



# Minutes

## County of Lake Board of Supervisors

### MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD FEBRUARY 21, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 21<sup>st</sup> day of February, 2006, there being present Supervisors Ed Robey, 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, Ms. Julie Nelson led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Robey and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-12, with the exception of Consent Item C-11, which will be taken up later in the day. (Consent Item C-10, was pulled from the Consent Agenda later in the day for further discussion).

Approved Minutes of the Board of Supervisors meeting held on February 7, 2006.

Adopted Proclamation designating the week of February 19 through 25, 2006, as National Engineers' Week in Lake County.

Waived the 900 hour limit for extra-help Janitor Diana Hasty.

Adopted Resolution No. 2006-34, amending Resolution No. 86-93, establishing a Petty Cash Fund for the Lake County Personnel Department.

Approved plans and specifications for American Disabilities Act (ADA) compliant playground systems, and authorized the Assistant Purchasing Agent to advertise for bids.

Adopted Resolution No. 2006-35, of intention to establish proposed Zone F (Piner Court) 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.

Approved Engineering and Inspection Agreement between the County of Lake and Jaunita Coel, for engineering services for the review of plans and inspection of work as a condition of an encroachment permit, located at 6080 Sunrise Drive Lower Lake, and authorized the Chair to sign.

Approved Engineering and Inspection Agreement between the County of Lake and Chad and Steve Yates, for engineering services for the review of plans and specifications and inspection of work as a condition of a merger and resubdivision, located at 17349 and 17465 Butts Canyon Road, Middletown, and authorized the Chair to sign.

Approved membership application and related documents with Transunion Settlement Solutions for Internet access to credit reports and real property valuations for applicants of the First Time Homebuyer and Owner Occupied Rehabilitation Programs.

Sitting as the Board of Directors of Lake County Watershed Protection District, approved Memorandum of Agreement between the Robinson Rancheria Band of Pomo Indians of California and the Lake County Watershed Protection District, for the Clover Creek Diversion Channel Weir Project, and authorized the Chair to sign.

2. **ITEM A-2 - PRESENTATION ON ANIMALS THAT ARE AVAILABLE FOR ADOPTION AT THE LAKE COUNTY ANIMAL CARE AND CONTROL SHELTER** - Animal Control Officer Morgan Nelsen was present and showed three (3) dogs that are available for adoption at the Lake County Animal Care and Control Center.

**BACK TO #1 - ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the request from Supervisor Brown to reopen the Consent Agenda and pull Consent Agenda Item C-10, and approved the Consent Agenda C-1 through C-12, with the exception of Consent Agenda Items C-10 and C-11. Consent Agenda Item C-10, will be taken up immediately and Consent Agenda Item C-11 will be taken up later in the day.

**CONSENT ITEM C-10 - PROPOSED LETTERS TO THE CALIFORNIA DELEGATION, REQUESTING FUNDING FOR THE FULL CIRCLE PROJECT AS THE COUNTY'S TOP PRIORITY** - Supervisor Brown requested that this item be pulled from the Consent Agenda for further discussion. Supervisor Brown asked if the letters referenced the cease and desist order that has been imposed on the Kelseyville treatment system and requested that Special Districts Administrator Mark Dellinger be present to answer his question.

This item will be taken up later in the day.

3. **ITEM A-11 - Advanced From February 7, 2006 - AN ORDINANCE ESTABLISHING A FEE SCHEDULE FOR PUBLIC HEALTH CLINIC SERVICES OF THE LAKE COUNTY HEALTH SERVICES DEPARTMENT - (SECOND READING)** - Supervisor Smith offered Ordinance No. 2761, and it was passed by a roll-call vote (5 ayes).

4. **ITEM A-5 - 9:15 A.M. - UPDATE ON THE STATUS OF THE GUENOC COLLEGE PROJECT** - Dr. Fran Peretti was present and gave an update of the Guenoc College Project, which included the proposed site plan, the need and the feasibility of a college located in Lake County, the benefits of having a four-year college in Lake County and future activities that are being planned to raise the funding that is necessary to proceed with the college project.

There was no action taken on this item.

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5. **ITEM A-6 - 10:00 A.M. - APPEAL OF ADMINISTRATIVE PENALTIES ISSUED BY COMMUNITY DEVELOPMENT, CODE ENFORCEMENT DIVISION (WILLIAM T. HYDE - APNs 049-061-09, 049-062-01 and 012-039-04)** - Assistant Clerk of the Board Georgine Hunt stated that Mr. Hyde had contacted her stating that an emergency situation had arose and requested a continuance of this item.

This item was continued to March 7, 2006, at 10:00 a.m.

- BACK TO #1 - CONSENT ITEM C-10 - PROPOSED LETTERS TO THE CALIFORNIA DELEGATION, REQUESTING FUNDING FOR THE FULL CIRCLE PROJECT AS THE COUNTY'S TOP PRIORITY** - Special Districts Administrator Mark Dellinger was present and stated that the cease and desist order for the Kelseyville treatment system has been referenced in the letters.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved letters to th California delegation, requesting funding for the Full Circle Project as the County's top priority, and authorized the Chair to sign.

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

- BACK TO #1 - CONSENT AGENDA ITEM C-11 - PROPOSED RESOLUTION AUTHORIZING THE CANCELLATION OF UNPAID INTEREST TO LAKE COUNTY SANITATION ASSESSMENT DISTRICT 2-2 - MIDDLETOWN** - Director Brown requested that this item be pulled from the Consent Agenda for further discussion.

Special District Administrator Mark Dellinger was present and answered numerous questions regarding the cancellation of unpaid interest to Lake County Sanitation Assessment District.

Director Lewis offered Resolution No. 2006-36, and it was passed by a roll-call vote (5 ayes).

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

After a short recess, the Board reconvened at 10:37 a.m., with Supervisor Brown absent.

6. **ITEM A-10 - PROPOSED AMENDMENT TO THE JOINT POWERS AGREEMENT BETWEEN THE COUNTY OF LAKE AND CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC), TO ALLOW THE CALIFORNIA PUBLIC ENTITIES INSURANCE AUTHORITY MEMBERS TO JOIN CSAC EXCESS INSURANCE AUTHORITY DIRECTLY** - County Counsel Anita Grant gave an overview of the pro's and con's of allowing the California Public Entities Insurance Authority member to Joint CSAC Excess Insurance Authority directly. These pro's and con's were developed at the Executive Committee and Committee Chairs retreat on April 7-8, 2005.

Ms. Grant and Mr. Cox both expressed concerns about the proposal.

Supervisor Brown was present at 10:42 a.m.

By consensus of the Board, decided not to approve the proposed amendment.

7. **ITEM A-7 - 10:45 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF FEBRUARY 19 THROUGH 25, 2006, AS NATIONAL ENGINEERS' WEEK IN LAKE COUNTY** - Supervisor Brown read the proclamation into the record. The proclamation was presented to Mr. Tom Hunt, representative of the Mendocino/Lake Engineers Association.

Public Works Director Gerry Shaul was also present and commended all the engineers that were present.

8. **ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

**EXTRA #1 - CONSIDERATION OF REQUEST TO HIRE EXTRA-HELP DISASTER RECOVERY ENGINEER** - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved taking up this item due to the fact that the need arose after the posting of today's agenda.

This item was considered as an extra for the following reasons:

The need to take action came to the attention of the Department of Public Works after the posting of today's agenda. Last week, the Department of Public Works was informed that a list of storm damage sites and their respective repair costs must be submitted to FEMA by March 6, 2006. Due to the existing work load in the Engineering and Inspection Division of the Department of Public Works, coupled with the lack of experienced engineers, it is not possible to meet this deadline with existing staff. The alternative is to hire a consultant (\$100 - \$150 per hour), with the associated oversight by County staff and typically assistance due to their unfamiliarity with the County roads, damage sites, etc. An alternative is to hire a local retired engineer as an extra help employee. Staff has contacted Mr. Mike Stevenson, the former City Engineer for the City of Lakeport, who is uniquely qualified. Mr. Stevenson is willing to perform the necessary FEMA disaster engineering work at a rate of \$55 per hour.

Public Works Director Gerry Shaul was present.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approve the request to hire Mike Stevenson as an extra-help Disaster Recovery Engineer, at a rate of \$55 per hour.

9. **ITEM A- 12 - CLOSED SESSION - 1. Conference with Labor Negotiator; (a) County Negotiators : A. Grant and M. Perry, (b) Employee Organization: DDAA, LCCOA, LCEA and SDA** - 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.

The Board adjourned for lunch at 11:20 a.m. and reconvened at 1:30 p.m., with Supervisor Lewis absent the remainder of the day.

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

The gavel was passed to Board of Equalization Chair Brown.

10. **ITEM A-8 - 1:30 P.M. (a) ASSESSMENT APPEAL HEARINGS** - Assessor/Recorder Doug Wacker and Chief Appraiser Jim Campbell were present.

**(1) CAROL WOOSTER - APPLICATION NO. 2004-16 - ASSESSMENT NO. 830-017-089-000 - BOAT** - Neither the applicant nor a representative were present.

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On motion of Board Member Robey and by vote of the Board (4 ayes, Board Member Lewis ABSENT), denied Assessment Appeal No. 2004-16, Carol Wooster, for lack of appearance.

(2) RJ DEVELOPMENT(AGENT JEANNIE WATSON): (a) APPLICATION NO. 2005-62 - APN 035-202-480-000 - REAL PROPERTY - LOCATED AT 12619 MOUNTAIN VIEW DRIVE, CLEARLAKE OAKS, CA; (b) APPLICATION NO. 2005-63 - APN 036-202-490-000 - REAL PROPERTY - LOCATED AT 12613 MOUNTAIN VIEW DRIVE, CLEARLAKE OAKS, CA; (c) APPLICATION NO. 2005-64 - APN 035-302-280-000 - REAL PROPERTY - LOCATED AT 11319 WEST WIDGEON WAY, CLEARLAKE OAKS, CA; (d) APPLICATION NO. 2005-65 - APN 035-311-020-000 - REAL PROPERTY - LOCATED AT 11428 WEST WIDGEON WAY, CLEARLAKE OAKS, CA; (e) APPLICATION NO. 2005-66 - APN 035-311-130-000 - REAL PROPERTY - LOCATED 11494 WEST WIDGEON WAY, CLEARLAKE OAKS, CA; (f) APPLICATION NO. 2005-67 - APN 035-312-590-000 - REAL PROPERTY - LOCATED AT 11454 TOYON DRIVE, CLEARLAKE OAKS, CA; (g) APPLICATION NO. 2005-68 - APN 035-312-600-000 - REAL PROPERTY - LOCATED AT 11464 TOYON DRIVE, CLEARLAKE OAKS, CA; and (h) APPLICATION NO. 2005-69 - APN 042-363-180-000 - REAL PROPERTY - LOCATED AT 16294 4TH AVENUE, CLEARLAKE, CA - Neither the applicant nor a representative were present.

On motion of Board Member Brown and by vote of the Board (5 ayes), denied Assessment Appeal Nos. 2005-62, 2005-63, 2005-64, 2005-65, 2005-66, 2005-67, 2005-68 and 2005-69, RJ Development, for lack of appearance.

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

The gavel was passed back to Chair Farrington.

There being no further business, the Board adjourned at 1:45 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