



# Minutes

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD NOVEMBER 28, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 28<sup>TH</sup> day of November, 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 Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Farrington. Following a moment of silence Paul Reading 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-9, with the exception of C-6, which will be taken up immediately following the approval of the Consent Agenda.

Approved minutes of the Board of Supervisors meeting held on November 14, 2006.

Approved Contract between the County of Lake and the Lake County Winegrape Commission to provide viticulturalist/educational services to Lake County winegrape growers, and authorized the Chair to sign.

(a) Awarded Bid No. 07-13 to Ajay Construction Company for abatement of nuisance on property located at 23878 Mirabel Road, Middletown, CA - (Clark - APN 014-200-38), and authorized the Chair to sign Bid Award; and (b) Approved Agreement between the County of Lake and Ajay Construction Company for abatement of nuisance on property located at 23878 Mirabel Road, Middletown, CA - (Clark - APN 014-200-38), and authorized the Chair to sign.

Adopted Resolution No. 2006-210, approving final parcel map and the signing of the final parcel map (Tantarelli).

Adopted Resolution No. 2006-211, temporarily prohibiting parking and authorizing removal of vehicles and ordering the Department of Public Works to post signs temporarily prohibiting parking on Hartmann Road from Coyote Valley Road to Hidden Valley Road, on December 9, 2006, from 4:00 p.m. to 9:00 p.m., during the Annual Community Holiday Tree Lighting Event.

Approved Amendment One to Agreement between the County of Lake and Willdan, Incorporated, for consultation services for the review of plans for various private improvement projects, and authorized the Chair to sign.

Adopted Resolution No. 2006-213, amending Resolution No. 2006-185, establishing position allocations for Fiscal Year 2006-2007, Budget Unit No. 5011 - Department of Social Services (deleting one vacant Office Aide/Office Assistant I/II - CDL and adding one Office Assistant III in order to correct error in Final Budget Position Allocation List; adding one .50 Full-time Equivalent (fte) Employment and Training Worker III limited term position for training purposes for a period ending May 31, 2007).

Sitting as Board of Directors Air Quality Management District, approved gift of a Toshiba laptop computer to the Arson Task Force.

2. **CONSENT AGENDA ITEM C-6 - PROPOSED RESOLUTION APPROVING RIGHT-OF-WAY CERTIFICATION MERRITT ROAD BRIDGE PROJECT FEDERAL PROJECT NO. BRLO NBIL (37)** - Supervisor Brown stated that he has a potential conflict with the approval of this item, because he owns the adjacent property and he will be abstaining from any action taken on this item.

Supervisor Lewis offered Resolution No. 2006-212, and it was passed by a roll call vote (4 ayes, Supervisor Brown ABSTAIN).

3. **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 that are available for adoption at the Lake County Animal Care and Control Center.

4. **CITIZEN'S INPUT** - Monte Winters spoke on the Spring Valley CSA #2 Urgency Ordinance, passed by the Board of Supervisors.

5. **ITEM A-5 - 9:15 A.M. - DISCUSSION/CONSIDERATION OF REQUEST FROM CLEAR LAKE GLEANERS FOR FUNDING TO PAVE PARKING LOT AT THE FINLEY DISTRIBUTION FACILITY** - County Administrator Kelly Cox gave a brief summary.

Chair Farrington asked if anyone wished to speak on this item and Roy Pearson spoke. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved in concept funding of an amount no more than \$30,000 to pave the parking lot of the Clear Lake Gleaners, with funds to be transferred from the One-Time Contingencies budget.

The Board also directed staff to investigate options for the bidding and execution of the project, including the possibility of using County equipment and staff to maximize savings to the County.

This matter will be brought back to the Board at a later date for further consideration.

6. **ITEM A-11 - Advanced From November 14, 2006 - AN ORDINANCE ESTABLISHING A PRIMA FACIE SPEED LIMIT ZONE ON HARTMANN ROAD, COUNTY ROAD NO. 104, FROM STATE HIGHWAY NO. 29 TO P.M. 0.61 - (45 M.P.H.) - (SECOND READING)** - Supervisor Smith offered Ordinance No. 2802, and it was passed by a roll-call vote (5 ayes).

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7. **ITEM A-12 - Advanced From November 14, 2006 - AN ORDINANCE ESTABLISHING A PRIMA FACIE SPEED LIMIT ZONE ON DRY CREEK CUTOFF, COUNTY ROAD NO. 113, FROM ITS INTERSECTION WITH STATE HIGHWAY 29 TO ITS INTERSECTION WITH STATE HIGHWAY 175 - (40 M.P.H.) - (SECOND READING)** - Supervisor Robey offered Ordinance No. 2803, and it was passed by a roll-call vote (5 ayes).

8. **ITEM A-6 - 9:30 A.M. - (a) OVERVIEW OF THE VEHICLE AMNESTY DAYS THAT WERE HELD IN OCTOBER AND PRESENTATION OF CERTIFICATES OF APPRECIATION TO INDIVIDUALS, ORGANIZATIONS AND BUSINESSES THAT PARTICIPATED IN THE VEHICLE AMNESTY DAYS; and (b) STATUS REPORT FROM CODE COMPLIANCE** - Code Compliance Manager Voris Brumfield gave a power point presentation of the Vehicle Amnesty Days.

Supervisor Robey presented the Certificates of Appreciation to Al Reynolds, Don Stewart, Ed McDonald, and Larry Torrey for their participation in the Vehicle Amnesty Days.

Ms. Brumfield gave a brief update on CHP changes in towing and other Code Compliance data.

Chair Farrington asked if anyone present wished to speak and Michael Razmek spoke. No one else was present wishing to speak and the public hearing was closed.

9. **ITEM A-7 - Continued From November 14, 2006 - 9:45 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 2210 SMITH LANE, KELSEYVILLE, CA (APN 008-047-05-00 - WILLIAM F. HAYES, TRUSTEE and MARIETTA HAYES, TRUSTEE)** - Code Compliance Manager Voris Brumfield, Code Compliance Officer Earl Iddings, and Community Development Director Rick Coel were present.

Ms. Brumfield gave a power point presentation on the status of the property.

Mr. Coel spoke.

Ms. Brumfield reported the property owner has complied with the requirements of the Order to Abate Nuisance.

There was no Board action taken on this item.

10. **ITEM A-8 - 10:00 A.M. - PUBLIC HEARING - CONSIDERATION OF PROPOSED RESOLUTIONS REQUESTING IMPOSITION OF INCREASED FIRE MITIGATION FEES AND UPDATING THE LAKE COUNTY FIRE FACILITY AND EQUIPMENT PLAN FOR LUCERNE FIRE DEPARTMENT, CLEARLAKE OAKS FIRE PROTECTION DISTRICT AND NICE COMMUNITY SERVICES DISTRICT** - Senior Administrative Analyst Jennifer Hammond was present and gave a brief summary.

Chair Farrington opened the public hearing and Donna Christopher spoke. No one else was present wishing to speak and the public hearing was closed.

Supervisor Lewis offered Resolution No. 2006-214, (a Resolution approving a Resolution submitted by the Nice Community Services District requesting imposition of revised fire mitigation fees), and it was passed by a roll-call vote (5 ayes).

Supervisor Lewis offered Resolution No. 2006-215, (a Resolution approving a Resolution submitted by the Lucerne Fire Department requesting imposition of revised fire mitigation fees and updating the Lake County Fire Facility and Equipment Plan), and it was passed by a roll-call vote (5 ayes).

Supervisor Lewis offered Resolution No. 2006-216, (a Resolution approving a Resolution submitted by the Clearlake Oaks Fire Protection District requesting imposition of revised fire mitigation fees and updating the Lake County Fire Facility and Equipment Plan), and it was passed by a roll-call vote (5 ayes).

After a short recess, the Board reconvened at 10:30 a.m.

11. **ITEM A-9 - 10:10 A.M. - PROPOSED ORDINANCE ESTABLISHING ISSUANCE OF MEDICAL MARIJUANA IDENTIFICATION CARDS UNDER THE COMPASSIONATE USE ACT OF 1996 AND THE MEDICAL MARIJUANA PROGRAM ACT SENATE BILL 420, AND TO ESTABLISH FEES ASSOCIATED WITH DISPENSATION OF THE MEDICAL MARIJUANA IDENTIFICATION CARD** - Health Services Director Jim Brown and Public Health Officer Craig McMillan MD were present.

Mr. Brown gave a brief summary

Chair Farrington asked if anyone present wished to speak and the following people spoke: Eddy Lepp, Paul Reading, Jack Herer, David McColluck, Cherisa Price, Thomas Wahl, Joan Moss and Donna Christopher. No one else was present wishing to speak and the public hearing was closed.

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 Robey and by vote of the Board (5 ayes), advanced the ordinance two weeks to December 12, 2006.

12. **ITEM A-14 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry; and (b) Employee Organization: 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.

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

Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By: \_\_\_\_\_  
Mireya G. Turner  
Assistant Clerk of the Board