



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MARCH 21, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 21st day of March, 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 9:04 a.m. by Chair Farrington. Following a moment of silence in memory of Ms. Tina Brixie, Sheriff Rodney Mitchell 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-12.

Approved Minutes of the Board of Supervisors meetings held on February 21 and 28, 2006.

Adopted proclamation designating September 11th of every year to be "Recognition Day" for all First Call Responders.

Adopted proclamation designating the week of March 19th through 25th, 2006, as National Surveyors' Week in Lake County.

Adopted proclamation designating March 21, 2006 as National Agriculture Day and March 19th through 26th, 2006, as National Agriculture Week in Lake County.

Adopted Resolution No. 2006-56, expressing support for Lower Lake Parade and Barbeque in the community of Lower Lake.

Approved letters to appropriate State representatives regarding support of Assembly Constitutional Amendment 22 and Senate Constitutional Amendment 15, (the Homeowner and Property Protection Act), and authorized the Chair to sign letters.

Approved Budget Transfer B-171, in the amount of \$1,625, to finance unexpected pay telephone costs, Budget Unit No. 1661-Information Technology, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Netsmart Technology Incorporated, for technical analysis and accounts receivables review of the CMHC software system, for Health Services Department and Mental Health Department, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Green Valley Consulting Engineers, for engineering services for the realignment of a portion of Soda Bay Road, Kelseyville, and authorized the Chair to sign.

Approved Engineering and Inspection Agreement between the County of Lake and Phillip Ownbey, for review of plans and specifications for a Tentative Parcel Map, located at 16239 Spruce Grove Road, Middletown, and authorized the Chair to sign.

Approved Annual Statement of Investment Policy, delegation of Treasurer's authority and confirmation of Treasury Oversight Committee members.

Sitting as the Board of Directors of Lake County Sanitation District, adopted Resolution No. 2006-57, authorizing the cancellation of unpaid loan, Lake County Sanitation Assessment District 9-3.

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 two (2) dogs that are available for adoption at the Lake County Animal Care and Control Center.
3. **CITIZEN'S INPUT** - Sheriff Rodney Mitchell presented Information Technology Specialist Cheryl Johns with a Certificate of Appreciation for her hard work and the great job she did on the Sheriff's website.
4. **ITEM A-15 - Advanced From March 7, 2006 - AN ORDINANCE AMENDING CHAPTER 15 OF THE LAKE COUNTY CODE PROVIDING FOR THE WALKING OF LICENSED AND LEASHED DOGS ON INTERIOR PARK ROADS AND THE PAVED PARKING LOT AT LAKESIDE COUNTY PARK** - Supervisor Brown offered Ordinance No. 2764, and it was passed by a roll-call vote (5 ayes).
5. **ITEM A-14 - CONSIDERATION OF APPOINTMENTS TO THE LAKE COUNTY AGRICULTURAL GRIEVANCE COMMITTEE** - On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Ms. Diane Henderson and Mr. Lars Crail as the Growers representatives and Ms. Michelle Owens and Ms. Melissa Fulton as the Public representatives, to the Lake County Agricultural Grievance Committee (Ad Hoc Committee).
6. **ITEM A-5 - 9:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 18690 GUENOC LANE, MIDDLETOWN, (APN 014-361-06-01 - SAM and MARY KUHNE)** - The Clerk swore in Community Development Director Mary Jane Fagalde, Code Enforcement Officer Anthony Howard and property owner Sam Kuhne.

Mr. Howard gave a brief overview of the violations on the property, which included open and outdoor storage of junk, public nuisance vehicles, construction equipment and materials, tools, tires, parts of vehicles, travel trailers, boats and scrap metal.

Ms. Fagalde gave a power-point presentation showing the conditions of the property.

Mr. Kuhne stated that he is in the process of cleaning up the three properties, but the rain has delayed his progress. Mr. Kuhne stated that when the rainy season is over, he will resume with the clean-up.

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On motion of Supervisor Robey and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all costs associated with this case will become a charge against the property.

7. **ITEM A-6 - 9:30 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING SEPTEMBER 11TH OF EVERY YEAR TO BE "RECOGNITION DAY" FOR ALL FIRST RESPONDERS** - Supervisor Smith read the proclamation into the record. The proclamation was presented to Mr. John Norcio.
8. **ITEM A-16 - DISCUSSION/CONSIDERATION OF THE FORMATION OF A SOUTH COUNTY AIRPORT TASK FORCE AD HOC COMMITTEE** - Supervisor Robey requested that this item be pulled from today's agenda and placed on an agenda at a later date.
9. **ITEM A-7 - 9:40 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF MARCH 19TH THROUGH 25TH, 2006, AS NATIONAL SURVEYORS' WEEK IN LAKE COUNTY** - Supervisor Lewis read the proclamation into the record. The proclamation was presented to Surveyor Steve Farr. Public Works Director Gerry Shaul and other numerous surveyors were present.

The Board of Supervisors adjourned and convened as the Board of Directors of Lake County Air Quality Management District.

10. **ITEM A-8 - 9:45 A.M. - (a) UPDATE ON THE GEYSERS AIR MONITORING PROGRAM (GAMP); (b) APPROVE LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT'S CONTINUED PARTICIPATION IN THE GEYSERS AIR MONITORING PROGRAM; (c) APPROVE MEMORANDUM OF UNDERSTANDING FOR THE GEYSERS AIR MONITORING PROGRAM 1 PHASE VI; and (d) AUTHORIZE THE AIR POLLUTION CONTROL OFFICER TO APPROVE FUTURE EXTENSIONS OF THE MEMORANDUM OF UNDERSTANDING** - Air Pollution Control Officer Bob Reynolds was present and gave an update on GAMP. Through GAMP the District has been able to document compliance with the Ambient Air Quality Standards for the geothermal industry. The Geysers has achieved the designation of attainment and has maintained the Hydrogen Sulfide California Ambient Air Quality standards. The designation area incorporates portions of Sonoma and Napa Counties as well as Lake County. GAMP continues to validate the ongoing success of the Air Quality Management Program for both air districts, and verifies the validity of efforts by industry to maintain attainment. Failure to continue with the program would lead to an increased burden on the Air Districts and Geothermal Industry to maintain and audit monitoring stations, and result in a fragmented approach to the collection and verification of the air quality information essential for continued wise management of air resources. The licensing and permit requirements are also fulfilled for all agencies under the program.

Chair Farrington asked if anyone present wished to speak and Mr. Robert Stark spoke. No one else was present wishing to speak and the public portion of this item was closed.

Director Robey presented GAMP Contract Manager Larry Boardman with a Certificate of Appreciation.

On motion of Director Robey and by vote of the Board (5 ayes), approved Lake County Air Quality Management District's continued participation in the Geysers Air Monitoring Program.

On motion of Director Robey and by vote of the Board (5 ayes), approved the Memorandum of Understanding between the Lake County Air Quality Management District, California Air Resources Board, Bottle Rock Power Corporation, California Energy Commission, Geysers Power Company, Northern California Power Agency and Northern Sonoma County Air Pollution Control District, for the Geysers Air Monitoring Program 1 Phase VI, and authorized the Chair to sign.

On motion of Director Robey and by vote of the Board (5 ayes), authorized the Air Pollution Control Officer to approve future extensions of the Memorandum of Understanding.

The Board of Directors of Lake County Air Quality Management District adjourned and reconvened as the Board of Supervisors.

After a short recess, the Board reconvened at 10:20 a.m.

11. **ITEM A-9 - 10:00 A.M. - PRESENTATION BY JOHN ROSS REGARDING THE STATUS OF THE SOPER-REESE COMMUNITY THEATER RENOVATION PROJECT** - Mr. John Ross gave a status report of the Soper-Reese Community Theater Renovation Project. The renovation will cost approximately \$1.3 million. This renovation includes replacing all the electrical wiring and components, replacing the heating and air-conditioning systems, remodeling the bathrooms to the American Disabilities Act requirements and replacing all the plumbing. The federal government has approved a grant in the amount of \$250,000 and \$500,000 has been donated by local businesses, citizens, performing art groups.

Chair Farrington asked if anyone present wished to speak on this item and Mr. Mike Adams 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.

12. **ITEM A-10 - 10:20 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING MARCH 21, 2006 AS NATIONAL AGRICULTURE DAY AND MARCH 19TH THROUGH 26TH, 2006, AS NATIONAL AGRICULTURE WEEK IN LAKE COUNTY** - Supervisor Brown read the proclamation into the record. The proclamation was presented to numerous 4-H members.
13. **ITEM A-11 - 10:30 A.M. - PROPOSED RESOLUTION REGARDING PROPERTY TAX EXCHANGE IN CONNECTION WITH PROPOSED ANNEXATION OF JERUSALEM VALLEY AREA TO SOUTH LAKE COUNTY FIRE PROTECTION DISTRICT** - Administrative Officer Kelly Cox gave a brief overview of the exchange. The South Lake County Fire Protection District has applied to LAFCO for annexation of the Jerusalem Valley area to the District. Normally, if the County is not relieved of any service responsibilities when a special district annexes property to its service area, the County does not provide any exchange of property taxes. In the case of the proposed Jerusalem Valley annexation, the County will not be relieved of any service responsibilities. Any property tax revenue transferred to the District in connection with this proposed annexation will result in a direct loss of revenue to the County general fund.

Chair Farrington asked if anyone present wished to speak and the following persons spoke: South Lake county Fire Chief Mark Reina, Ms. Madeline Martinelli and Ms. Gloria Hallmark.

Administrative Officer Kelly Cox will meet with the fire district to continue negotiations. The recommendations will be brought back to the Board at a later date for further consideration.

14. **ITEM A-12 - 11:00 A.M. - PRESENTATION BY JESSICA OGNEFF REGARDING THE SAFE HAVEN FOR BABIES PROJECT** - Ms. Jessica Ogneff was present and gave a power-point presentation on the Safe Haven for Babies Project. This

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project allows a parent or parents to leave a baby that is 72 hours old or less, at a fire station or at a hospital. There will be no questions asked by law enforcement and the parent or parents will not be arrested for abandoning their baby. A parent or parents have a 14 day cooling off period and may contact the local law enforcement and request that their baby be returned to them.

President of the Fire Chiefs Association Jim Robbins was present and agreed to have Safe Haven signs placed on designated (24 hour manned) fire stations,

A proposed resolution in support of the Safe Haven for Babies Project will be placed on the April 11, 2006, agenda.

15. **ITEM A-17 - CLOSED SESSION - 1. Conference with Labor Negotiators, (a) County Negotiators: A. Grant, R. Lambert and M. Perry, (b) Employee Organization: DDAA, LCCOA, LCEA and SDA; 2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Subdivision (c) of Section 54956.9: One potential case; and 3. Public Employee Appointment - Health Services Director** - 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.

There being no further business, the Board adjourned at 12:31 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board