



# Minutes

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD SEPTEMBER 6, 2005

The Honorable Board of Supervisors of Lake County, California, met in regular session this 6<sup>th</sup> day of September, 2005, there being present Supervisors Jeff Smith, Anthony Farrington, Rob Brown and Ed Robey, Administrative Officer Kelly Cox, County Counsel Cameron Reeves and Assistant Clerk of the Board Georgine Hunt. .

The meeting was called to order at 9:02 a.m. by Chair Robey. 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 Smith and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-24, with the exception of Consent Items C-8 and C-11, which will be taken up immediately following the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors Meeting held on August 9 and 16, 2005; and Minutes of the Final Budget Hearing held on August 12, 2005.

Adopted proclamation designating the month of September 2005, as Workforce Development Month in Lake County.

Approved Amendment No. 1 to Contract between the County of Lake and Mt. Konocti Facilitation, Inc., for economic development activities, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Robinson Rancheria of Pomo Indians of California, for participation in the County Marketing Program and TOT-In-Lieu payments, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Kelseyville Seniors, Inc., for Fiscal Year 2005/2006 funding, and authorized the Chair to sign.

Approved Contract between the County of Lake and the County of Mendocino, for laboratory services, and authorized the Chair to sign.

Approved requests and ordered consolidation of the following school districts' and community college district elections with the general district election to be held on November 8, 2005: Board of Trustees of Mendocino-Lake Community College District; Lake County Board of Education; Board of Trustees of Kelseyville Unified School District; Governing Board of the Lakeport Unified School District; Governing Board of the Lucerne Elementary School District; Governing Board of the Upper Lake Union School District and Governing Board of the Upper Lake Union High School District pursuant to their respective resolutions.

Approved First Amendment to Agreement between the County of Lake and Women's Recovery Services (Provider #490030), for provision of residential treatment services for women experiencing alcohol or drug related problems for Lake County residents, Fiscal Year 2005/2006, and authorized the Chair to sign.

Approved Second Amendment to Agreement between the County of Lake and Ford Street Project, for provision of residential treatment for Lake County residents experiencing alcohol or drug related problems, Fiscal Year 2004/2005, and authorized the Chair to sign.

Approved requests and ordered consolidation of the following districts' elections with the general district election to be held on November 8, 2005: Board of Directors of Anderson Springs Community Services District; Board of Directors of Butler-Keys Community Services District; Board of Directors of Hidden Valley Lake Community Services District; Board of Directors of Nice Community Services District; Board of Directors of Clearlake Oaks Fire Protection District; Board of Directors of Kelseyville Fire Protection District; Board of Directors of Lake County Fire Protection District; Board of Directors of South Lake County Fire Protection District; Board of Directors of Buckingham Park Water District; Board of Directors of Callayomi County Water District; Board of Directors of Clearlake Oaks County Water District; Board of Directors of Cobb Area County Water District; Board of Directors of Konocti County Water District; Board of Directors of Scotts Valley Water Conservation District; and Board of Directors of Upper Lake County Water District, pursuant to their respective resolutions.

Approved Contract between the County of Lake and David H. Williams, M.D., for specialty mental health services, and authorized the Chair to sign.

Adopted Resolution No. 2005-151, fixing tax rates for local agencies, general obligation bonds and other voter approved indebtedness.

Adopted Resolution No. 2005-147, approving Final Parcel Map and the signing of the Final Parcel Map (Ore).

Adopted Resolution No. 2005-152, amending Resolution 2001-238, establishing responsibility for the operation of the County of Lake's Housing Program.

Adopted Resolution No. 2005-153, amending Resolution 2001-213, authorizing staff to sign all documents pertaining to the County's Housing Rehabilitation and Development Programs.

Approved IHSS Public Authority (PA) rate, in the amount of \$7.4784 per hour, which includes a wage rate of \$6.75, payroll taxes of \$0.6109 and PA administrative costs of \$0.1176, as per Memorandum from Social Services Director Carol Huchingson, dated August 24, 2005.

Approved request for advanced step hiring (Step 4) of an Office Assistant II (Nancy Lane), based on a finding of extraordinary qualifications and hiring difficulties as set forth in the August 17, 2005, Memorandum from Social Services Director Carol Huchingson.

**OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD SEPTEMBER 6, 2005**

Approved plans and specifications for Shasta Road Pavement Rehabilitation (CSA #2 - Spring Valley), and authorized the Special District Administrator to advertise for bids.

Sitting as the Board of Directors of Lake County Air Quality Management District, approved District/State Air Resources Board Subvention Application for Fiscal Year 2005/2006 and Fiscal Year 2004/2005 Final Financial Report, and authorized Air Pollution Control Officer Bob Reynolds to sign and submit application and report to the State Air Resources Board.

Sitting as the Board of Directors of Lake County Sanitation District, accepted dedication and conveyance of mainline sewer extension, for public utility purposes, Steve Keech (7187 Biela Way, Lucerne), and directed Clerk to certify for recordation.

Sitting as the Board of Directors of Lake County Sanitation District, accepted dedication and conveyance of mainline sewer extension, for public utility purposes, Coats Tract of Callayomi Rancho (21289 Santa Clara Road), Middletown, and directed Clerk to certify for recordation.

Sitting as the Board of Directors of Lake County Sanitation District, approved Mainline Extension Contract between the Lake County Sanitation District and Gregory Cerda, to extend a sewer mainline to serve Assessor's Parcel No. 014-470-07, and authorized the Chair to sign.

**CONSENT AGENDA ITEM C-8 - CONSIDERATION OF REQUEST FOR ADVANCED STEP HIRING (STEP 5) OF A MENTAL HEALTH SPECIALIST (MARK LOEB, MFT), BASED ON A FINDING OF EXTRAORDINARY QUALIFICATIONS AND HIRING DIFFICULTIES AS SET FORTH IN THE AUGUST 5, 2005, MEMORANDUM FROM HEALTH SERVICES DIRECTOR RUTH LINCOLN** - The Board received a Memorandum dated September 1, 2005, from Health Services Director Ruth Lincoln, requesting that this item be pulled from today's agenda. Mr. Mark Loeb is unable to accept the position due to conflicting demands.

**CONSENT AGENDA ITEM C-11 - PROPOSED RESOLUTION APPROVING THE APPLICATION AND CERTIFICATION STATEMENT OF THE STATE DEPARTMENT OF HEALTH SERVICES, CMS BRANCH'S CHDP/CCS ADMINISTRATION PLAN AND HCPCFP RENEWAL GRANT FOR FISCAL YEAR 2005/2006, AND AUTHORIZING CHAIR TO SIGN** - Public Health Officer Craig McMillan was present and stated that an amendment has been made to the renewal application. The renewal included a position of half-time Registered Nurse II and that title was not submitted for classification. In the amended contract, that title will be replaced with the previously approved title of half-time Child Health and Disability Prevention Program (CHDP) Coordinator.

Supervisor Lewis offered Resolution No. 2005-150, as amended, and it was passed by a roll-call vote (5 ayes).

2. **CITIZEN'S INPUT** - Mayor of the City of Clearlake Judy Thien introduced the new City of Clearlake Interim City Manager Bob Van Nort.

Mr. John Roddy spoke on allowing big box stores in Lake County.

Ms. Felicia Smith spoke on IHSS wages.

Ms. Joan Moss asked the Board to support the proposal to ban GMO's in Lake County.

3. **ITEM A-4 - 9:15 A.M. - (a) DISCUSSION/PRESENTATION REGARDING FUTURE ALLOCATION OF FUNDING OF TITLE II AND TITLE III MONIES, FOR RAC PROJECTS; (b) PROPOSED RESOLUTION DESIGNATING 15% OF THE FULL PAYMENT AMOUNT RECEIVED IN FISCAL YEAR 2005/2006 PURSUANT TO H.R. 2389 TO BE ALLOCATED TO LOCAL PROJECTS; and (c) PROPOSED RESOLUTION DESIGNATING THE AMOUNT OF FUNDING TO BE ALLOCATED BETWEEN TITLE II AND TITLE III LOCAL PROJECTS PURSUANT TO H.R. 2389 FOR FISCAL YEAR 2005/2006** - Deputy Administrative Officer Jeff Rein was present and gave a brief overview of what projects can be funded by Title II and Title III monies. These projects include infrastructure maintenance (including trails), forest ecosystem stewardship, water quality and noxious and exotic weed control. Projects are to be performed on Federal lands or on non-Federal lands where projects would benefit resources on Federal lands.

Public Works Director Gerry Shaul was also present.

The following members of the Lake County Advisory Committee for the Rural Schools and Community Self-Determination Act of 2000 (RAC) were present: Ms. Susanne Scholz, Ms. Roberta Lyons, Ms. Patricia Mohl and Ms. Diana Hershey.

Ms. Hershey gave a power-point presentation on RAC projects that were completed with Title II and Title III monies and showed proposed projects that qualify for Title II and Title III monies. RAC members requested that these projects be considered for next year's funding of Title II and Title III monies.

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

Supervisor Lewis offered Resolution No. 2005-148 (Resolution designating 15% of the full payment amount received in Fiscal Year 2005/2006 pursuant to H.R. 2389 to be allocated to local projects), and it was passed by a roll-call vote (5 ayes).

Consideration of the proposed Resolution designating the amount of funding to be allocated between Title II and Title III local projects pursuant to H.R. 2389 for Fiscal Year 2005/2006, was continued to September 27, 2005.

4. **ITEM A-5 - 9:45 A.M. - PRESENTATION OF 2004 AGRICULTURAL CROP REPORT** - Agricultural Commissioner Steve Hajik was present and gave an overview of the 2004 agricultural crop report. The gross value of agricultural production was \$61,516,000. This is up 6% from 2003. The increase is primarily due to increases in the fruity and nut crop values and nursery production values. The gross value of wine grapes increased \$419,000, pears increased 1.4 million dollars and walnuts increased by \$942,000. The gross value of nursery production increased \$969,100. The top five commodities were wine grapes (\$31,751,000), Pears (\$17,830,000), nursery stock production (\$4,124,100), cattle (\$2,809,911) and walnuts (\$2,509,900).

There was no action taken on this item.

5. **ITEM A-6 - 10:00 A.M. - (a) INTRODUCTION OF NEW WORKFORCE INVESTMENT ACT DIRECTOR MICHELLE OWENS AND UPDATE ON PROGRAM ACTIVITIES; and (b) PROCLAMATION DESIGNATING THE MONTH OF SEPTEMBER 2005, AS WORKFORCE DEVELOPMENT MONTH IN LAKE COUNTY** - Assistant Superintendent of Schools David Geck introduced the new Workforce Investment Act Director Michelle Owens.

Ms. Owens gave a brief overview of current and future program activities, including the promotion of workforce development, to provide information to the public on workforce issues, to provide employment, training and workforce preparedness services to assist both employers and job seekers.

**OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD SEPTEMBER 6, 2005**

Supervisor Lewis read the proclamation into the record. The proclamation was presented to Assistant Superintendent of Schools David Geck and Workforce Investment Act Director Michelle Owens.

After a short recess, the Board reconvened at 10:33 a.m.

6. **ITEM A-8 - PROPOSED ORDINANCE ADDING ARTICLE XI TO CHAPTER 9 OF THE LAKE COUNTY CODE, AUTHORIZING VOLUNTARY CERTIFICATION OF SOBER LIVING FACILITIES** - Alcohol and Other Drug Services Program Director Laura Solis was present.

On motion of Supervisor Brown 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 Brown and by vote of the Board (5 ayes), advanced the ordinance two weeks to September 20, 2005.

7. **ITEM A-9 - PROPOSED RESOLUTION OF INTENTION TO ESTABLISH PROPOSED ZONE A (GORDON SPRINGS) OF COUNTY SERVICE AREA NO. 23, APPROVE THE ENGINEER'S REPORT, THE FORM OF BALLOT AND BALLOTING PROCESS FOR THE ASSESSMENT, AND SETTING A PUBLIC HEARING FOR PROTESTS AND BALLOTING DETERMINATION ON NOVEMBER 1, 2005, AT 9:15 A.M. (COUNTYWIDE COUNTY SERVICE AREA FOR ROAD IMPROVEMENT/MAINTENANCE PROGRAM)** - Public Works Director Gerry Shaul was present.

Supervisor Brown offered Resolution No. 2005-149, and it was passed by a roll-call vote (5 ayes),

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

8. **ITEM A-10 - UPDATE ON EMERGENCY REPAIRS TO THE NORTHWEST LIFT** - On motion of Director Smith and by vote of the Board (5 ayes), found that an emergency still exists and continue to proceed with the emergency repair to a public facility without giving notice for bids to let contracts.

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

9. **ITEM A-11 -Continued From August 23, 2005 - CONSIDERATION OF REQUEST FROM SHERIFF/CORONER TO AUTHORIZE ISSUANCE OF A PURCHASE ORDER FOR PROCUREMENT OF SEVEN (7) 2006 FORD TAURUS SE SEDANS** - Administrative Officer Kelly Cox stated that Sheriff Rodney Mitchell contacted him and requested that this item be carried over to September 6, 2005.

10. **ITEM A-13 - CONSIDERATION OF RECOMMENDATION FROM GROUP HEALTH INSURANCE COMMITTEE, TO INCREASE THE COUNTY'S DENTAL/VISION BENEFITS FOR COUNTY EMPLOYEES** - Personnel Director Glenn Walters was present.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the recommendation from the Group Health Insurance Committee to increase the County's dental/vision benefits for County employees.

11. **ITEM A-12 - Advanced From August 23, 2005 - AN ORDINANCE AMENDING CHAPTER 17 OF THE LAKE COUNTY CODE PROVIDING FOR DEDICATION OF PARK AND RECREATION FACILITIES OR FEES IN LIEU, FOR NEW SUBDIVISIONS - (SECOND READING)** - Supervisor Brown offered Ordinance No. 2745, and it was passed by a roll-call vote (4 ayes, Supervisor Farrington NO).

12. **ITEM A-14 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators : A. Grant and M. Perry and (b) Employee Organizations: LCEA,, LCCOA, SDA and DDAA; 2. Public Employee Performance Evaluation, Titles: (1) Special District Administrator, (2) Air Pollution Control Officer; 3. Conference With Legal Counsel - Existing Litigation (Subdivision (a) of Section 54956.9) , Name of Case: Cocking v. County, et. al.; 4. Conference With Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9, One Potential Case; 5. Liability Claim, (a) Claimant: Sharon Leuzinger, (b) Agency Claimed Against: County of Lake; and 6. Public Employee Disciplinary Appeal** - 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 the following action taken: On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the Findings of Fact and Decision in the matter of Jerald Holmgren, and authorized the Chair to sign.

- BACK TO #12 - ITEM A-14 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators : A. Grant and M. Perry and (b) Employee Organizations: LCEA,, LCCOA, SDA and DDAA; 2. Public Employee Performance Evaluation, Titles: (1) Special District Administrator, (2) Air Pollution Control Officer; 3. Conference With Legal Counsel - Existing Litigation (Subdivision (a) of Section 54956.9) , Name of Case: Cocking v. County, et. al.; 4. Conference With Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9, One Potential Case; 5. Liability Claim, (a) Claimant: Sharon Leuzinger, (b) Agency Claimed Against: County of Lake; and 6. Public Employee Disciplinary Appeal** - Chair Robey announced that the Board will now go back 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 12:19 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