Provider Category, Ethel George - Senior Community Representative Category, Beverly Chapman - Senior Consumer Category and John Gaffney - Disabled Consumer Category, to the IHSS Advisory Board, for terms expiring January 1, 2007.

Authorized the Blood Bank of the Redwoods to utilize the upstairs of the Lake County Museum on January 19, 2005, for blood drive.

Approved Environmental Consultant Agreement between the County of Lake and EBA Engineering, to update the County's current Preliminary Closure/Post Closure Plan for the Eastlake Sanitary Landfill, and authorized the Chair to sign.

Adopted Resolution No. 2005-08, of intention to lease County property (space on the roof of the County Courthouse and on the ground adjacent to the Courthouse), for the installation of telecommunications equipment, and set public hearing on February 15, 2005, at 9:15 a.m.

Sitting as the Board of Directors of Lake County Watershed Protection District, adopted Resolution No. 2005-11, of intention to dissolve Flood Zone 6, and set public hearing on February 15, 2005, at 9:06 a.m.

Sitting as the Board of Directors of Kelseyville County Waterworks District No. 3, approved Easement Deed and directed Clerk to certify for recordation (APN 008-038-51 - Ratel Investments, TNT, LLC; and approved Right-of-Way Agreement between Kelseyville County Waterworks District No. 3 and Ratel Investment, TNT, LIC, for the Kelseyville Water Project, and authorized the Chair to sign.

**CONSENT AGENDA ITEM C-1 - APPROVE MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD ON NOVEMBER 8, 2004** - Assistant Clerk of the Board Georgine Hunt requested that this item be pulled for the Consent Agenda for further discussion. After the January 19, 2005, agenda was posted, staff noticed that the date was typed on the agenda was incorrect (November 8, 2005). The correct date is November 9, 2005. The Clerk will make the necessary changes to Minutes of November 9, 2005.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Minutes, as amended, of the Board of Supervisors meeting held on November 9, 2004, and authorized the Chair to sign.

2. **ITEM A-3 - CURRENT CONSTRUCTION PROJECTS - CONTRACT CHANGE ORDERS:**

**CHANGE ORDER NO. 3, EROSION CONTROL MEASURES FOR EASTLAKE SANITARY LANDFILL** - This is the final and balancing change order for the Erosion Control Project at Eastlake Landfill. This change order reflects actual quantities and measurements of material and work in the project. Additionally, work included in Change Order No. 1, to add leachate pipe repair has been modified to reflect problems encountered when weather and design problems stopped that portion of the project. Work done to date and material purchased for that portion of the project remain in the final change order, but completion of the balance of work has been removed from the project until the project engineer can address design problems associated with the removal of inground wet wells and elevations of the replacement leachate pipe. Once the design problems are addressed the remainder of the work will be completed as a separate project.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Change Order No. 3, for an increase of \$6,530, Erosion Control Measures for Eastlake Sanitary Landfill, Granite Construction, and authorized the Chair to sign.

3. **CITIZEN'S INPUT** - Mr. Carl Laslovich presented his concerns with the decline of volunteers who wish to serve on advisory boards, commissions and committees and difficulties these members have with the comprehension of the Special Districts Handbook regarding the Brown Act.

4. **ITEM A-4 - 9:06 A.M. - PRESENTATION BY THE LAKE COUNTY CHILDREN'S COUNCIL REPRESENTATIVES ON CHILD ABUSE PREVENTION ACTIVITIES COMPLETED DURING FISCAL YEAR 2003/2004** - Social Services Director Carol Huchingson and Healthy Start Program Director Joan Reynolds were present.

Ms. Reynolds gave an overview of activities that were completed during Fiscal Year 2003/2004. The Children's Council meetings are held in conjunction with the Countywide Healthy Start Collaborative in order to collaborate on Community-Based Family Resource and Support (CBFRS). CBFRS funding has provided services to 26 families. This funding also has provided services to 470 agency members, partners and community members through regional workshops and trainings and to 1,540 school children, who received information about personal safety and avoiding contact with strangers. The Lake County Children's Council implemented several new initiatives in 2003/2004, to bring together County and regional community members, health care providers, educators, child care providers, case managers and parents for several well attended events.

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There was no action taken on this item.

5. **ITEM A-5 - Continued From January 4, 2005 - 9:15 A.M. - PUBLIC HEARING - APPEAL OF WILLIAM GROSS (AB 03-03) OF PLANNING COMMISSION'S DECISION TO PARTIALLY DENY A DEVIATION REQUEST FROM ROADWAY IMPROVEMENT REQUIREMENTS IN CONJUNCTION WITH CONDITIONS OF AN APPROVED PARCEL MAP (PM 02-11); THIS PROJECT IS LOCATED AT 820 SCOTTS VALLEY ROAD, LAKEPORT, CA (APN 015-004-05)** - Community Development Director Mary Jane Fagalde, Principal Planner Rick Coel, Public Works Director Gerry Shaul and Special Projects Engineer Todd Mansell were present.

Mr. Coel gave a brief background report. The applicant, being represented by Joseph Simpson and Denise Simpson, is requesting a deviation from required roadway improvements along Scotts Valley Road as required by the tentative parcel map. Under Section 31.2 of the Lake County Subdivision Ordinance it provides for the Board to grant deviations when all the following three findings can be made:

- (1) That any deviation granted shall be subject to such conditions as well assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the same vicinity.
- (2) That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict literal application of this Chapter is found to deprive subject property of privileges enjoyed by other properties in the vicinity.
- (3) That under the circumstances of this particular case the deviation, rather than the sections at issue in this Chapter, actually carries out the spirit and intent of this Chapter.

Mr. Shaul stated that in order to be allowed to subdivide land adjoining County-maintained roads, it is required by the current provisions of the Subdivision Ordinance to improve the road to County collector standards on the half of their road adjoining their property, and Mr. Shaul also presented his concerns with the deviation of roadway improvements

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

On motion of Supervisor Farrington and by vote of the Board (3 ayes, Supervisors Smith and Robey NO), made an intended decision to uphold the appeal AB 03-03 of Joseph and Denise Simpson, and directed County Counsel to prepare proposed Findings of Fact.

The Findings of Fact will be brought back to the Board at a later date for consideration.

After a short recess, the Board reconvened at 10:32 a.m.

6. **ITEM A-6 - 9:45 A.M. - UPDATE/DISCUSSION REGARDING THE LAKE COUNTY AGRICULTURE EASEMENT PROGRAM AND REQUEST TO RECONSIDER PURSUING AGRICULTURE EASEMENT FUNDING FROM THE STATE AND POTENTIALLY CONTRACTING OUT FOR SERVICES TO FACILITATE EXISTING APPLICATIONS TO THE STATE DEPARTMENT OF CONSERVATION** - Deputy Agricultural Commissioner Chuck Morse was present.

Agricultural Conservation Easements Program Coordinator Mary Jadiker, was also present.

Mr. Morse stated that he will be meeting with representatives from the California Farmland Conservancy Program regarding funding for this program, and will bring recommendations back to the Board at a later date.

7. **ITEM A-7 - 10:30 A.M. - DISCUSSION REGARDING NECESSARY ACTION THAT WOULD ALLOW THE RESORTS LOCATED IN THE CITY OF CLEARLAKE TO PARTICIPATE IN THE LAKE COUNTY MARKETING PROGRAM** - Clearlake City Counsel Member Judy Thein was present and stated that she will be presenting this proposal to the city, and asked the Board to postpone action until the proposal is considered by the city.

Chair Robey asked if anyone present wished to speak and Ms. Kanen Hanson 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.

8. **ITEM A-9 - DISCUSSION REGARDING FUTURE MANAGEMENT OF THE LAKE COUNTY WORKFORCE INVESTMENT ACT PROGRAM (ONE STOP SHOP), AND CONSIDERATION OF OPTIONS** - Assistant Superintendent of Schools David Geck was present.

Supervisor Lewis gave an overview and identified the following options for future operations of the program:

1. Request that the Office of Education continue implementing the Youth Program but transfer all adult-related WIA activities as well as te One Stop function to the County, effective at the end of the current fiscal year.
2. Request that the North Central Counties Consortium issue a Request for Proposals for implementation of all WIA activities in Lake County and award a contract to whichever entity or entities submit the best proposal(s), effective July 1, 2005.

However, prior to making a decision on this matter, the Board of Supervisors would appreciate receiving input and/or preference from the Office of Education relative to the above options.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved letter to the Office of Education regarding the options presented and this item will be placed on the February 1, 2005, at 9:15 a.m., agenda for further discussion.

9. **ITEM A-10 - DISCUSSION/CONSIDERATION OF REQUEST TO DEMOLISH COUNTY OWNED BUILDING ON 3<sup>RD</sup> STREET IN KELSEYVILLE (APN 860-000-115-000), PROPERTY TO BE USED FOR EXPANSION OF COUNTY PARK, CONSTRUCTION OF A PUBLIC RESTROOM AND THE CREATION OF ADDITIONAL PARKING** - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the request to demolish County owned building on 3<sup>rd</sup> Street in Kelseyville (APN 860-000-115-000), property to be used for expansion of County park, construction of a public restroom and the creation of additional parking.

10. **ITEM A-11 - PROPOSED ORDINANCE AMENDING CHAPTER 17 OF THE LAKE COUNTY CODE, THE SUBDIVISION ORDINANCE REGARDING ROAD MAINTENANCE REQUIREMENTS FOR ROADS AND STREETS** - Public Works Director Gerry Shaul and Public Works Project Manager Patricia Beristianos were 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).

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On motion of Supervisor Lewis and by vote of the Board (5 ayes), advanced the ordinance two weeks to February 1, 2005.

- 11. **ITEM A-12 - (a) PROPOSED RESOLUTION ESTABLISHING A COUNTYWIDE COUNTY SERVICE AREA FOR ROAD MAINTENANCE - CSA NO. 23; (b) PROPOSED RESOLUTION ESTABLISHING POLICIES AND PROCEDURES FOR THE FORMATION AND FUNDING OF ZONES OF BENEFIT WITHIN CSA NO. 23; and (c) AN ORDINANCE ESTABLISHING APPLICATION FEES FOR COUNTY SERVICE AREA NO. 23 FOR THE ESTABLISHMENT OF ZONES OF BENEFIT** - Supervisor Lewis offered Resolution No. 2005-09 (A Resolution Establishing a Countywide County Service Area for Road Maintenance - CSA No. 23), and it was passed by a roll-call vote (4 ayes, Supervisor Brown NO).

Supervisor Lewis offered Resolution No. 2005-10 (A Resolution Establishing Policies and Procedures for the Formation and Funding of Zones of Benefit Within CSA No. 23), and it was passed by a roll-call vote (4 ayes, Supervisor Brown NO).

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 February 1, 2005.

After a short recess, the Board reconvened at 12:45 p.m.

- 12. **ITEM A-14 - STATUS REPORT FROM CODE ENFORCEMENT** - Community Development Director Mary Jane Fagalde and Code Compliance Manager Hank Bouillerc were present.

Mr. Bouillerc gave a power-point presentation on a clean-up project in Nice and the status report as follows:

Mr. Bouillerc presented the status report for the month of November. There are 622 active cases open at this time and 151 nuisance abatement cases pending. There are currently 71 abandoned vehicle abatement cases, there have been 73 vehicles tagged, 11 vehicles towed, 4 vehicles impounded and 12 vehicles gone on arrival.

There was no action taken on this item.

- 13. **ITEM A-13 - REQUEST FOR CONSIDERATION OF ADVANCED STEP HIRING OF ROAD SUPERINTENDENT (EXTRA-HELP)** - On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Brown NO), approved advanced step hiring of extra-help Road Superintendent, James Wright at the 5<sup>th</sup> step salary level.

There being no further business, the Board adjourned at 1:15 p.m.

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Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By: \_\_\_\_\_  
Georgine Hunt  
Assistant Clerk of the Board