



# Minutes

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD AUGUST 22, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 22nd day of August, 2006, there being present Supervisors Ed Robby, Jeff Smith, Gary Lewis, Rob Brown, Anthony Farrington, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:00 a.m. by Chair Farrington. Following a moment of silence, 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 Smith and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-13.

Approved Minutes of the Board of Supervisors Meetings held on August 1 and August 8, 2006.

Adopted proclamation designating the month of September 2006, as National Alcohol and Drug Addiction Recovery Month in Lake County.

Authorized Alcohol and Other Drug Services staff to provide County transportation for clients, to Sacramento, on August 31, 2006, to attend the National Alcohol and Drug Addiction Recovery Month event, as requested in the Mental Health Services Director's Memorandum dated July 27, 2006.

Adopted Resolution No. 2006-142, granting industrial disability retirement to Doreen Duvall, safety employee, County of Lake.

Adopted Resolution No. 2006-143, granting industrial disability retirement to Matthew A. Wristen, safety employee, County of Lake.

Approved Contract between the County of Lake and Greg V. Johnson, for provision and installation of video surveillance equipment and intercom control panel, and authorized the Chair to sign.

Adopted Resolution No. 2006-144, of intention to establish proposed "Zone I" (North Buckingham Park) of County Service Area No. 23, approved the engineer's report, the form of ballot and balloting process for the assessment, and setting a public hearing for protests and balloting determination.

Adopted Resolution No. 2006-145, of intention to establish proposed "Zone J" (South Buckingham Park) of County Service Area No. 23, approved the engineer's report, the form of ballot and balloting process for the assessment, and setting a public hearing for protests and balloting determination.

Adopted Resolution No. 2006-146, of intention to establish proposed "Zone K" (Riviera West) of County Service Area No. 23, approved the engineer's report, the form of ballot and balloting process for the assessment, and setting a public hearing for protests and balloting determination.

Adopted Resolution No. 2006-147, approval of Right-of-Way Certification Riviera Elementary School Shoulder Widening Project State Agreement No. SR2SL-5914 (046).

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 008-001-13 - Gene T. Kirkendall and Billie Jean Kirkendall), and approved Purchase Agreement between the County of Lake and Gene T. Kirkendall and Billie Jean Kirkendall, for Left Hand Turn Lane Project (Timberline Disposal), and authorized the Chair to sign.

Adopted Resolution No. 2006-148, approving the Disaster Mitigation Act 2000, County of Lake Natural Hazard Mitigation Plan.

Sitting as the Board of Directors of Lake County Sanitation District, accepted dedication and conveyance of mainline sewer extension, for purpose of providing sewer service, Jada Scruggs, located at 16374, 16364 and 16354 18<sup>th</sup> Avenue, Clearlake - (APNs 042-283-24, 042-283-33 and 042-283-34), and directed Clerk to certify for recordation.

2. **ITEM A-2 - PRESENTATION OF ANIMALS THAT ARE AVAILABLE FOR ADOPTION AT THE LAKE COUNTY ANIMAL CARE AND CONTROL SHELTER** - Animal Control Officer Morgan Nelsen was present and showed two (2) dogs and one (1) kitten that are available for adoption at the Lake County Animal Care and Control Center.

3. **CITIZEN'S INPUT** - Supervisor Rob Brown presented to the Board of Supervisors an American Flag that was raised over the United States Embassy, Baghdad, Iraq. This flag was given to the Board by Major Arthur R. Grothe. (This flag will be displayed in the Courthouse Lobby).

Ms. Yvonne Cox spoke on water issues in Lucerne.

Ms. Lenny Matthews spoke on redevelopment issues in the North Shore Project area.

4. **ITEM A-5 - 9:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 9026 QUARTERHORSE LANE, LOWER LAKE (APN 049-011-09-00 - DAVID JONES and LINDA JONES)** - Code Compliance Manager Voris Brumfield was present and sworn in by the Clerk.

Neither the property owner nor a representative was present.

Ms. Brumfield gave a brief overview of the abatement and gave a power-point presentation showing past conditions/violations on the property. Ms. Brumfield stated that all conditions causing the nuisance have been voluntarily abated and no further action is required regarding this nuisance abatement.

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5. **ITEM A-12 - CONSIDERATION OF AWARD OF BID TO BATTELLE LABS, IN THE AMOUNT OF \$59,220, FOR WATER QUALITY TESTING** - Public Works Director Gerry Shaul was present.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved purchase order in the amount of \$59,220 to Battelle MSL, for mercury testing services, and authorized the Public Works Director/Assistant Purchasing Agent to issue the purchase order.

6. **ITEM A-6 - Continued From June 20, July 25, and August 8, 2006 - 9:30 A.M. - CONSIDERATION OF PROPOSED ORDINANCE AMENDING ARTICLE 9 OF CHAPTER TWENTY-ONE OF THE LAKE COUNTY CODE RELATING TO PARCELS DESIGNATED AS SUBURBAN (ANIMAL DENSITY)** - Chair Farrington stated that he has a private contract with one of the surrounding property owners of the pig farm and believes that he may have a conflict of interest regarding this matter.

Community Development Director Mary Jane Fagalde was present and stated that staff is preparing a proposed ordinance that would provide for a public nuisance provision relating to the care and maintenance of animals, such as odors, excessive dust, public health hazard, etc., and asked that this item be continued to September 19, 2006.

The gavel was passed to Vice-Chair Smith.

Supervisor Farrington was absent at 9:30 a.m.

Chair Smith asked if anyone present wished to speak on this item and Mr. Edmund Hill spoke. No one else was present wishing to speak and the public portion of this item was closed.

This item was continued to September 19, 2006, at 9:15 a.m., for further consideration.

Supervisor Farrington was present at 9:37 a.m.

The gavel was passed back to Chair Farrington.

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

7. **ITEM A-13 - (a) PROPOSED RESOLUTION AUTHORIZING THE CHAIR OF THE KELSEYVILLE COUNTY WATERWORKS DISTRICT NO. 3 TO AUTHORIZE THE SPECIAL DISTRICTS ADMINISTRATOR TO SUBMIT A FINANCIAL ASSISTANCE APPLICATION TO THE STATE WATER RESOURCES CONTROL BOARD TO CONSTRUCT WASTEWATER SYSTEM IMPROVEMENTS; AND (b) PROPOSED RESOLUTION AUTHORIZING THE KELSEYVILLE COUNTY WATERWORKS DISTRICT NO. 3 TO REIMBURSE THE STATE WATER RESOURCES CONTROL BOARD FOR THE RECEIPT OF STATE REVENUE BOND FUNDS TO CONSTRUCT WASTEWATER SYSTEM IMPROVEMENTS AT THE KELSEYVILLE WASTEWATER TREATMENT PLANT** - Utility Systems Compliance Coordinator Peggy King was present.

Director Brown offered Resolution No. 2006-151 (authorizing the Chair of the Kelseyville County Waterworks District No. 3 to authorize the Special Districts Administrator to submit a Financial Assistance Application to the State Water Resources Control Board to construct wastewater system improvements), and it was passed by a roll-call vote (5 ayes).

Director Brown offered Resolution No. 2006-152 (authorizing the Kelseyville County Waterworks District No. 3 to reimburse the State Water Resources Control Board for the receipt of State Revenue Bond Funds to construct wastewater system improvements at the Kelseyville Wastewater Treatment Plant), and it was passed by a roll-call vote (5 ayes).

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

8. **ITEM A-14 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: LCEA, SDA and DDAA; and 2. Conference With Legal Counsel - Existing Litigation (Subdivision (a) of Section 54956.9), Name of Case: County of Lake v. Material Solutions** - Chair Farrington 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.

After a short recess, the Board reconvened at 10:08 a.m.

9. **ITEM A-7 - 10:00 A.M. - PRESENTATION BY STAFF MEMBER OF CSAC FINANCIAL CORPORATION REGARDING CURRENT PROGRAMS THAT ARE AVAILABLE TO COUNTIES** - Executive Director of CSAC Financial Corporation Norma Lammers and CSAC Financial Corporation Administrative Analyst Laura Li were present.

Ms. Lammers gave a brief overview of the programs that CSAC Financial Corporation oversees, including: Industrial Development Bonds; Non-Profit Bonds; Multi-Family Housing Revenue Bonds; Municipal Lease Program; Tax and Revenue Anticipation Notes Pools; National Cooperative Purchasing Program; Tobacco Securitization Bond Pool; Statewide Communities Infrastructure Program; Pooled Pension Obligation Bonds; Pooled Water/Wastewater Bonds; Investment Trust of California; and Deferred Compensation.

Ms. Li gave a brief overview of the U.S. Communities Government Purchasing Alliance, and the variety of products that are offered, including: office/school supplies, electrical and communications/data; office furniture; technology products; janitorial supplies; tools and material handling; carpet and flooring; office machines; procurement card; park and playground equipment; physical education supplies; and school furniture.

There was no action taken on this item.

After a short recess, the Board reconvened at 10:31 a.m.

10. **ITEM A-8 - Continued From August 8, 2006 - 10:30 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 2006/2007 PURSUANT TO H.R. 2389 TO BE ALLOCATED TO LOCAL PROJECTS; (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 2006/2007; and (d) PROPOSED AMENDMENT #1 TO AGREEMENT BETWEEN THE COUNTY OF LAKE AND WEST LAKE RESOURCE CONSERVATION DISTRICT, TO PROVIDE PREVENTION EDUCATION AND PLANNING SERVICES** - Deputy Administrative Officer Jeff Rein was present.

Chair Farrington asked if anyone present wished to speak on this item and the following persons spoke: Mr. George Speak, Mr. Ray Mostin and Mr. Christopher Layton. No one else was present wishing to speak and the public portion of this item was closed.

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There was consensus by the Board to designate 15% of the approximate 1.3 million of Fiscal Year 2006/2007 funding to eligible local projects as defined under Title II and Title III of the Act; allocate the portion of funds which it receives for projects through the safety net payment of monies received in Fiscal year 2006/2006, 62% shall be allocated to Title II projects and 38% to Title III projects; and allocate the additional \$37,500 of existing Title III funding to projects that are to be determined by the Board at a later date.

Supervisor Brown offered Resolution No. 2006-149 (designating 15% of the full payment amount received in Fiscal Year 2006/2007 pursuant to H.R. 2389 to be allocated to local projects), and it was passed by a roll-call vote (5 ayes).

Supervisor Brown offered Resolution No. 2006-150 (designating the amount of funding to be allocated between Title II and Title III local projects pursuant to H.R. 23898 for Fiscal Year 2006/2007 - 62% allocated to Title II projects and 38% to Title III projects), and it was passed by a roll-call vote (5 ayes).

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the allocation of approximately \$48,000 of H.R. 2389 Title III funds to South Lake Fire Safe Council and allocated approximately \$48,000 of H.R. 2389 Title III funds to West Lake Resource Conservation District, to provide fire prevention education and planning services.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Amendment #1 to Agreement between the County of Lake and West Lake Resource Conservation District, to provide prevention education and planning services, and authorized the Chair to sign.

11. **ITEM A-9 - 11:00 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF SEPTEMBER 2006, AS NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH IN LAKE COUNTY** - Supervisor Lewis read the proclamation into the record. The proclamation was presented to Mental Health Director Kristy Kelly, Substance Abuse Program Administrator Laura Solis and Substance Abuse Coordinator Mark Messerer.

The Board of Supervisors adjourned and convened as the Lake County Board of Equalization.

12. **ITEM A-10 - 11:30 A.M. - ASSESSMENT APPEAL HEARINGS:**

**(a) WALTER ROGERS - APPLICATION NO. 2005-72 - ASSESSMENT PARCEL NO. 043-022-470-000 - LOCATED AT 9314 TENAYA WAY, KELSEYVILLE, CA** - Chief Appraiser Jim Campbell and Supervising Appraiser Stan Beach were present.

Neither the property owner nor a representative was present.

On motion of Board Member Brown and by vote of the Board (5 ayes), denied Assessment Appeal 2005-72, Walter Rogers, for lack of appearance.

**WALTER ROGERS - APPLICATION NO. 2005-71 - ASSESSMENT PARCEL NO. 043-461-080 - LOCATED AT 10688 BOREN BEGA DRIVE, KELSEYVILLE, CA** - Chief Appraiser Jim Campbell and Supervising Appraiser Stan Beach were present.

Neither the property owner nor a representative was present.

On motion of Board Member Brown and by vote of the Board (5 ayes), denied Assessment Appeal 2005-71, Walter Rogers, for lack of appearance.

The Lake County Board of Equalization adjourned and reconvened as the Board of Supervisors.

There being no further business, the Board adjourned at 11:45 a.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