



# Minutes

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD OCTOBER 10, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 19<sup>th</sup> day of September, 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, Kim Clymire 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, approved Consent Agenda Items C-1 through C-12.

Approved Minutes of the Board of Supervisors meetings held on August 22, September 5, September 12, and September 19, 2006.

(A) Appointed Frederick B. Gaul to Fish and Wildlife Advisory Committee, General Public Category - District 2, for a term expiring on January 1, 2007; and (B) Appointed Sandie Elliott to Fish and Wildlife Advisory Committee, Conservation/Wildlife Industry category, for a term expiring on January 1, 2007.

Reappointed Mary Paarsch to First 5 Commission for a term expiring October 12, 2008.

Approved Agreement No. 06-0489 with the State of California, Department of Food and Agriculture for compliance with the Pierce's Disease contract program and authorized execution thereof.

Approved Amendment to Butler-keys Community Services District's Conflict of Interest Code, pursuant to district's Resolution No. Fy 2006-01, adopted by the district on September 20, 2006.

Approved Amendment No. 1 to Contract between County of Lake and Last Mile Auto Dismantlers for towing services in Area 3 and authorized the Chair to sign.

Approved Hidden Valley Lake Community Services District's Resolution No. 2006-11 updating Conflict of Interest Code and rescinding the Community Services District's Resolution No. 87-10.

(a) Waived the 900-hour Limit for Extra-help Juvenile Correctional Officer I Barbara Eubanks; (b) Waived the 900- Hour Limit for Extra-help Juvenile Correctional Officer II Becky Willson; (c) Waived the 900 Hour Limit for Extra-help Juvenile Correctional Officer I Rick Kreutzer.

Approved Permit to conduct aeronautical business activities at Lampson Airport, and authorized the Chair to sign. (Newhall Aviation)

Approved Contract between County of Lake and Columbia Ultimate, Inc. (Db a RevQ) for debt collection software program to manage the collection of unpaid Court fines and other debts, as approved in 2006-07, Budget Unit No.1122 - Treasurer-Tax Collector, and authorized the Chair to sign.

Sitting as the Board of Directors of Lake County Air Quality Management District, appointed Nikki White to the Lake County Air Quality Management District Hearing Board, Public Member Representative, for a term expiring on October 10, 2009.

Sitting as the Board of Director of Lake County Sanitation District, accepted Dedication and Conveyance of Mainline Sewer Extension, for purpose of providing sewer service, Richard Dunseth, Located at 15571 Douglas Street, Middletown - (Apr 024-461-14), 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 one (1) dog, one (1) kitten that are available for adoption at the Lake County Animal Care and Control Center.

3. **ITEM A-4 - CURRENT CONSTRUCTION PROJECTS - CONTRACT CHANGE ORDERS -**

**Change Order No. 1, Kelseyville Restroom and Parking Area Construction Project: Bid #06-38** - This change order reflects the increase of 323 square feet of asphalt concrete paving and design and construction of a new curb around the Redwood tree that is designed to protect and preserve it from vehicle traffic compaction.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Change Order No. 1, for an increase of \$5,038.00 R&C Construction, for the additional concrete paving, design and construction of a new curb, and authorized the Chair to sign.

4. **ITEM A-15 - (a) CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND BACE GEOTECHNICAL, FOR ENGINEERING SERVICES (GEOTECHNICAL REVIEW SERVICES) OF STORM DAMAGED SITES; and (b) CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND ENGEQ, INC. FOR ENGINEERING SERVICES (GEOTECHNICAL REVIEW SERVICES) OF STORM DAMAGED SITES** - Assistant Director of Public Works Bob Lossius was present.

Mr. Lossius gave a brief staff overview.

On motion by Supervisor Robey, and by vote of the Board (5 ayes), approved the agreement between the County of Lake and BACE Geotechnical, for engineering services of storm damage sites, and authorized Chair to sign.

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On motion by Supervisor Robey, and by vote of the Board (5 ayes), approved the agreement between the County of Lake and ENGeo, Inc, for engineering services (Geotechnical Review Services) of storm damaged sites, and authorized Chair to sign.

5. **ITEM A-5 - (a) PROPOSED RESOLUTION AMENDING RESOLUTION 2006-103 ESTABLISHING POSITION ALLOCATIONS FOR FY 2006/07 BUDGET UNIT NO. 5164, LAKE COUNTY HOUSING COMMISSION; and AMENDING THE TITLE OF BUDGET UNIT NO. 5164, LAKE COUNTY HOUSING COMMISSION, TO "BUDGET UNIT NO. 5164, HOUSING ADMINISTRATION; and (b) PROPOSED RESOLUTION AMENDING RESOLUTION 2006-103 ESTABLISHING POSITION ALLOCATIONS FOR FY 2006-07 BUDGET UNIT NO. 5011, DEPARTMENT OF SOCIAL SERVICES - Social Services Director Carol Huchingson and Deputy Social Services Director Janice Hubbell were present.**

Ms. Huchingson gave a brief overview of the proposal.

Supervisor Robey offered Resolution No. 2006-184 (a Resolution amending Resolution 2006-103 establishing position allocations for FY 2006/07 Budget Unit No. 5164, Lake County Housing Commission; and amending the title of Budget Unit No. 5164, Lake County Housing Commission to "Budget Unit No. 5164 Housing Administration), and it was passed by roll call vote (5 ayes).

Supervisor Robey offered Resolution No. 2006-185 (a Resolution amending Resolution 2006-103 establishing position allocations for FY 2006/07 Budget Unit No. 5011, Department of Social Services), and it was passed by roll call vote (5 ayes).

6. **ITEM A-6 - 9:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 3750 GARD STREET, KELSEYVILLE, (APN 024-101-15-00 - ESTATE OF LAVERN WATERS C/O KENNETH WATERS) - Code Compliance Manager Voris Brumfield, Code Compliance Officer Roderic Hilliard, and Christy Contreras were present and sworn in.**

Supervisor Brown offered to recuse himself, citing a potential conflict of interest. Ms. Contreras, the property owner's representative, declined the offer.

Mr. Hilliard gave a brief overview and power point presentation regarding the conditions of the property.

Ms. Contreras 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 3750 Gard Street, Kelseyville, California, within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, and all costs associated with this case will become a charge against the property.

After a short recess, the Board reconvened at 10:00 a.m.

7. **ITEM A-7 - Continued From September 19, 2006 - 10:00 A.M. - (a) PROPOSED RESOLUTION OF INTENT TO AMEND SECTIONS OF THE COUNTY ZONING ORDINANCE PERTAINING TO SETBACKS FOR STRUCTURES FOR THE HOUSING OR MAINTENANCE OF FARM ANIMALS; and (b) CONSIDERATION OF PROPOSED ORDINANCE ADDING SECTION 4-18 TO CHAPTER 4 OF THE LAKE COUNTY CODE PROVIDING FOR A PUBLIC NUISANCE PROVISION RELATING TO THE CARE AND MAINTENANCE OF ANIMALS - Community Development Director Mary Jane Fagalde and Animal Control Director Denise Johnson were present.**

Chair Farrington passed the gavel to Vice-Chair Smith and was absent at 10:01 a.m.

Ms. Fagalde gave a brief overview of the proposals.

Vice-Chair Smith asked if there was anyone wishing to speak, and the following people spoke: Larry Heine, Chuck March, Gerry Shaul and Paul Villanueva. No one else was present wishing to speak and the public portion of this item was closed.

Supervisor Robey offered the resolution (a Resolution of intent to amend sections of the County Zoning Ordinance pertaining to setbacks for structures for the housing or maintenance of farm animals) and the resolution failed due to roll call vote (Supervisor Robey AYE, Supervisors Smith, Lewis and Brown NO, Supervisor Farrington ABSENT).

On motion of Supervisor Robey and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), 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 (4 ayes, Supervisor Farrington ABSENT), advanced the ordinance two weeks to October 24, 2006.

After a short recess, the Board reconvened at 10:57 a.m., with Supervisor Farrington absent.

Chair Farrington was present at 10:57 a.m.

8. **ITEM A-8 - Continued From September 19, 2006 10:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 10360 ELK MOUNTAIN ROAD, UPPER LAKE (APN 004-002-11-00 - ESTATE OF GENEVA NEIL AND ESTATE OF NANCY GREENWELL) - Code Compliance Manager Voris Brumfield, Code Compliance Officer Thomas Blavet, Mr. Orvil Eugene Greenwell, Mr. Jim McManus, and Mrs. Vickie McManus were present and sworn in.**

Ms. Brumfield testified to the Board that all interested parties had been properly notified regarding this hearing.

Mr. Blavet gave a brief overview and power-point presentation showing the conditions of the property.

Mr. Greenwell, Mr. McManus and Mrs. McManus declined the opportunity to give testimony.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 10360 Elk Mountain Road, Upper Lake, 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.

9. **ITEM A-9 - 10:45 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12968 4<sup>TH</sup> STREET, CLEARLAKE OAKS (APN 035-392-04-00 - ESTATE OF WALLACE & THERESA LEER C/O BEV BRESSO) - Code Compliance Manager Voris Brumfield, and Code Compliance Officer Kimberlee Heckard were present and sworn in. Neither the property owner nor a representative was present.**

Ms. Heckard gave a brief overview and power-point presentation showing the conditions of the property.

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On motion of Supervisor Lewis and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 12968 4<sup>th</sup> Street, Clearlake Oaks, California, within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, and all costs associated with this case will become a charge against the property.

10. **ITEM A-10 - 11:00 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 11075 PINE DELL DRIVE, CLEARLAKE PARK (APN 036-292-19-00 - PETER REINES)** - Code Compliance Manager Voris Brumfield, and Code Compliance Officer Kimberlee Heckard were present and sworn in. Neither the property owner nor a representative was present.

Ms. Heckard gave a brief overview and power-point presentation showing the conditions of the property.

On motion of Supervisor Smith and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 11075 Pine Dell Drive, Clearlake Park, California, within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, and all costs associated with this case will become a charge against the property.

The Board recessed at 11:10 a.m. and returned at 11:15 a.m.

11. **ITEM A-11 -11:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 9847 WITTER SPRINGS ROAD, WITTER SPRINGS (APN 003-029-11-00 - LILA BENNETT)** - Code Compliance Manager Voris Brumfield, Code Compliance Officer Hank Bouillerce, Ms. Lila Bennett, Ms. Gail Bennett, Mr. Byron Zollo, and Mr. Frank Murdoch were present and sworn in.

Mr. Bouillerce gave a brief overview and power-point presentation showing the conditions of the property and also gave a brief background report.

Ms. Gail Bennett read a letter of response into the record regarding the Notice of Nuisance.

Byron Zollo and Frank Murdoch each presented testimony.

The Code Compliance Department was directed by the Board to pursue warrants in order to gain access to 9847 Witter Springs Road, to properly document the alleged open and outdoor storage of items.

This item was continued to a later date.

12. **ITEM A-12 - 11:45 A.M. - PUBLIC HEARING - PROPOSED VACATION OF A PORTION OF A PUBLIC ROADWAY, SAN DIEGO AVENUE, LOCATED IN CALLAYOMI PARK SUBDIVISION IN THE MIDDLETOWN AREA** - Public Works Director Gerry Shaul present.

Mr. Shaul presented a brief overview of the proposal.

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

Supervisor Robey offered Resolution No. 2006-187 (a Resolution of intent to vacate a portion of county road known as San Diego Avenue, Middletown), and it was passed by roll call vote (5 ayes).

13. **ITEM A-14 - CONSIDERATION OF REQUEST FOR AUTHORIZATION TO TAKE HOME ON A DAILY BASIS A VEHICLE ASSIGNED TO DEPUTY PROBATION OFFICER RYAN ERICKSON, WHOSE PRIMARY WORK STATION WILL BE AT THE KONOCTI UNIFIED SCHOOL DISTRICT FACILITY AND WHO WILL BE ON STAND-BY STATUS FOR EMERGENCY CALLS OR SITUATIONS ARISING FROM HIS CASELOAD WHICH ORIGINATES FROM THE SCHOOL DISTRICT** - Chief Probation Officer Steve Buchholz was present.

Mr. Buchholz presented a brief staff summary.

On motion by Supervisor Brown and approved by the Board (5 ayes), granted permanent overnight authorization of a vehicle to Deputy Probation Officer Ryan Erickson for use in his duties as School Resource Officer with Konocti Unified School District.

There being no further business, the Board adjourned at 12:15 p.m.

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Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

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