



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD NOVEMBER 7, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 7th 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 Mireya Turner 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-27.

Approved Minutes of the Board of Supervisors meetings held on October 17 and 24, 2006.

Adopted Proclamation designating the month of November 2006, as National Hospice Month in Lake County.

Adopted Proclamation designating November 5 through 11, 2006, as In-home Supportive Services Caregiver Recognition Week.

Appointed Greg Hanson to the Agricultural Element Advisory Committee, Grape Industry Category (Ad Hoc Committee).

Appointed Mike Kirch, Lynn Rinquette, Dara Phillips, James Crabtree and James Burton to the Northshore Fire Protection District Board of Directors.

Adopted Resolution No. 2006-198, Amendment No. 1 to Resolution No. 2006-166 establishing salaries and benefits for management employee for Fiscal Year 2006-2007 (amending Section M "Salary on Promotion" of the management resolution).

Approved Amendment No. 20 to agreement between the County of Lake and the City of Lakeport, for the Provision of Animal Control Services, and authorized the Chair to sign.

Approved Clearlake Oaks County Water District's Conflict of Interest Code, Pursuant to District's Resolution No. 06-12, adopted on September 20, 2006.

Approved Amendment to the Order to Abate Nuisance approved on September 12, 2006, located at 23878 Mirabel Road, Middletown, CA - APN 014-200-38-00 - Cora Clark and David Clark (adding "Dilapidated Trailers" that was inadvertently omitted from the Order to Abate Nuisance, but Was included on the posted Notice to Abate Nuisance), and authorized the Chair to sign.

Adopted Resolution No. 2006-199, declaring incumbent Superior Court Judges reelected (David W. Herrick, Richard Martin, Arthur H. Mann and Stephen O. Hedstrom).

Adopted Resolution No. 2006-200, appointing Directors of certain Special District Boards in lieu of holding a General District Election on November 7, 2006.

Adopted Resolution No. 2006-201, adopting restatement of plan document for the Variable Annuity Life Insurance Company (VALIC) Deferred Compensation Plan.

Approved Grant Deed and direct Clerk to certify for recordation (a portion of APN 008-019-06 - Gertrude Wooldridge, Trustee); and approved purchase agreement between the County of Lake and Gertrude Wooldridge, Trustee, for Timberline Disposal, Soda Bay Road left turn lane, and authorized the Chair to sign.

Approved permit to conduct aeronautical activities at Lampson Airport (Steve's Aircraft), and authorized the Chair to sign.

Approved permit to conduct aeronautical activities at Lampson Airport (Jack Olof), and authorized the Chair to sign.

(A) Approved agreement between the County of Lake and David Gross and Patricia B. Gross, to construct future land development improvements (Deferred Improvement Agreement), and authorized the Chair to sign; (B) Adopted Resolution No. 2006-202, order approving final parcel map and the signing of the final parcel map (Gross).

Approved agreement between the County of Lake and Quincy Engineering, Inc., for engineering services for the South Main Street and Soda Bay Road Corridor Improvement Project, and authorized the Chair to sign.

Approved sixth amendment to agreement between the County of Lake and Jason K.T. Trent, M.D., for pathology services, and authorized the Chair to sign.

Approved operating and financial plan for cooperative patrol between the County of Lake and U.S. Forest Service, for reimbursable services provided by law enforcement in the Lake Pillsbury region, and authorized the Chair to sign.

Approved First Amendment to agreement between the County of Lake and Braitto's Buckingham Marina, for lease of marine patrol facility, and authorized the Chair to sign.

Adopted Resolution No. 2006-203, to appropriate unanticipated revenue for Budget Unit No. 2210 - Sheriff/STC, in the amount of \$38,220 (received from the State of California, Corrections Standards Authority), for STC Training Courses.

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Adopted Resolution No. 2006-204, to appropriate unanticipated revenue for Budget Unit No. 2704 - Sheriff/Office of Emergency Services, in the Amount of \$207,198 (received from the State of California, Governor's Office of Homeland Security), for purchase of supplies, equipment, training.

Approved Budget Transfer B-028, in the amount of \$2,500, to cover current shortfall in appropriation for Salaries Budget Unit 5164 - Housing Administration, and authorized the Chair to sign.

Approved IHSS Pa rate in the amount of \$8.44 per Hour (wage rate of \$7.50, payroll taxes of \$0.68, Workers' Compensation and CMIPS of \$.15 and administrative costs of \$0.11), effective January 1, 2007.

Approved Contract between the County of Lake and the Lake Family Resource Center (LFRC), for child abuse prevention, intervention and treatment (CAPIT) services, and authorized the Chair to sign.

Adopted Resolution No. 2006-205, approving final subdivision map for Bushberry Subdivision.

Sitting as Board of Supervisors and Board of Directors Kelseyville County Waterworks District #3, adopted Resolution No. 2006-206, authorizing the Special Districts Administrator to sign a Notice of Completion for Work performed under agreement dated April 5, 2006 (Kelseyville-Finley Water Improvement Project).

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 one (1) dog and two (2) cats that are available for adoption at the Lake County Animal Care and Control Center.

3. **CITIZEN'S INPUT**- Joan Moss spoke regarding Veterans Day Ceremonies, her Ballad to Cameron Reeves, and compassion on all sides.

Ed Tiscornia spoke regarding his dealings with the Sheriff's Department.

4. **ITEM A-5 - 9:15 A.M. - ASSESSMENT APPEAL HEARINGS - (a) GOLDEN GATE HOLDINGS, LLC - APPLICATION NO. 2004-19 -ASSESSMENT PARCEL NO. 005-035-100-000 - LOCATED AT 2725 SOUTH MAIN STREET, LAKEPORT, CALIFORNIA** - We received a letter from Golden Gate Holdings, LLC, stating they had withdrawn their assessment appeal.

This item was pulled from the agenda.

5. **ITEM A-14 - REVIEW AND POSSIBLE MODIFICATION TO THE COMPOSITION OF VARIOUS ADVISORY BOARDS/COMMITTEES AND ELIMINATION OF ANY ADVISORY BOARDS/COMMITTEES THAT HAVE COMPLETED THE PURPOSES FOR WHICH THEY WERE ORIGINALLY ESTABLISHED AND/OR ARE NO LONGER FUNCTIONING OR MEETING ON A REGULAR BASIS** - County Administrative Officer Kelly Cox spoke.

On motion by Supervisor Brown and by vote of the Board (5 ayes), dissolved the Social Services Advisory Board and the Food Industry Advisory Committee.

6. **ITEM A-15 - PROPOSED ORDINANCE APPOINTING DIRECTORS TO THE EAST LAKE RESOURCE CONSERVATION DISTRICT PURSUANT TO SECTION 9314 OF THE PUBLIC RESOURCES CODE, STATE OF CALIFORNIA** - On motion of Supervisor Lewis 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 November 21, 2006.

7. **ITEM A-16 - CONSIDERATION OF PROPOSED CONTRACT BETWEEN THE COUNTY OF LAKE AND TRUE TO LIFE CHILDREN'S SERVICES, FOR SPECIALTY MENTAL HEALTH SERVICES, FOR A MAXIMUM AMOUNT OF \$130,000, FOR FISCAL YEAR 2006/2007** - Mental Health Director Kristy Kelly was present and gave a brief summary.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the contract between the County of Lake and True to Life Children's Services, for specialty Mental Health services, for a maximum amount of \$130,000, and authorized the Chair to sign the agreement.

8. **ITEM A-6 - 9:30 A.M. - PRESENTATION REGARDING TOWN HALL MEETINGS TO ADDRESS UNDERAGE DRINKING** - Sheriff Rod Mitchell was present and gave a presentation.

Chair Farrington asked if anyone present wished to speak on this item, and Paul Redding and Joan Moss spoke. No one else was present wishing to speak and the public portion of this item was closed.

There was no Board action taken on this item.

9. **ITEM A-23 - CONSIDERATION OF REQUEST FOR OUT-OF-STATE TRAVEL FOR OES SERGEANT CHRIS RIVERA AND EMERGENCY SERVICES ASSISTANT WILLIE SAPETA TO ANNISTON, ALABAMA, FROM NOVEMBER 27, 2006 THROUGH DECEMBER 1, 2006, TO ATTEND THE INTERMEDIATE INCIDENT COMMAND SYSTEM FOR EXPANDING INCIDENTS TRAINING (EXPENSES ARE BEING PAID BY HOMELAND SECURITY FUNDS)** - Sheriff Rod Mitchell was present and gave a brief summary.

On motion of Supervisor Robey and by vote of the Board (4 ayes, Supervisor Brown NO), approved the request for out of state travel for OES Sergeant Chris Rivera and Emergency Services Assistant Willie Sapeta to Anniston, AL, from November 27, 2006 through December 1, 2006, to attend the Intermediate Incident Command System for Expanding Incidents Training.

10. **ITEM A-24 - CONSIDERATION OF REQUEST FOR OUT OF STATE TRAVEL FOR BACKGROUND INVESTIGATOR GERRY MILLS TO TANGENT, OREGON, TO COMPLETE A BACKGROUND INVESTIGATION FOR A CORRECTIONAL OFFICER CANDIDATE** - Sheriff Rod Mitchell was present and gave a brief summary.

On motion of Supervisor Robey and by vote of the Board (3 ayes, Supervisors Lewis and Brown NO), approved the request for out of state travel for Background Investigator Gerry Mills to Tangent, OR, to complete a background investigation for a Correctional Officer Candidate.

11. **ITEM A-7 - 9:50 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF NOVEMBER 2006, AS NATIONAL HOSPICE MONTH IN LAKE COUNTY** - Supervisor Brown read the proclamation into the record. The proclamation was presented to numerous representatives of Hospice.

12. **ITEM A-8 - 10:00 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING NOVEMBER 5 THROUGH 11, 2006, AS IN-HOME SUPPORTIVE SERVICES CAREGIVER RECOGNITION WEEK** - Supervisor Lewis read the proclamation into the record. The proclamation was presented to numerous representatives of In-Home Supportive Services.

13. **ITEM A-12 - CLOSED SESSION - PUBLIC EMPLOYEE APPOINTMENT (INTERVIEWS OF APPLICANTS FOR COMMUNITY DEVELOPMENT 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.
- The Board will go back into Closed Session later in the day.
14. **ITEM A-9 - 10:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12195 SHENANDOAH ROAD, LOCH LOMOND, CA (APN 052-252-04-00 - FRANK LAMBERT)** - Code Compliance Manager Voris Brumfield, Code Compliance Officer Anthony Howard and Frank Lambert were present and were sworn in.
- Mr. Howard gave the power point presentation showing the conditions of the property.
- Mr. Lambert gave testimony.
- On motion of Supervisor Brown and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 12195 Shanandoah Road, Loch Lomond, California, within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property.
- After a short recess, the Board reconvened at 10:45 a.m.
15. **ITEM A-10 - 10:30 A.M. - PUBLIC HEARING - PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF A TWO-YEAR EXTENSION OF TIME FOR THE APPROVED TENTATIVE SUBDIVISION MAP (CLEAR LAKE ESTATES SUBDIVISION), DIVISION OF 55 ACRES INTO 12 RESIDENTIAL PARCELS AND ONE REMAINDER PARCEL; LOCATED AT 9555 STATE HIGHWAY 281 AND 4619 KAWEAH ROAD, KELSEYVILLE, CA (APN 009-004-22 AND 009-017-07, ONE LEGAL LOT OF RECORD)** - Interim Community Development Director Rick Coel, and Assistant Planner II Judy Stelljes were present.
- Ms. Stelljes gave a brief presentation on the Planning Commission's recommendation.
- Chair Farrington opened the Public Hearing. No one was present wishing to speak and the Public Hearing was closed.
- On motion of Supervisor Brown and by vote of the Board (5 ayes), found that the Mitigated Negative Declaration, which was previously prepared for SD 04-01 and IS 04-05 does meet the requirements of Section 15162(a) of the CEQA Guidelines, and that no additional environmental review need be prepared with the findings listed in the Board memorandum dated October 13, 2006.
- On motion of Supervisor Brown and by vote of the Board (5 ayes), approved an extension of time for SD 04-01 for a period of two years to January 13, 2009, with the findings listed in the memorandum to the Board of Supervisors dated October 13, 2006.
16. **ITEM A-11 - 10:45 A.M. - HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$14,096.27, LOCATED AT 3297 EAST HIGHWAY 20, NICE, CA (APN 032-123-02-00 - NANCY BROTMAN)** - Code Compliance Manager Voris Brumfield and Code Compliance Officer Hank Bouillerce were present.
- Mr. Bouillerce gave a brief background report and power point presentation showing the property before and after the abatement.
- Ms. Brumfield testified that the abatement to date included only the egregious safety violations, with more to be done in the future.
- County Counsel Anita Grant recommended an amendment to the motion.
- On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the assessment of \$14,096.27 for the partial nuisance abatement at the Nancy Brotman property at 3297 East Highway 20, Nice, CA 95464 being APN 031-123-02-00 be confirmed/modified and the Enforcement Official be directed to prepare and have recorded in the office of the Lake County Recorder, a Notice of Lien in the amount of \$14,096.27, pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.
17. **ITEM A-17 - DISCUSSION/CONSIDERATION OF A TEMPORARY PILOT PROGRAM DURING JANUARY, FEBRUARY AND MARCH OF 2007, FOR TESTING THE FEASIBILITY OF TEMPORARY REDUCTIONS TO GREENWASTE COLLECTION SCHEDULES IN THE UNINCORPORATED AREAS OF LAKE COUNTY** - Public Services Director Kim Clymire and Public Services Deputy Director Caroline Chavez were present and gave a brief summary.
- On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the implementation of a temporary pilot program during January, February and March of 2007, for testing the feasibility of temporary reductions to greenwaste collection schedules in the unincorporated areas of Lake County.
18. **ITEM A-18 - DISCUSSION/CONSIDERATION OF A PILOT DISPOSAL PROGRAM FOR HOME-GENERATED SHARPS (MAKING SHARPS DISPOSAL-BY-MAIL CONTAINERS AVAILABLE IN ALL LAKE COUNTY PHARMACIES)** - Public Services Director Kim Clymire and Public Services Deputy Director Caroline Chavez were present and gave a brief summary.
- On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the implementation of a pilot disposal program for home-generated sharps (making sharps disposal-by-mail containers available in all Lake County pharmacies)
19. **ITEM A-19 - DISCUSSION/CONSIDERATION OF A BULKY ITEM COLLECTION PILOT PROGRAM IN THE UNINCORPORATED AREAS OF LAKE COUNTY FOR RESIDENTIAL CUSTOMERS OF SOUTH LAKE REFUSE RECYCLING AND TIMBERLINE DISPOSAL** - Public Services Director Kim Clymire and Public Services Deputy Director Caroline Chavez were present and gave a brief summary.
- On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the implementation of a bulky item collection pilot program in the unincorporated areas of Lake County for residential customers of South Lake Refuse Recycling and Timberline Disposal.
20. **ITEM A-20 - PROPOSED ORDINANCE AMENDING CHAPTER 9, ARTICLE I, OF THE LAKE COUNTY CODE, ADDRESSING ROADSIDE LITTERING** - Public Services Director Kim Clymire and Public Services Deputy Director Caroline Chavez were present and gave a brief summary.

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On motion of Supervisor Smith 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 Smith and by vote of the Board (5 ayes), advanced the ordinance two weeks to November 21, 2006.

21. **ITEM A-21 - PROPOSED ORDINANCE AMENDING CHAPTER 19 OF THE LAKE COUNTY CODE ESTABLISHING PARKING RESTRICTIONS IN FRONT OF AND ADJACENT TO COUNTY PARKS ALONG THE SCENIC CORRIDOR** - Public Services Director Kim Clymire and Public Services Deputy Director Caroline Chavez were present and gave a brief summary.

On motion of Supervisor Lewis 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 Lewis and by vote of the Board (5 ayes), advanced the ordinance two weeks to November 21, 2006.

22. **ITEM A-22 - PROPOSED ORDINANCE AMENDING SECTION 19-29.1 OF THE ORDINANCE CODE OF THE COUNTY OF LAKE BY ADDING THERETO A SUBSECTION PROVIDING FOR NO PARKING SIGNS, ANDERSON ROAD, LOWER LAKE** - Supervisor Robey gave a brief summary.

On motion of Supervisor Robey 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 November 21, 2006.

23. **ITEM A-12 - CLOSED SESSION - PUBLIC EMPLOYEE APPOINTMENT (INTERVIEWS OF APPLICANTS FOR COMMUNITY DEVELOPMENT 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 at 2:50 p.m.

On motion of Supervisor Brown, seconded by Supervisor Robey and by vote of the Board (5 ayes), appointed Rick Coel as the Community Development Director.

There being no further business, the Board adjourned at 2:51 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Mireya G. Turner
Assistant Clerk of the Board