



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD NOVEMBER 22, 2005

The Honorable Board of Supervisors of Lake County, California, met in regular session this 22nd day of November, 2005, there being present Supervisors Jeff Smith, Gary Lewis, Anthony Farrington, Rob Brown and Ed Robey. Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:01 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 Smith and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-13.

Approved the transfer of the operation of the Visitor Information Center from the Public Services Department to the County Administrative Office, to be effective January 1, 2006, as recommended in the Memorandum dated November 7, 2005, from Administrative Officer Kelly Cox and Public Services Director Kim Clymire.

Adopted Resolution No. 2005-211, amending Resolution No. 2005-196, to establish a new classification and amend the position allocation for Budget Unit 2110 - District Attorney (reclassifying the Incumbent District Attorney Investigator Aide to District Attorney Investigator Trainee).

Approved Contract between the County of Lake and the Lake County Winegrape Commission, to fund marketing and economic development projects, and authorized the Chair to sign.

Appointed Thomas Jordan, Margaret Jones, Patricia Shuman, Jean Rudy, Bonnie Bonnett, Michele Tarry, Chris Thomas and Elaine Robinson, to the Lake County Child Care Planning and Development Council, for terms ending November 22, 2008.

Approved letter to Congressman Thompson requesting assistance in securing funding to earthquake retrofit the Lower Lake Schoolhouse/Museum building, and authorized the Chair to sign.

Adopted Resolution No. 2005-212, accepting the dedication of roadway easement in the County of Lake (Road No. 1, Gordon Springs Benefit Zone).

Adopted Resolution No. 2005-213, approving Final Parcel Map and the signing of the Final Parcel Map (Wilson).

Adopted Resolution No. 2005-214, temporarily authorizing a road closure, prohibiting parking and authorizing removal of vehicles and ordering the Department of Public Works to post signs (temporarily authorizing a road closure on Wardlaw Street and prohibiting parking along Washington Street, Jackson Street and Callayomi Street on December 3, 2005, from 5:30 p.m. to 7:00 p.m., and authorizing removal of vehicles and ordering the Department of Public Works to post signs - Christmas Lights Caravan Event).

Approved Agreement between the County of Lake and the fire protection districts (Nice Community Services District, Lakeport Fire Protection District, Upper Lake Fire Protection District, Clearlake Oaks Fire Protection District and Lucerne Recreation and Parks District), for dispatch services, and authorized the Chair to sign.

Designated Supervisor Anthony Farrington as the alternate to the governing board for the Joint Powers Agreement for operation of planning and Service Area 26 - Area Agency on Aging.

Adopted Resolution No. 2005-215, establishing two (2) petty cash funds for the Lake County Mental Health Department (\$150 for support and care of Persons Program, one for each clinic).

Sitting as the Board of Directors of Lake County Air Quality Management District, approved gift of a G4 RISC server, operating systems, three (3) legacy systems and accessories, to Carle High School, as recommended in the Memorandum dated November 9, 2005, from Air Pollution Control Officer Robert Reynolds.

Sitting as the Board of Directors of Lake County Sanitation District, accepted dedication and conveyance of mainline sewer extension, to provide sewer service to APN 006-462-04 - Max Mascareno and Bette Mascareno, 7227 Biela Way, Lucerne, and directed Clerk to certify for recordation.

2. **CITIZEN'S INPUT** - Mr. John Roddy spoke on assessment fees for road maintenance.

Ms. Gabby Fellows apologized to the Board for not attending the "PEG" meeting on November 21, 2005, which resulted in the meeting having to be cancel due to a lack of a quorum.

3. **ITEM A-4 - 9:15 A.M. - STATUS REPORT FROM CODE ENFORCEMENT** - Code Compliance Manager Hank Bouillerce and Code Compliance Officer Thomas Blavet were present.

Mr. Bouillerce presented the status report for the month of October. There are 462 active cases opened at this time and 142 nuisance abatement cases, for a total of 604 open abatement/active cases. There are currently 91 abandoned vehicle abatement cases, there have been 27 vehicles tagged, 30 vehicles towed, 6 vehicles impounded and 28 gone on arrival.

There was no action taken on this item.

4. **ITEM A-8 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - Chair Robey announced that a Joint Meeting with the Lakeport City Council members, the City of Clearlake City Council members and the Board of Supervisors, will be held on December 7, 2005, at 6:00 p.m., at Clearlake City Hall.

5. **ITEM A-5 - 9:25 A.M. - DISCUSSION/CONSIDERATION OF RECOMMENDATION FROM HOME CARE ALLIANCE (HCA) THAT THE PUBLIC AUTHORITY (PA) EXPLORE THE POSSIBILITY OF EXTENDING REGISTRY SERVICES TO NON IN-HOME SUPPORTIVE SERVICES CONSUMERS** - Social Services Director Carol Huchingson and Public Authority Coordinator Michele Dibble.

The Home Care Alliance (HCA) is a group of individuals and organizations that has presented a number of recommendations to the In-Home Supportive Services (IHSS) Advisory Committee, concerning operations of the IHSS Program and the Public Authority. The Advisory Committee agreed to place the HCA issues on the Boards agenda for discussion, and at the September 2005, meeting, the committee discussed the recommendation that the Public Authority (PA) Registry serve non-IHSS consumers. In discussion with the Advisory Committee, staff agreed to bring this issue forward to the Board for further consideration. The Public Authority Registry is a referral system mandated to assist IHSS consumers with their search for screened IHSS providers that have met the criteria to be listed on the registry.

Staff agrees that a similar service would certainly be helpful for non-IHSS consumers. However, staff has many concerns about offering registry services to non-IHSS consumers.

There was consensus by the Board not to proceed with the exploration of the possibility of extending registry services to non In-Home Supportive Services consumers.

Supervisor Lewis was absent at 10:00 a.m.

6. **ITEM A-6 - 9:45 A.M. - REQUEST FOR DIRECTION REGARDING THE CONTINUANCE OF THE 9/80 WORK SCHEDULE FOR HEALTH SERVICES DEPARTMENT AND CONSIDERATION OF REQUEST TO ALLOW THE 9/80 FLEX WORK SCHEDULE FOR STAFF IN OTHER DEPARTMENTS** - Social Services Director Carol Huchingson, Public Works Director Gerry Shaul and Chief Appraiser Jim Campbell were present.

Chair Robey asked if anyone present wished to speak on this item and Mr. Jim Roddy spoke.

On motion of Supervisor Smith and by vote of the Board (3 ayes, Supervisor Brown NO, Supervisor Lewis ABSENT), authorized the Health Services Department to continue to utilize the 9/80 work schedule, on a temporary basis, and schedule a meeting with the Health Services Director in the near future for further review.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), authorized the Water Resources and Engineering and Inspection Divisions to utilize the 9/80 work schedule, to be reviewed by the Board on an annual basis.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), denied Special Districts Administration Division to utilize the 9/80 work schedule.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), denied the utilization of the 9/80 work schedule County wide.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), authorized the Social Services Department, the Sheriff's Department and the District Attorney's Office to continue to utilize the 9/80 work schedule, to be reviewed by the Board on an annual basis.

The discussion of the one employee in the Community Development Department, who is utilizing the 9/80 work schedule, and the closure of the office at 4:00 p.m. to the public, will be placed on the December 6, 2006, agenda.

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

7. **ITEM A-7 - 11:00 A.M. - Continued From September 27, 2005 and October 25, 2005 - DISCUSSION/CONSIDERATION OF PROPOSED REVISIONS TO LAKE COUNTY RULES AND REGULATIONS FOR ON-SITE SEWAGE DISPOSAL** - Environmental Health Director Ray Ruminski was present.

Mr. Ruminski recapped the revisions that were presented on October 25, 2005, as follows:

1. Replace the maximum trench width of 24 inches with a minimum trench width of 24 inches. (The original version of these rules specified the minimum width of 24 inches, but an unintentional transcription error changed minimum to maximum at some time. This change restores the original rule).
2. Specify minimum trench length of 10 feet.
3. Specify ends of leach line distribution pipe be capped.
4. Require passive effluent filters on septic tanks at time of an upgrade.
5. Eliminate the leach filed configuration known as a "50-50-50" system.
6. Establish criteria for aerobic treatment units of a 24 inch vertical separation from effluent dispersal to a permanent water table.
7. Delete the requirement of a recorded, dedicated easement for aerobic treatment units and replace it with a requirement for recorded disclosure statement that an advanced wastewater treatment system exists on the property and that routine maintenance by an authorized service provider is required.
8. Give clarification to what is required in an application for a permit to construct a septic system and add a requirement for a cross-section plan when indicated by topography and grade of slope.
9. Discontinue the use of schematic diagrams of sand filters in concrete containers and delete references to the diagrams in the text.

Other amendments include adding definitions and minor word changes.

Chair Robey asked if anyone present wished to speak and the following persons spoke: Mr. Ron Rose, Mr. Mark Adams and Mr. Dennis Lawson. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), approved the revisions, as presented, to the Lake County Rules and Regulations for on-site sewage disposal.

8. **ITEM A-9 - REQUEST FOR DIRECTION REGARDING THE IMPLEMENTATION OF GRAND JURY RECOMMENDATION RELATIVE TO THE ESTABLISHMENT OF COMMITTEE TO ASSIST IN OVERSEEING THE PUBLIC DEFENDER PROGRAM** - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), approved the establishment of the committee to assist in overseeing the Public Defender Program and the committee will be comprised of the following:

- 2 members of the general public
- 2 members of the Board of Supervisors (one will be an alternate)
- 1 County Administrative Officer or designee
- 1 representative of the Courts
- 1 local attorney who does not accept appointments to represent indigent defendants and is not employed by the County of Lake

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), appointed Supervisor Brown and Supervisor Robey (as alternate), to the committee to assist in overseeing the Public Defender Program.

Staff will advertise in the Clearlake Observer and in the Record Bee, for 2 members of the general public and 1 member who is a local attorney (who does not accept appointments to represent indigent defendants and is not employed by the County of Lake), to serve on the committee to assist in overseeing the Public Defender Program.

9. **ITEM A-10 - REVIEW OF COUNTY CELLULAR PHONE POLICY AND CONSIDERATION OF PROPOSED AMENDMENT THERETO** - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), approved the continuation of the existing cell phone policy and monthly stipend for department heads.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), authorized the expansion of the cell phone policy to all management employees, and in each and every case, employees shall submit their request for the stipend to the County Administrative Officer who shall approve or disapprove their eligibility.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), authorized the extension of the existing cell phone policy and stipend to cover the department head of the UC Cooperative Extension/Farm Advisor.

Supervisor Brown offered Resolution No. 2005-209 (a Resolution amending the County Cellular Phone Policy), and it was passed by a roll-call vote (4 ayes, Supervisor Lewis ABSENT).

Supervisor Brown offered Resolution No. 2005-210 (a Resolution amending Resolution No. 2005-193, regarding the Cellular Phone Stipend for management employees), and it was passed by a roll-call vote (4 ayes, Supervisor Lewis ABSENT).

10. **ITEM A-11 - 1. Conference with Labor Negotiator, (a) County Negotiators : A. Grant and M. Perry and (b) Employee Organization: LCEA, LCCOA, SDA and DDAA; and sitting as the Board of Directors of IHSS Authority, 2. Conference with Labor Negotiator, (a) Authority Negotiator: F. Buchanan, (b) Employee Organization: AFSCME/UDW** - Chair Robey announced that the Board will now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 12:50 p.m..

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board