



# Minutes

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JANUARY 16, 2007

The Honorable Board of Supervisors of Lake County, California, met in regular session this 16<sup>th</sup> day of January, 2007, there being present Supervisors Ed Robey, Jeff Smith, Denise Rushing, 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 Smith. Following a moment of silence in honor of Hulda Mantle, Supervisor Denise Rushing led the salute to the flag of the United States of America.

1. **ITEM A-3 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Robey and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-7.

Approved Minutes of the Board of Supervisors meeting held on January 2, 2007.

Adopted Resolution No. 2007-15, authorizing Code Compliance Division to destroy records pursuant to Government Code Section 26202 (closed case files more than five years old).

Waived the 900-hour limit for extra-help Crisis Worker Pat Trujillo.

Adopted Resolution No. 2007-16, approving application for California regrant project for local governments and historical record repositories for restoration of seven historic books.

Approved plans and specifications for construction of Animal Care Facility Phase I (Site Work).

Adopted Proclamation commending Albert E. Moorhead for his service to the Lakeport Fire Protection District.

Sitting as the Board of Directors of the Lake County Watershed Protection District, approved agreement between the Lake County Watershed Protection District and West Lake Resource Conservation District for support services to be provided by Lake County Watershed Protection District (for administration of Calfed Prop 50 Watershed Program Grant for Watershed Assessments in Scotts Creek, Middle Creek and Kelsey Creek and the completion of the Clear Lake Basin Management Plan), and authorized the Chair to sign.

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 presented one dog and one cat that are available for adoption at the Lake County Animal Care and Control Center.

3. **CITIZEN'S INPUT** - Larry Ratcliffe spoke regarding local law enforcement.

4. **ITEM A-14 - CONSIDERATION OF OPTION AGREEMENT FOR PURCHASE OF REAL PROPERTY FOR DEVELOPMENT OF PUBLIC PARK FACILITY IN DOWNTOWN CLEARLAKE OAKS (NYLANDER PROPERTY, APN'S 035-142-10, 12-19, 23 and 32)** - County Administrator Kelly Cox presented a brief summary.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the option agreement for purchase of property in downtown Clearlake Oaks.

5. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - APPEAL OF TED MULDER and TIMOTHY MULDER (AB 06-04) OF THE PLANNING COMMISSION'S DENIAL OF A MAJOR USE PERMIT FOR A CONTRACTOR'S HEAVY EQUIPMENT STORAGE YARD AND THE PLANNING COMMISSION'S DENIAL OF REZONE (RZ 04-14) OF A 1.3-ACRE PARCEL FROM "U" (UNCLASSIFIED) TO "C3-DR" (SERVICE COMMERCIAL-DESIGN REVIEW); PROPERTY LOCATED AT 650 SULPHUR BANK DRIVE, CLEARLAKE OAKS, CA (APN 006-490-34)** - Community Development Director Rick Coel was present.

Senior Planner Penelope Shibley gave a brief summary on the appeal.

Chair Smith opened the public hearing and the following people spoke: Steve Brookes, Ted Mulder, Susan Andrade and Frank Johnson. No one else was present wishing to speak and the public hearing was closed.

This item was continued to a later date.

6. **ITEM A-17 - CONSIDERATION OF REQUEST FOR OUT-OF-STATE TRAVEL FOR COMMUNITY DEVELOPMENT DIRECTOR/BUILDING OFFICIAL MARY JANE FAGALDE, BUILDING INSPECTOR THOMAS BLAVET AND BUILDING INSPECTOR JOE MAGLIOCCO, TO LAS VEGAS, NEVADA, FROM FEBRUARY 27, THROUGH MARCH 3, 2006 TO ATTEND EDUCODE INTERNATIONAL TRAINING** - Community Development Director Rick Coel gave a brief summary.

Staff was directed to give a presentation on International Codes upon their return.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved out of state travel for Building Official Mary Jane Fagalde, Building Inspector Thomas Blavet and Building Inspector Joe Magliocco, to Las Vegas, Nevada, from February 27, through March 3, 2006 to attend the EduCode International Training.

7. **ITEM A-6 - 9:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 3230 HILL ROAD EAST, LAKEPORT (APN 005-017-35-00 - ROBERT WEAVER)** - Community Development Director Rick Coel was present.

Code Compliance Officer Hank Bouillerce and Robert Weaver were sworn in by the Clerk.

Mr. Bouillerce gave a power point presentation and summary of the conditions of the property.

Mr. Weaver offered testimony.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 3230 Hill Road East, Lakeport, 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.

8. **ITEM A-7 - Carried Over From January 9, 2007 - 9:45 A.M. - (a) HEARING - AMENDMENT TO NUISANCE ABATEMENT ASSESSMENT CONFIRMATION IN THE AMOUNT OF \$1,324.71 AND PROPOSED RECORDATION OF NOTICE OF SUPERCEDED LIEN FOR THE NUISANCE ABATEMENT FOR A TOTAL AMOUNT OF \$20,047.89, PROPERTY LOCATED AT 11809 WIDGEON WAY, CLEARLAKE OAKS, CA - (APN 035-272-10 - JOAN M. CORNETT and HAROLD C. CORNETT); and (b) CONSIDERATION OF REQUEST TO APPROVE PAYMENT OF \$1,324.71, TO AJAY CONSTRUCTION FOR ADDITIONAL COSTS OF A NUISANCE ABATEMENT ON PROPERTY LOCATED AT 11809 WIDGEON WAY, CLEARLAKE OAKS, CA - (APN 035-272-10 - JOAN M. CORNETT and HAROLD C. CORNETT) -** Community Development Director Rick Coel was present. Code Compliance Officer Kimberlee Heckard was sworn in by the Clerk.

Ms. Heckard presented a brief summary regarding the reason for the additional assessment.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), confirmed the additional assessment of \$1,324.71 for completion of nuisance abatement on property located at 11809 Widgeon Way, Clearlake Oaks, CA being APN 035-272-10-00 and owned by Joan Cornett and directed the Enforcement Official to prepare and have recorded in the office of the Lake County Recorder, as Superceding Notice of Lien in the amount of \$20,047.89, pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

9. **ITEM A-8 - 10:00 A.M. HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$3,684.68, PROPERTY LOCATED AT 12516 EAST HIGHWAY 20, CLEARLAKE OAKS, CA (APN 035-123-47-00 - HSBC MORTGAGE SERVICES (DARAN MOGHADAM), HOUSEKEY FINANCIAL CORPORATION) -** Community Development Director Rick Coel and Code Compliance Officer Kimberlee Heckard were present and sworn in by the Clerk.

Ms. Heckard gave a brief update on the property conditions.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), confirmed the assessment of \$3,684.68 for nuisance abatement on property located at 12516 East Highway 20, Clearlake Oaks, CA (APN 035-123-47-00), and owned by HSBC Mortgage Services Inc. (Daran Moghadam) and directed the Enforcement Official to prepare and have recorded in the office of the Lake County Recorder, a Notice of Lien in the amount of \$3,684.68 pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

10. **ITEM A-9 - 10:15 A.M. - CONSIDERATION OF FIRST AMENDMENT TO CONTRACT BETWEEN THE LAKE COUNTY DEPARTMENT OF SOCIAL SERVICES AND ARBOR E&T, LLC., FOR CALWORKS WELFARE TO WORK SERVICES -** Social Services Director Carol Huchingson, Senior Staff Services Analyst Jennifer Fitts and Eligibility Worker II Sharon Anderson were present.

Ms. Fitts presented a brief summary.

The Board recessed briefly and returned at 11:00 a.m.

On motion of Supervisor Robey and by vote of the Board (5 ayes) approved the First Amendment to the contract between the Lake County Department of Social Services and Arbor E&T, LLC., for CalWorks Welfare to Work Services and authorized the Chair to sign.

11. **ITEM A-13 - CONSIDERATION OF REQUEST FOR OUT OF STATE TRAVEL TO ALLOW A BACKGROUND INVESTIGATION IN WASHINGTON STATE (DEPUTY SHERIFF) -**

On motion of Supervisory Robey and by vote of the Board (3 ayes, Supervisors Brown and Rushing NO), approved out-of-state travel for one part-time investigator to travel to Washington state to complete a background investigation on Deputy Sheriff Applicant John Laverty.

12. **ITEM A-12 - DISCUSSION OF INVESTIGATING AND PURSUING ALTERNATIVE POWER SOURCES FOR COUNTY FACILITIES -** Public Services Director Kim Clymire, Special Services Director Mark Dellinger and Sheriff Rod Mitchell were present.

A committee was formed for the exploration of alternative power sources for County facilities, consisting of Rob Brown, Denise Rushing, Matt Perry, Kim Clymire, Mark Dellinger and Crystal Esberg.

13. **ITEM A-10 - 11:15 A.M. - HEARING - APPEAL OF VICIOUS ANIMAL ABATEMENT ORDER, LOCATED AT 6687 WRIGHT WAY, NICE, CA (GINA DeMARTINI-MAYHOOD) -** Animal Control Officers Morgan Nelsen and Teasha Rogers, Gina Renee Mayhood and Hank Beck were present and sworn in.

Ms. Rogers presented the staff summary.

Ms. Mayhood and Mr. Beck presented testimony.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), sustained the Vicious Animal Abatement Order and directed Ms. Mayhood to comply with the conditions imposed by the Animal Care and Control Department, with the following modifications: (A) Ms. Mayhood has ten days to comply with the conditions; and (B) the canines may be kept at the owner's current residence.

14. **ITEM A-18 - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: LCEA, LCCOA, SDA and DDAA; and 2. Sitting as the Board of Directors of Lake County Sanitation District: Conference with Legal Counsel - Existing Litigation - Pursuant to Subdivision (a) of Section 54956.9 - Name of Case: in regard to Calpine, Inc., et al (United States Bankruptcy Court, Southern District, New York -** Chair Smith 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 12:18 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