



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD OCTOBER 3, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 3rd day of October, 2006, there being present Supervisors Ed Robey, Gary Lewis, Rob Brown, Anthony Farrington, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Georgine Hunt. Supervisor Smith was absent all day.

The meeting was called to order at 9:01 a.m. by Chair Farrington. Following a moment of silence, Administrative Officer Kelly Cox 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 (4 ayes, Supervisor Smith ABSENT), approved Consent Agenda Items C-1 through C-10, with the exception of Consent Item C-6, which will be taken up immediately following the approval of the Consent Agenda.

Adopted proclamation designating the month of October 2005, as Domestic Violence Awareness Month in Lake County.

Approved Amendment No. 21 to Agreement between the County of Lake and the City of Clearlake, for the provision of animal control services, and authorized the Chair to sign.

Approved Minutes of the Board of Supervisors Meeting held on August 15, 2006 and Final Budget Minutes held on August 21, 2006.

Adopted Resolution No. 2006-181, appointing representatives (County Counsel Anita L. Grant and Deputy County Counsel Ryan W. Lambert), to the CSAC-Excess Insurance Authority Board of Directors.

Approved Agreement between the County of Lake and Charis Youth Center, for specialty mental health services for Fiscal Year 2006/2007, and authorized the Chair to sign.

Approved Federal Annual Certification Report (pertaining to Asset Forfeiture funds), and authorized the Chair to sign.

Adopted Resolution No. 2006-183, adopting Treasurer-Tax Collector Record Retention Schedule.

Sitting as the Board of Directors of Lake County Sanitation District, accepted dedication and conveyance of mainline sewer extension, for public utility purposes, 20411 Big Canyon Road (APN 014-470-07), Middletown, and direct Clerk to certify for recordation.

Sitting as the Board of Directors of Lake County Watershed Protection District, (a) approved Agreement between the Lake County Watershed Protection District and Coleen Eberle and David Eberle, for Caretaker at Highland Springs Recreation Area; and (B) Approve Certificate of Appreciation to Larry Wood for His Sixteen Years of Duty as Caretaker of Highland Springs Recreation Area, and Authorize the Chair to Sign Both Documents.

CONSENT AGENDA C-6 - PROPOSED RESOLUTION APPROVING FINAL MAP AND THE SIGNING OF THE FINAL PARCEL MAP (VAN ECK) - Chair Farrington stated to the Board that he has a conflict of interest with this project because he owns property near the proposed site and he will not be participating in this discussion.

The gavel was passed to Acting Chair Robey.

Supervisor Brown offered Resolution No. 2006-182, and it was passed by a roll-call vote (3 ayes, Supervisor Farrington ABSTAIN, Supervisor Smith ABSENT).

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 two (2) dogs that are available for adoption at the Lake County Animal Care and Control Shelter.
3. **CITIZEN'S INPUT** - Social Services Director Carol Huchingson introduced Toni Jones, who is the new Program Manager for Child Welfare Services.

Ms. Pam Knispel stated that the Upper Community Council will be holding a community fund raiser entitled "Shirts of Our Back", to be held on October 7, 2006, and invited everyone to attend the function.

The following 4-H members were introduced and accompanied the Board of Supervisors during today's meeting:

Morgan Campbell accompanied Supervisor Robey, Nicole Sullivan accompanied Supervisor Lewis and Kimberly Walker accompanied Supervisor Brown.

4. **ITEM A-5 - 9:15 A.M. - PRESENTATION BY LAKE COUNTY 4-H CLUB REPRESENTATIVE(S) IN RECOGNITION OF NATIONAL 4-H WEEK TO BE HELD FROM OCTOBER 1 THROUGH 7, 2006** - Numerous 4-H members were present. Ms. Rebecca Brooks gave a brief overview of 4-H. 4-H is an organization for youth, ages 5-19, that promotes hands-on learning and is based on parent and volunteer participation. 4-H projects include animal science, camping, geology, photography and shooting sports.

Sitting as the Board of Directors of Lake County Sanitation District and the Lake County Board of Supervisors.

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5. ITEM A-4 - CURRENT CONSTRUCTION PROJECTS - CONTRACT CHANGE ORDERS:

Change Order No. 5 - Kelseyville/Finley Water Improvement Project - This change order addresses a new tank site, installation of a drainage swale in tank access road to prevent future erosion, installation of a permanent erosion control at tank perimeter road entrance, installation of a pull box for pipeline tracer wire, replacement of Well#1 with a new well, abandonment of Borghesai irrigation well near new Well #7, Finley well piping extension, and additional well development and testing.

Special Districts Administrator Mark Dellinger was present.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved Change Order No. 5, for an increase of \$249,634.94, Argonaut Constructors of Santa Rosa, Kelseyville/Finley Water Improvement Project, and authorized the Chair to sign.

The Board of Directors of Lake County Sanitation District adjourned.

6. ITEM A-6 - 9:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 1250 MAHONEY DRIVE, UPPER LAKE (APN 002-025-18-00 - AMBER K. JOHNSON) - Code Compliance Manager Voris Brumfield and Code Compliance Officer Thomas Blavet were present and sworn in by the Clerk.

Neither the property owner nor a representative were present.

Mr. Blavet gave a brief overview of the conditions on the property.

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

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Smith ABSENT), adopted the order to complete abatement of the nuisance within thirty days and authorized staff to abate the nuisance if it is not voluntarily abated, and all cost associated with this case shall become a charge against the property.

7. ITEM A-7 - 9:45 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 3297 EAST HIGHWAY 20, NICE (APN 032-123-02-00 - NANCY BROTMAN) - Code Compliance Manager Voris Brumfield, Code Compliance Officer Hank Bouillercé, Ms. Jenny Clark and Mr. Ed Tiscornia were present and sworn in by the Clerk.

Neither the property owner nor a representative were present.

Assistant Clerk of the Board stated that a request for continuance from Attorney Mike Ewing, dated September 26, 2006, was received.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Smith ABSENT), that the request for continuance be denied.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Smith ABSENT), withdrew the motion that the request for continuance be denied.

Mr. Bouillercé gave a brief overview of the conditions on the property.

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

Chair Farrington stated that the Board usually grants a continuance of an item when requested, but due to the fact that this is a health and safety issue and it needs to be immediately abated, the continuance will not be granted.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Smith ABSENT), adopted the order to complete abatement of the nuisance within thirty days and authorized staff to abate the nuisance if it is not voluntarily abated, and all cost associated with this case shall become a charge against the property.

After a short recess, the Board reconvened at 10:27 a.m.

8. ITEM A-8 - 10:00 A.M. - MEETING WITH ASSEMBLYWOMAN PATTY BERG REGARDING COUNTY/STATE ISSUES - Assemblywoman Berg gave an overview of State issues that were considered by the legislation and the impacts on County government..

9. ITEM A-9 - 10:45 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12562 PINE STREET, CLEARLAKE OAKS (APN 035-123-40-00 - WALLACE McDANIEL AND DOROTHY McDANIEL) - Code Compliance Manager Voris Brumfield, Code Compliance Officer Kimberlee Heckard and Ms. Dorothy McDaniel were present and sworn in by the Clerk.

Ms. Heckard gave a brief overview of the conditions on the property.

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

Ms. McDaniel also presented testimony.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Smith ABSENT), adopted the order to complete abatement of the nuisance within thirty days and authorized staff to abate the nuisance if it is not voluntarily abated, and all cost associated with this case shall become a charge against the property.

10. ITEM A-10 - 11:00 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 11515 LAKESHORE DRIVE, CLEARLAKE PARK (APN 037-141-17-00 - SUPERIOR MANAGEMENT SERVICES, INC.) - Code Compliance Manager Voris Brumfield and Code Compliance Officer Kimberlee Heckard were present and sworn in by the Clerk.

Neither the property owner nor a representative were present.

Ms. Heckard gave a brief overview of the conditions on the property.

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

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Smith ABSENT), adopted the order to complete abatement of the nuisance within thirty days and authorized staff to abate the nuisance if it is not voluntarily abated, and all cost associated with this case shall become a charge against the property.

11. **ITEM A-11 - 11:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12703 EAST HIGHWAY 20, CLEARLAKE OAKS (APN 035-231-46-00 - ESTATE OF BENNIE HANEY AND BERNICE MASON)** - Code Compliance Manager Voris Brumfield, Code Compliance Officer Kimberlee Heckard and Ms. Penny Holmes, representing the property owner were present and sworn in by the Clerk.

Ms. Heckard gave a brief overview of the conditions on the property.

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

Ms. Holmes also presented testimony.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Smith ABSENT), adopted the order to complete abatement of the nuisance within thirty days and authorized staff to abate the nuisance if it is not voluntarily abated, and all cost associated with this case shall become a charge against the property.

12. **A-19 - REVIEW AND APPROVAL OF PROPOSED RESPONSE TO FISCAL YEAR 2005/2006 GRAND JURY FINAL REPORT** - There were numerous amendments made to the Fiscal Year 2005/2006 Grand Jury Final Report

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved the response, as amended, to the Fiscal Year 2005/2006 Grand Jury Final Report, as amended.

13. **ITEM A-12 - 11:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 16152 FLORENCE STREET, LOWER LAKE (APN 024-233-09-00 - SHARON WILLIAMS, DEANNA KESPOHL, ARTHUR GEE AND CLEONE GEE)** - Code Compliance Manager Voris Brumfield, Code Compliance Officer Kimberlee Heckard, Ms. Sharon Williams, Ms. Keanna Kesphol and Ms. Barbara Klimidas were present and sworn in by the Clerk.

Ms. Heckard stated that this is not a nuisance abatement but a Nuisance Abatement Assessment conformation, and the proposed recordation of a Notice of Lien in the amount of \$5,075.07, for nuisance abatement on property located at 16152 Florence Street, Lower Lake, California, 95457, being APN 024-233-09-00, and owned by Sharon Williams be confirmed 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 \$5,075.07, pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

On motion of Supervisor Robey and by vote of the Board (4 ayes, Supervisor Smith ABSENT),

14. **ITEM A-13 - 11:45 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF OCTOBER 2005, AS DOMESTIC VIOLENCE AWARENESS MONTH IN LAKE COUNTY** - Supervisor Lewis read the proclamation into the record. The proclamation was presented to the staff of Victim/Witness, District Attorneys Office, the Lake County Resource Center and the Native Americans Center.

The Board recessed for lunch at 12:02 p.m. and reconvened at 1:34 p.m.

15. **ITEM A-14 - Continued From September 19, 2006 - 1:30 P.M. - CONSIDERATION OF REQUEST TO RENEW CONTRACT WITH LAKE COUNTY OFFICE OF EDUCATION FOR SCHOOL-BASED SPECIALTY MENTAL HEALTH SERVICES** - Mental Health Director Kristy Kelly and Lake County Office of Education Assistant Superintendent David Geck were present.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved the renewal of the Contract between the County of Lake and the Lake County Office of Education for school-based specialty mental health services, and authorized the Chair to sign.

Supervisor Brown was absent at 1:37 p.m. for the remainder of the day.

16. **ITEM A-15 - 1:45 P.M. - PUBLIC HEARING - DISCUSSION/CONSIDERATION OF FISCAL YEAR 2006/2007 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM REGARDING POTENTIAL PROJECT FOR THE GENERAL ALLOCATION GRANT AND THE PLANNING AND TECHNICAL ASSISTANCE GRANTS** - Chief Deputy Administrative Officer Matt Perry was present and gave a brief overview of the grants.

Supervisor Farrington opened the public hearing and Ms. Ray Ebby-Carl and Mr. Jeff Lucas spoke. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Lewis and by vote of the Board (3 ayes, Supervisors Smith and Brown ABSENT), directed staff to pursue the General Allocation Construction Grant application for construction of curb, gutter and sidewalk along Highway 20 in Clearlake Oaks from Foothill (SW) to Foothill (NE), and the construction of a Middletown Senior Center in conjunction with a library and Sheriff Substation.

17. **ITEM A-16 - Continued From September 5, 2006 - 2:30 P.M. - INTERVIEWS OF APPLICANTS WILLIAM WHIPPLE, RICHARD BRUCH AND DON LANGE FOR APPOINTMENT TO THE LAKEPORT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS** - The Board interviewed applicants William Whipple, Richard Bruch and Don Lange for appointment to the Lakeport Fire Protection District Board of Directors.

On motion of Supervisor Lewis and by vote of the Board (3 ayes, Supervisors Smith and Brown ABSENT), appointed Mr. William Whipple to the Lakeport Fire Protection District Board of Directors, for a term expiring on January 1, 2007.

18. **ITEM A-17 - 3:00 P.M. - PRESENTATION BY JANIS PARIS REQUESTING THE BOARD TO INITIATE AN ORDINANCE REGARDING RENT STABILIZATION IN MOBILEHOME PARKS LOCATED IN THE UNINCORPORATED AREAS OF LAKE COUNTY** - Ms. Paris gave an overview of the proposal to initiate an ordinance regarding rent stabilization in mobilehome parks located in the unincorporated areas of Lake County.

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After a short recess, the Board reconvened at 3:35 p.m.

Chair Farrington asked if anyone present wished to speak and the following persons spoke: Mr. Gregory Cavnes, Richard Flipowicz, Mr. Dick Forbes, Ms. Marilyn Jarrett, Mr. Mike Benjamin, Mr. Larry Whitehouse, Ms. Joan Moss, Ms. Kathleen Harness and Ms. May Noble. 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.

19. **ITEM A-20 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: LCEA** - 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 6:43 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board